



Thomas Seymour

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Clerks' Details

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Qualifications and Appointments

- First Class degree in Law – Cambridge

“He has the ear of the court”

The Legal 500, 2016

Memberships

- Chancery Bar Association
- Association of Pension Lawyers
- Society of Trust and Estate Practitioners
- Association of Contentious Trust and Probate

Publications

- [Trustee exculpation - the law, the quirks and the business sense](#) (2014) *Trusts & Trustees* 20 (9): 933-942
- Seminar address to Association of Pension Lawyers on group estoppel in occupational pension schemes. Published in *Pension Lawyer* Issue 101 (November 2004).

Practice Overview

Thomas is a highly experienced barrister with a broad chancery and commercial practice. His main practice areas are pensions, trusts/private client, property and professional negligence related to those practice areas.

Thomas has a specialist pensions practice based on over 20 years' experience of acting and advising in pensions matters, including litigation in the High Court, regulatory matters and Pensions Ombudsman references.

Thomas has an extensive trusts and private client practice, specialising in contentious trust litigation both in the United Kingdom and cases with a foreign element (including recent cases in Gibraltar and the Cayman Islands). His private client practice also embraces wills, contentious probate, estates and charities.

His property work focuses on real property disputes: enforcing contracts for sale or lease, title and boundaries, restrictive covenants, easements, mortgages, commercial landlord and tenant, and conveyancing.

Thomas acts and advises on partnership and company law matters and has recently advised the Financial Reporting Review Council on International Accounting Standards and compliance issues relating to public companies.

Chambers & Partners, 2017 (Pensions) says *"he has a strong instinct about what the right thing is to do and he builds an intellectual case around that"; "He's incredibly thoughtful and can be relied upon to get the right answer."*

The Legal 500 2015 and 2016 describe him as *"a wise barrister"* who *"has the ear of the court"*.

He is also an accredited mediator.



Trusts, Tax, Probate and Estates

Thomas acts and advises in a wide range of contentious and non contentious trusts, charity, probate and estate matters, including;

- Breach of trust disputes.
- Construction and rectification of trust documents, contentious trust matters.
- Claims by trustees against advisors/third parties.
- Charity matters generally, including charitable trusts.
- Probate and estates, construction and rectification of wills, the Inheritance (Provision for Family and Dependents) Act 1975, probate claims, issues and claims concerning the administration of estates (both internal and third party claims), Beddoe proceedings, statutory wills, Court of Protection and next of kin enquiries.

Representative matters include:

- Acting for the settlor and principal beneficiary of multi-million pound settlements in proceedings in the Cayman Islands by the Trustees against the Bank of New York Trust Company Limited, to which the settlor was joined as third party .
- Acting for the offshore trustees of settlements in an 8 year long dispute concerning property in London held through a corporate structure.
- Advising on an Inheritance Act claim by a second wife claiming against an estate largely comprising shares in a family company.
- Advising on whether school buildings erected in the 19th Century and used as a school are subject to a charitable trust.
- Acting and advising in contentious litigation concerning a building in a consecrated churchyard in central London and involving a complex web of trust, property and ecclesiastical issues, including a trust arising under the Open Spaces Act 1906.
- Acting for the trustees in litigation – and on the compromise (approved by the Court in 2015) – of a claim to set aside a settlement of a reversionary interest upon equitable grounds.
- Acting for the trustee of a family settlement, bringing proceedings in Gibraltar, joining the beneficiaries and settlor to determine whether the shares had been effectively settled or remained vested in the settlor.
- Acting for the corporate investment vehicle sued as defendant in major trust-related litigation in Gibraltar in the High Court and in the Court of Appeal (2008-9: subject-matter confidential).