



## Tiffany Scott QC

Call: 1998

Silk: 2018

tscott@wilberforce.co.uk

### Clerks' Details

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### Qualifications and Appointments

- Degree in Classics, Oriel College, Oxford
- Oriel College Exhibitioner
- Distinction in Postgraduate Diploma in Law
- College of Law prize for best paper in Tort
- Laurence Kingsley Prize for Excellence in Drafting and Pleading, Inns Court School of Law

*“She is just brilliant in Court and her legal mind is incredible.”*

Chambers & Partners 2019

## Memberships

- Chancery Bar Association
- Property Bar Association
- Professional Negligence Bar Association
- Combar
- Society of Trust and Estate Practitioners (STEP)
- Bar Pro Bono Panel

## Publications

- [Rotrust Nominees Ltd v Hautford Ltd \(2018\) Property Law Journal](#)
- [Unreasonable refusal of consent to change of use \(2017\) Wilberforce Property Update \(Issue 3\)](#)
- Trusts and estates cases: recent developments (2016) *Trusts & Trustees* 22 (9): 982-990
- Where different legal systems collide: the decision in *Labrousche v Frey & Ors* (2016) *Trusts & Trustees* 22 (7): 741-752

## Practice Overview

Tiffany is an experienced advocate specialising in commercial litigation, trusts and estates disputes, property litigation and professional liability claims. She has experience in 'business' litigation of all kinds, often with an international element, including fund and partnership disputes, shareholder disputes, claims against fiduciaries, and claims arising out of insolvency and civil fraud.

She is well-known for being *"just brilliant in Court"* (Chambers & Partners 2019) and *"a great advocate"*, for her cross-examination skills and for being *"extremely good at handling appeals"*. The legal directories also comment that she is *"fierce when you need her to be fierce...her legal mind is incredible"*, *"a tough and tenacious advocate"* (Chambers & Partners 2019), *"a ferocious litigator cross-examiner"*, that *"her style is effective as she is ruthless, yet never over the top, when exposing the limitations of her opponent's case"*, and that she *"knows how to give the other side a good kicking"*.

She has appeared before Courts and Tribunals at all levels, including the Privy Council. She will be appearing in the Supreme Court in May 2019 in *Sequent Nominees Ltd (formerly Rotrust Nominees Ltd) v Hautford Limited*, a case concerning the exercise of contractual discretions, and the reasonableness of withholding consent.

She enjoys working as part of a litigation team and is recognised for being *"very assured, highly realistic and someone who can manage client expectations in difficult circumstances"* (Chambers & Partners 2019), as well as for her meticulous preparation of cases, attention to detail and first-rate drafting skills. *"Her advice is always very detailed and thorough"* (Chambers & Partners 2019).

She takes care to explore issues with her clients and find creative ways to approach to the complex problems that arise in practice. *"She provides clients with excellent commercial legal solutions and is quick to get to the heart of a problem"* (Chambers & Partners 2019). Her clients range from investment banks and high net worth individuals to charities and those who need representation on a pro bono basis.

Tiffany is one of the leading names at the Bar in her fields of practice. She is recommended by the directories as follows:

- by The Legal 500 in the fields of private client – trusts and probate, professional negligence, and property litigation;



## Publications continued

- [Wilberforce Legal Digest \(Issue 2\) Trust, Tax, Probate and Estates \(2015\)](#) (Editor)
- In the post-Pitt world (2014) *Trusts & Trustees* 20 (9): 871-881
- [Hill and Redman's Law of Landlord and Tenant](#) (Editor)

## Practice Overview continued

- by Chambers & Partners in the fields of chancery traditional, chancery commercial and real estate litigation;
- by Chambers Global in the field of dispute resolution: commercial chancery;
- by HNW Guide in the field of chancery: traditional.

The 2019 directories state that she *"is very direct and matter of fact and has a good presence in the Court room", "demonstrates impeccable judgment and has some excellent experience for a new silk", "is very smart, very responsive and very bright", "is approachable, very friendly and has a keen eye for detail"*. In previous years she has been described as having *"an impressive intellect, and is approachable and client-friendly. Sensible, pragmatic and efficient, she is calm and collected when on her feet"*; being *"very pleasant and very bright, she has tons of experience and is very well respected by her peers and third parties alike"*; *"she can simplify the most complex arguments and she takes a firm and fair attitude to contentious matters"*; *"a great advocate who is very good at dealing with complex legal issues"*.

She has also been described as *"a brilliant, self-assured advocate who is a real asset to any team", "very persuasive and adaptable on her feet", "exceptionally bright and hard-working. She makes the advice very easy to understand when tackling subjects that are very, very difficult"*; *"very approachable. I have seen her on her feet: she's very good at cross-examination, and is very persuasive"*; *"technically very sharp and engaging with clients"* with *"an excellent grasp of complex valuation matters"*.

## Commercial

Tiffany has been recommended in this field by Chambers & Partners and Chambers Global for many years. The directories state that she is *"fierce when you need her to be fierce, she is just brilliant in Court and her legal mind is incredible. She is very direct and matter of fact and has a good presence in the Court room"*, is *"very assured, highly realistic and someone who can manage client expectations in difficult circumstances"* (2019); she *"has an impressive intellect, and is approachable and client-friendly. Sensible, pragmatic and efficient, she is calm and collected when on her feet"* but is also well capable of being *"a ferocious litigator cross-examiner"* (2018); *"extremely good at handling appeals and a good draftsman"* (2017); *"good to work with, clever and reliable"* (2016); a *"seasoned commercial chancery litigator"* who is *"very calm and methodical ... her manner inspires confidence even in adverse circumstances. She is a brilliant, self-assured advocate who is a real asset to any team"* (2015).

She has experience in 'business' litigation of all kinds, often with an international element, including fund and partnership disputes, shareholder disputes, including s994 petitions, claims against fiduciaries, and claims arising out of insolvency and civil fraud.

She undertakes a variety of cases with a financial services element including claims arising out of poor investment advice or mis-selling, professional negligence claims in the financial services field and other related actions (such as actions by trustees or against pension providers) requiring analysis of the performance of investments for the purpose of assessing damages.

She has experience dealing with claims requiring consideration of the Financial Services and Markets Act 2000 and the Conduct of Business Rules and she has also, over the years, dealt with claims involving previous regulatory regimes including the rules of FIMBRA, the Personal Investment Authority, and LAUTRO.

### Cases include:

- *Michel v Michel* - acting for the majority shareholders in an unfair prejudice petition relating to a family-run cosmetics manufacturing company and its Chinese operations.
- Acting for the majority shareholders in an unfair prejudice petition relating to a restaurant-owning company combined with proceedings seeking specific performance of buy-out provisions in a shareholders' agreement, alleging breach of a good faith provision.



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## Commercial continued

- *Luitpold Immobilienverwaltung v Huber & Grothe* – acting for claimant in proceedings against judgment debtors to provide information about their assets and for committal.
- Advising as to the proposed sale of a major London hotel chain and pre-sale restructuring of its substantial property portfolio.
- Acting in an arbitration for a property developer in a joint venture dispute with a landowner relating to the development of an estate of houses involving complex questions of agency and authority.
- *Axle Holdings v Letter* – a claim for fraudulent misrepresentation and breach of warranty against the vendors of shares in a luxury vehicle company with a sale price of \$52 million.
- *Investec Bank (Channel Islands) Ltd v Kamyab* – acting for the bank in a claim to recover millions of pounds secured against various properties, where the Defendant alleged that the properties had been put into trust.
- *Vocational Health Services v BMI Healthcare* – a claim by a consortium of doctors against a major healthcare provider in relation to a failed joint venture, alleging conspiracy.
- *Garrard v Salter* – A dispute arising out of a joint venture/partnership establishing a venture capital business.
- *Taylor v Peacock Financial Management* – representing a financial services provider in negligence proceedings in relation to trust investments.
- Advising and representing minority shareholders in a dispute in relation to the management of two well-known London restaurants.
- Advising a former director/shareholder as to the negligent drafting of an agreement for his exit from the company.
- Advising in relation to the breakdown of a joint venture to establish a company providing procurement solutions for the construction industry.
- Advising in a multi-jurisdictional dispute between high net worth individuals as to joint venture and loan agreements relating to the purchase, refurbishment and subsequent operation of a floating oil storage off-loading vessel in Thailand.
- Acting for Flavio Briatore in claim brought by Italian fashion designer regarding alleged joint venture to establish a worldwide fashion couture business under the 'Billionaire' trademark.
- Acting for Vivian Imerman in a high-profile dispute with Robert Tchenguiz regarding the breakdown of a joint venture for purchasing and operating Whyte & Mackay, involving allegations of breach of fiduciary duty, breach of directors' duties, dishonesty, taking of secret profits and unjust enrichment.