



Tiffany Scott QC

Call: 1998

Silk: 2018

tscott@wilberforce.co.uk

Clerks' Details

+44 (0)20 7306 0102

practicemanagers@wilberforce.co.uk

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"*.

Professional Liability

Tiffany has an established reputation in the area of professional liability and has been recommended in this field by The Legal 500 for many years. She is ranked in Tier 1 in the 2019 edition which calls her **"superb"**. The 2018 edition described her as **"strong"**, and previous editions as **"excellent"**, **"a first-rate advocate"**, and **"very persuasive and adaptable on her feet"**.

She undertakes a wide variety of professional negligence work, whether acting for claimants or for the insured, in claims against solicitors, barristers, accountants, trustees, surveyors, construction professionals, finance practitioners (including pension advisers) and insurance brokers.

Much of her work in this area is property or trust related but she also undertakes a variety of cases with a financial services element including claims arising out of poor investment advice or mis-selling and other related actions 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.

Recent cases include:

- *Orientfield Holdings Ltd v Bird & Bird* [2017] EWCA Civ 348, and [2015] PNLR 33 (first instance decision) – acting for solicitors in a claim alleging negligence in the course of the purchase of a residential property worth £25 million by failing properly to advise the client as to the contents of a "Plansearch". The case at first instance was listed by The Lawyer as one of the top 20 cases of 2015.
- *Pannikov v Taylor Williams Daley & Mishcon de Reya* – acting for claimants against building surveyors and real estate transaction lawyers in a claim arising out of alleged negligent advice and drafting in relation to the purchase of a redeveloped property.
- *HBB v John M Lewis* – acting for claimant property-owning company against solicitors for alleged negligent conveyancing.
- *Creative Horizon v Scott Fowler* – acting in group litigation for a group of 60 overseas investors who paid deposits for the purchase of flats yet to be built in England, seeking damages from the solicitors who advised and alleging a failure to warn about the risks of the transactions.



Professional Liability continued

- Advising a former director/shareholder in relation to the negligent drafting of an agreement for his exit from the company.
- Acting for solicitors in claim brought by landlord of a lease of a leisure park alleging negligent drafting by failing to include in the calculation of rent the income of subsidiaries and licensees who also operate from the park.
- Acting for Cayman Islands attorneys in a claim arising out of alleged negligent handling of complex trust litigation.
- Acting for the owner of a retail development in a claim against its solicitors for failing to advise it properly as to service of a notice under an agreement for lease.
- Advising solicitor defendants in lost litigation claim involving complex questions of loss of a chance.
- Advising a major institutional investor as to potential solicitors' negligence proceedings arising out of its investment in a large well-known shopping centre.
- Representing a firm of investment advisers in proceedings brought by a beneficiary of a trust alleging that negligent financial advice had been provided to the trustees.
- Advising and representing insured clients in various disputes arising out of allegedly negligent conveyancing and drafting of leases, including rectification claims, and negligent property surveys and valuations.