



Tiffany Scott QC

Call: 1998

Silk: 2018

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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"*.

Trusts, Tax, Probate and Estates

Tiffany is a member of STEP and she deals with all aspects of trusts and probate work – contentious and non-contentious, offshore, onshore and multi-jurisdictional. She has been recommended as a leading name in this field by The Legal 500 (Tier 1) and Chambers & Partners for many years, the 2019 editions stating *"her advice is always very detailed and thorough, she demonstrates impeccable judgment and has some excellent experience for a new silk", "she is very smart, very responsive and very bright"* and she *"has excellent attention to detail and a good calming way with clients"*. The 2018 directories stated that she is *"very pleasant and very bright, she has tons of experience and is very well respected by her peers and third parties alike"*, and that *"she can simplify the most complex arguments and she takes a firm and fair attitude to contentious matters"*.

She is also recommended in the HNW Guide in this field as being *"very assured and realistic, she can manage client expectations in difficult circumstances"*, *"exceptionally bright and hardworking ... she makes the advice very easy to understand in subjects that are very, very difficult. She breaks it down for the client in a way that is easily digestible"*; *"she is very easy to work with. She takes a look at the bigger picture, rather than getting bogged down in the minutiae. She is definitely very good with clients, she is very approachable. I have seen her on her feet: she's very good at cross-examination, and is very persuasive."*

In addition to the specific casework mentioned below her general areas of practice include:

- contentious trust litigation between beneficiaries and trustees
- disputes involving trusts in divorce proceedings
- disputes involving construction of wills and contentious probate
- claims for the appointment and removal of trustees and executors
- claims for provision under the Inheritance etc. Act 1975
- rectification of wills and trusts
- applications under the Variation of Trusts Act 1958
- applications under the Trustee Act 1925 for enlargement of trustees' administrative powers



Trusts, Tax, Probate and Estates continued

- approval of compromises on behalf of minor children
- Re Beddoe applications

Casework includes:

- *TP v PRBP* [2018] EWHC 2433 (Fam) – acting for trustees of a £400 million trust in divorce proceedings where the wife claims that assets to which the husband is entitled under the trust should be brought into account on the divorce.
- *Labrousche v Frey (Re Olga Martin Montis)* [2016] EWHC 268 (Ch) – acting for Marquesa Soledad Cabeza de Vaca in long-running litigation brought by her son culminating in 6 week trial alleging wrongful distribution of £20 million of trust assets and excessive fee-taking by the trustees, arising out of the conversion of a Liechtenstein establishment to a foundation.
- *Skillings v Kibby* [2016] EWHC 3165 – acting for successful beneficiaries under a will in a 5 day taking of an account; an account was obtained on the footing of wilful default following misapplication of estate assets; included cross-examination on the questions whether an Old Masters painting was sold at an undervalue and whether excessive fees were paid to non-professional agents. Permission to appeal was refused after a 2 day hearing.
- *Monderer v Nevies* – acting for the executor of a settlor/trustee in ongoing claim brought by beneficiaries for an account against the estate and the current trustee and a trustee de son tort.
- Representing minor and unborn beneficiaries in an application to vary a trust to introduce a power to accumulate income and to extend the perpetuity period.
- Acting for Cayman Islands attorneys in a claim arising out of alleged negligent handling of complex trust litigation.
- Acting in ongoing complex and high value 1975 Act proceedings brought by a cohabitee against the children of the deceased.
- Acting for the Hayward family in long-running litigation in the Bahamas in relation to the family trusts of the late Sir Jack Hayward which own half the Grand Bahama Port Authority – involving injunctions to restrain distribution of trust assets and the exercise of powers of appointment; setting aside trustee resolutions removing the family as beneficiaries; seeking the appointment of a judicial trustee; and an inquiry as to whether a trustee procured the removal of its co-trustees in breach of duty
- Acting for the trustee of an overseas retirement benefit scheme with only one member, holding assets of around £60 million, as to issues that arise on the divorce of the member where his wife is challenging the exercise of the trustees' powers and seeking information about the scheme.
- Advising trustees of a family trust of valuable land as to how to impose a "clawback" provision on beneficiaries to whom they have made distributions in order to share in the profits of future development.
- Advising invalidly appointed trustees how to retire and obtain payment of their fees and expenses from the trust fund; applying to court to authorise payment of fees and to ratify the actions the trustees had taken while invalidly appointed.
- Advising on proceedings in Jersey to set aside a trust on grounds of undue influence and invalidity of the trust instrument.
- Appearing before the Court of Protection on contested applications for the appointment of a deputy and appointment of a litigation friend.
- Acting for a professional interim receiver appointed under the Mental Health Act 1983 on a claim by a disappointed beneficiary for allegedly negligent failure to procure a statutory will.