



Tiffany Scott

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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

“Technically very sharp and engaging with clients”

Chambers & Partners 2017

Memberships

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

Practice Overview

Tiffany specialises 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 has appeared before courts and tribunals at all levels. In May 2012 she appeared unled in the Privy Council in *Kelly v Fraser* [2012] UKPC 25, an estoppel claim involving a Jamaican pension fund.

She enjoys working as part of a litigation team. She is known for being 'user-friendly', as well as for her meticulous preparation of cases, attention to detail and first-rate drafting skills. Her clients range from investment banks to charities, from high net worth individuals to those who need representation on a pro bono basis.

Tiffany is recommended as a leading junior:

- by The Legal 500 in the fields of private client – trusts and probate, professional negligence, and property litigation;
- by Chambers & Partners in the fields of chancery traditional, chancery commercial and real estate litigation; she was runner-up in the "Real Estate Junior of the Year" category at the Chambers UK Bar Awards in 2015;
- by Chambers Global in the field of dispute resolution: commercial chancery;
- by HNW Guide in the field of chancery: traditional.

She is described in the current directories as *"extremely good at handling appeals and a good draftsman"; "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"; "calm, practical and good with clients"; "willing to explore issues and find creative solutions"; "takes a look at the bigger picture, rather than getting bogged down in the minutiae"; "bright and considered"; "receives praise for the insight and concision she shows in her 'very good written work'"; "technically very sharp and engaging with clients."*

In previous years the directories have commented that she is *"a brilliant, self-assured advocate who is a real asset to any team"; "very persuasive and adaptable on her feet"; "a rising star, who is brilliant under pressure"; "good to work with, clever and reliable" and "just very knowledgeable and really swift in terms of delivery"; "incisive and tactically adept" with "an excellent grasp of complex valuation matters"; "accessible, down to earth, calm and very bright – she goes above and beyond for clients"; "sources emphasise her fine cross-examination skills and say 'her style is effective as she is ruthless, yet never*

Publications

- [Trusts and estates cases: recent developments \(2016\) Trusts & Trustees 22 \(9\): 982-990](#)
- [Where different legal systems collide: the decision in *Labrouche v Frey & Ors* \(2016\) Trusts & Trustees 22 \(7\): 741-752](#)
- [Legal Digest \(Issue 2\) Trust, Tax, Probate and Estates](#) (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

over the top, when exposing the limitations of her opponent's case", and she "knows how to give the other side a good kicking.

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. The Legal 500 2016 (private client – trusts and probate) describes her as "**calm, practical and good with clients**" and the 2015 edition described her as "**accessible, down to earth, calm and very bright – she goes above and beyond for clients**".

She is recommended by Chambers & Partners 2017 (chancery traditional), which says she has "**a wealth of experience in the full range of traditional chancery work**" and "**receives praise for the insight and concision she shows in her 'very good written work'; 'she continues to impress people**".

She is also recommended in the HNW Guide 2016 in this field as being "**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.**"

Previous editions of the directories have noted that she is "**a highly committed and focused junior, emphatically a rising star in the areas of trust and estate litigation**", "**incisive and tactically adept**" with an "**impressive practice**".

In 2012 Tiffany appeared un-led in the Privy Council in *Kelly v Fraser* [2012] UKPC 25 – an estoppel claim relating to the transfer of a pension between Jamaican pension funds and dealing with general principles of ostensible authority and detriment.

Casework includes:

- *Labrousche v Frey (Re Olga Martin Montis)* [2016] EWHC 268 (Ch) – currently acting for Marquesa Soledad Cabeza de Vaca in long-running litigation brought by her son 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. The Marquesa was successful at first instance, her son is seeking permission to appeal.
- Acting for the Hayward family in Bahamian 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
- *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.
- During 2016 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.
- During 2016 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.



Trusts, Tax, Probate and Estates continued

- 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.
- General areas of practice: applications under the Variation of Trusts Act 1958, under the Trustee Act 1925 for enlargement of trustees' administrative powers and under the Inheritance Act 1975 for provision from the estate of a deceased person; approval of compromises on behalf of minor children; *Re Beddoe applications*; claims for appointment and removal of trustees and executors; rectification of wills and trusts (including acting for the defendants in *Esson v Esson* (2011)).