



Tom Roscoe

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Clerks' Details

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Qualifications and Appointments

- BA (Hons) (1st Class) – Philosophy, Politics and Economics – Brasenose College, Oxford
- GDL – City University, London
- BVC – City University, London
- Up to date BVI practicing certificate (2016)

Memberships

- Chancery Bar Association
- Combar

Publications

- "Shammer Time": Paper presented to the Wilberforce Cayman Conference 2017 (with Jonathan Hilliard QC)
- [Wilberforce Property Newsletter \(2016\) Issue 2 \(editor\)](#)
- [Dealing with fixtures on a lease renewal – A trap for the unwary?](#) (2014) *Property Litigation Association*
- *Joint Ventures: Relationship break-down*: Talk presented as a part of Wilberforce's Dubai seminar series (May 2014)
- ['Dilapidations: Section 18\(1\) and a Landlord's Subsequent Works'](#) (2012) *Property Litigation Association*
- ['The Limits of Possession Claims'](#) (2012) *Development Disputes: Current issues for property litigators*
- 'Bad business acquisitions – commercial and professional liability claims': Talk and paper presented to Wilberforce Chambers September 2012 Professional Negligence Conference

Practice Overview

Tom has a broad commercial chancery practice, spanning business, trusts and property disputes in the UK and abroad. His practice is evenly split between led and non-led work. Tom regularly appears in a range of domestic courts and tribunals and, increasingly, in courts and tribunals in other jurisdictions. He also undertakes a broad range of advisory and drafting work.

The bulk of Tom's practice comprises:

- Commercial and contractual disputes
- Trusts, wills and probate
- Residential and commercial property
- Civil fraud and asset recovery
- Corporate and personal insolvency
- Professional negligence
- Pensions

Tom's practice has an increasingly international focus and he has recent experience on substantial disputes (litigation and arbitration) in the Cayman Islands, British Virgin Islands, Guernsey, the Dubai International Financial Centre, Hong Kong and Bermuda. That experience builds upon secondments in the first three of those jurisdictions between 2013 and 2015 with Campbells (Cayman and BVI) and Mourant Ozannes (Guernsey). He maintains a practicing certificate in the BVI. He enjoys, and has considerable experience, working as a part of team of lawyers in different jurisdictions.

Tom also has a particular experience of and interest in 'difficult' possession claims and obtaining related injunctive relief, especially those involving high-profile or unusual properties, protestors, squatters and difficult litigants in person. He recently acted for the Secretary of State for Transport in obtaining relief against "direct action" protestors opposed to HS2.

Tom was a scholar of Brasenose College, Oxford and graduated in 2008 with a first class degree in Philosophy, Politics and Economics, before converting to Law the following year at the City Law School. He completed the Bar Vocational Course in 2010, also at City, and was graded 'outstanding'.



Commercial

The vast majority of Tom's cases arise in a commercial context. As well as experience of business disputes between commercial parties, he has particular experience of and interest in commercial fraud and asset tracing.

Recent illustrative cases include:

- Appearing (unled) in a two-day arbitration in Doha on behalf of a DIFC based client concerning the provision of security services in the oil and gas industry
- Acting (with [Tim Penny QC](#)) on a claim brought by Hong Kong clients against the vendors of an international armoured car manufacturer for fraudulent breach of warranty and diversion of corporate opportunities
- Acting, on an appeal in the English High Court, for a DIFC based client seeking to strike out a claim brought by a former prospective joint venture partner under an alleged UAE-law governed agreement
- Advising former shareholders of a Bermudian company about the validity of non-compete clauses and the construction of a clause concerning deferred payments for their share redemptions
- Advising on Cayman law aspects of Hong Kong based litigation concerning the ownership of investment fund assets, including whether various of the underlying agreements were shams (with [Lexa Hilliard QC](#))
- Acting on a claim brought in the BVI Commercial Court to enforce multi-million dollar promissory notes
- Advising judgment creditors on the enforcement of a multi-million dollar Texan judgment against the assets of Bahamian companies connected with the judgment debtor (with [Tim Penny QC](#))
- Advising a defendant bank on a £1m claim brought by a customer claiming that certain payments out of its bank account had been procured by fraud, which the bank should have detected, and were otherwise paid in breach of mandate
- Advising in relation to an anti-suit injunction application to restrain the pursuit of a US \$600m fraud claim in Oklahoma in breach of an exclusive jurisdiction clause in favour of the English High Court (acting with Michael Bloch QC and Charles Hollander QC)
- Appearing in the Dubai World Tribunal for the multi-day trial of a \$50m claim brought by an Egyptian labour supply company against a port owner accused of conspiring to cause the labour force to breach their employment contracts with the claimant and transfer to the employment of a state owned entity: *Platinum Services Company EJSKu, DP World Ltd DWT 005/2013* [2015] (with Rupert Reed QC)
- Appearing in the BVI Commercial Court on a contested three day application to stay insolvency proceedings brought by loan note holders in the BVI in favour of a multibillion dollar court supervised restructuring of the OAS group of companies in Brazil (with Tom Lowe QC) Advising upon and drafting proceedings in support of a claim to recover \$2m said unlawfully to have been withheld under a misapplied profit-share agreement in connection with FX trading
- Advising on aspects of Cayman litigation concerning claims against the former custodian and administrator of a Madoff feeder-fund (in liquidation) (2015; while on secondment)