



Tom Roscoe

Call: 2010

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Clerks' Details

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Qualifications and Appointments

- BVI practicing certificate
- Registered Part II Legal Practitioner in DIFC Courts
- GDL & BVC – City University, London
- BA (Hons) (1st Class) – Philosophy, Politics and Economics – Brasenose College, Oxford

“...a compelling and brilliant Chancery lawyer, he’s great on his feet, engaging, reactive, commercial and really knows his stuff.”

The Legal 500, 2022

Memberships

- Chancery Bar Association
- Property Bar Association
- Contentious Trusts Association
- Combar

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 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
- Contentious trusts, wills and probate
- Residential and commercial property
- Civil fraud and asset recovery
- Corporate and personal insolvency
- Professional negligence cases arising from the above areas

Tom is recognised in the leading directories for his Commercial Chancery and Real Estate practices. Latest directory entries record that he is *“very user-friendly, easy-going and always accessible. He is very sharp-witted in an understated way and comes up with very clever points”* (Chambers & Partners 2022, Chancery: Commercial). Tom is also commended for his *“excellent written and oral advocacy”* (C&P 2022, Real Estate Litigation) and *“practical application and commercial advice”* (Legal 500, Property Litigation).

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, Jersey, 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 and is a Registered Part II Legal Practitioner in the DIFC Courts. He enjoys, and has considerable experience, working as a part of team of lawyers in different jurisdictions.

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’.



Property

Tom has extensive experience of advising and acting on a wide range of property disputes, as well as on professional negligence cases arising from property transactions. He is a member of the Property Bar Association.

Tom has a particular experience of and interest in high profile claims involving protestors and squatters. He recently acted for the Secretary of State for Transport in obtaining relief restraining "direct action" protests at an HS2 site in Hillingdon. He has acted for many of fracking companies obtaining similar relief against anti-fracking protestors (e.g. *Wensley v Persons Unknown* [2014] EWHC 3702 (Ch) & *Jones v Persons Unknown* [2014] EWHC 4691 (Ch)). He appeared successfully for a property developer in connection with the "Sweets Way Resists" protests, which involved the comedian Russell Brand (2015). He has also twice acted for EDF seeking to evict environmental protestors from their sites. He has written about, and enjoys giving regular talks on, the issues which arise in such cases.

Other illustrative cases include:

- Acting for a local authority on a claim brought by occupiers of a neighbouring travellers site who assert that they have grazed and trained horses on the land for many years and thereby acquired title by adverse possession
- Acting on long-running proceedings concerning the ownership and control of two North London hotels, which include allegations that various leases are shams
- Acting on behalf of a charity seeking to recover land appropriated via the unlawful expansion of a neighbouring static caravan site
- Challenges to the validity of s.26 notices served by tenants under the 1954 Act
- Defending at trial a national infrastructure company in a claim brought by a farmer seeking substantial compensation for damages allegedly caused from works carried out via his field
- Advising a well-known retailer on the merits of a landlord's ground (f) opposition, where the landlord's development plans related to some but not all of the demised property
- Advising a charge holder on the merits of an application to challenge the validity of a prior charge on the basis that it was a sham
- Pursuing a committal application against the former managing agent of a residential block of flats for failing to provide accounting information in breach of a court order
- Obtaining at trial final injunctive relief restraining interference with a vehicular right of way against a neighbouring landowner whose car parking restricted access by larger vehicles
- Acting (with [James Ayliffe QC](#)) for the administrators of HMV in a dispute with the landlords of HMV's flagship Oxford Street store upon the company's entry into administration.
- Acting (with [Jonathan Seidler QC](#)) for the claimants in a substantial dilapidations claim. When the case settled shortly before trial, the claimants were able to secure a favourable costs award on the basis of the defendant's unreasonable failure to mediate: *PGF II SA v OMFS* [2012] EWHC 83 (TCC).