



Tom Roscoe

Call: 2010

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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
- BVI practicing certificate

Memberships

- Chancery Bar Association
- Combar

“He is incredibly intelligent, very good and personable. He’s absolutely fantastic to work with and down to earth.”

Chambers & Partners, 2020

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 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

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’.



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).