



## Tom Asquith

### Education

Tom read Classics at Worcester College, Oxford University. He undertook the CPE at City University and the BVC at BPP. During these two years he was awarded Lord Mansfield, Lord Brougham, Hardwicke and Hubert Greenland scholarships by Lincoln's Inn.



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## Profile

Tom has a commercial and civil practice, details of which can be found in the subheadings on the left hand side of this page. His main areas of practice are: financial services, insurance and professional liability.

Tom's **financial services** work encompasses a broad range of work. His clients include regulators, pensions advisers, mortgage brokers, banks, insurers, reinsurers and private individuals. He undertakes both non-contentious and contentious work.

He has completed two secondments at the Financial Services Authority (General Counsel Division and Enforcement Division) (now the FCA).

In **insurance**, Tom has experience of acting as both Counsel and as a paper arbitrator. He acts for both policyholders and insurers. He is particularly familiar with professional indemnity, employers' liability, public liability and motor policies.

He has completed a secondment in Mayer Brown LLP's insurance department, helping him to understand insurance cases from an instructing solicitor's perspective.

Tom's **professional liability** practice extends to all areas of professional liability. He has acted in cases involving accountants, architects, estate agents, financial advisers, insurance brokers, lawyers, LPA receivers, surveyors and education professionals.

Tom also has a significant amount of experience in **costs** and **sports law** work. He has assisted Court of Arbitration for Sport panels as ad hoc clerk.

Tom is a member of BILA, CHBA, COMBAR, FSLA, PNBA and YIAG.

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## International Arbitration

Experience includes:

- Acting for a contractor in a dispute relating to the retro-fitting of a Flue Gas Desulphurisation plant at a coal fired power station.
- Acting as ad-hoc clerk to Court of Arbitration for Sport
- Acting for architect in arbitration under Construction Industry Model Arbitration Rules
- Acting in a partnership dispute

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## Chancery

Experience includes:

- Bankruptcy matters
- Mortgage related disputes
- Director's liability disputes
- Claim by overseas Central Bank as junior to [John Powell QC](#)

- Unfair prejudice petitions

Cases include Re I Fit Global Ltd [2013] EWHC 2090 (Ch)

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## Commercial Dispute Resolution

### Commercial Dispute Resolution

Experience includes:

- Supply of goods disputes
- Sale of goods disputes
- Guarantee disputes
- Director's liability disputes
- Claim by bank against property management firm
- Acting for lenders in claims to recover loans
- Claim by overseas Central Bank as junior to [John Powell QC](#)
- Pursuing and resisting injunctions

Cases include Makar v Russell Jones & Walker [2012] EWHC 3681 (Comm)

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## Costs

Experience includes:

- Disputes between solicitor and client
  - Disputes between opposing parties
  - Acting as specialist costs counsel at CCMCs
  - Authoring articles for Butterworths Civil Costs Newsletter
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## Disciplinary

Experience includes:

- Acting as ad-hoc clerk to Bar tribunal
  - Secondment to the Enforcement division of the Financial Services Authority
  - Acting as ad-hoc clerk to Court of Arbitration for Sport
  - Advising British Horseracing Authority in relation to a potential inquiry
  - Acting as junior to Justin Fenwick QC in a trial before the Solicitors Disciplinary Tribunal
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## Financial Services Regulation

Tom's financial services experience includes acting for 1) regulators, 2) regulated firms and 3) customers of those firms in both a) contentious (civil and regulatory) and b) non-contentious spheres.

Experience includes:

- Secondment at the FSA. Worked in the General Counsel Division redrafting parts of the Handbook in light of amended EU directives
  - Further secondment at the FSA. Worked in the Enforcement division. Involved in drafting statutory notices.
  - Claims against investment managers
  - Claims against pensions advisers
  - Claims against insurance brokers
  - Claims against mortgage brokers
  - Advising on the effect of a change of regulator (from a Middle East regulator to FCA/PRA) in the context of reinsurance
  - Assisting FCA with amendments to FCA Handbook in light of 4th EU Capital Requirements Directive
  - Claims involving FOS
  - Claims involving FSCS
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## Insurance & Reinsurance

Tom has experience of acting as both Counsel and as a paper arbitrator in insurance matters. He acts for both policyholders and insurers. He is particularly familiar with professional indemnity, employers' liability, public liability and motor policies.

He has completed a secondment in Mayer Brown LLP's insurance department, helping him to understand insurance cases from an instructing solicitor's perspective.

Experience includes:

- Coverage disputes generally
- Motor insurance disputes
- Professional liability insurance disputes, including indemnity conferences
- Public liability insurance disputes, including before the FOS
- Providing an expert determination in context of dispute between insured and insurer
- Advising on the effect of a change of regulator (from a Middle East regulator to FCA/PRA) in the context of reinsurance

Authored articles for Insurance Law Monthly, including:

- Marine insurance: losses, claims and defences: *Clothing Management Technology Ltd v Beazley Solutions Ltd* [2012] EWHC 727 (QB)
- Duty of care: *Jones and Environcom Ltd* [2011] EWCA Civ 1152

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## Professional Liability

Tom is instructed by both claimants and defendants in the professional liability sphere and is able to use his specialist financial services and insurance experience (which has included two secondments at what was the Financial Services Authority) to assist with claims against financial services professionals and insurance brokers, as well as when dealing with coverage issues relating to professional insureds.

He also has considerable experience of claims involving allegedly negligent tax advice.

Experience includes disputes arising from the provision of services by:

- Accountants
- Architects
- Estate agents
- Financial services professionals
- Insurance brokers
- Lawyers
- LPA receivers
- Mortgage brokers
- Pensions advisers
- Surveyors
- Schools

Cases include *Makar v Russell Jones & Walker* [2012] EWHC 3681 (Comm)

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## Sports Law

Experience includes:

- Acting as ad-hoc clerk to Court of Arbitration for Sport
  - Advising British Horseracing Authority in relation to a potential inquiry
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