

Tom Shepherd

Call: 2008

+442078222108 t.shepherd@4newsquare.com

Clerk: Lizzy Stewart

l.stewart@4newsquare.com

+442078222032 +447912405153



"He is extremely able, thorough and organised. He's adept at distilling vast amounts of complex information and has meticulous attention to detail. His advice is always very clear and clients love him."

- Chambers & Partners 2021

Tom Shepherd is ranked as a leading junior in the fields of (i) Commercial/Chancery litigation, (ii) Restructuring/Insolvency and (iii) Professional Liability. His cases often have a fraud angle and he has experience of Company, Partnership and Financial Services disputes. Tom's attributes have been recognised in the legal directories since 2012:

- **A relentless will to win:** *"thorough, energetic and unrelenting in pursuit of the best outcome possible"; "a will to win in every case, however tricky"; "extremely sharp, committed and focussed on the result"; "meticulous in his preparation and completely dedicated to the case"*
- **A compelling advocate:** *"a very tenacious and skilful advocate"; "very punchy"; "an unbelievably good advocate for his level of call"; "aggressive when he needs to be and sensible in his deliveries in court"; "he has the ear of the judge and is a very strong advocate"*
- **A first-class lawyer:** *"combines a ferocious appetite for work with a really very sharp legal mind"; "extremely good on the law"; "extremely able, thorough and organised"; "intelligent and first rate on the law"; "very authoritative"*
- **A strong tactician:** *"always keeps a commercial outlook and has very strong tactical judgement"; "approachable, practical and commercial"; "picks up the smallest detail with a view to eliminating litigation risk and advises accordingly"; "adept at distilling vast amounts of complex information and has meticulous attention to detail"*
- **A modern outlook:** *"tech savvy with his no-paper approach to litigation"; "very user-friendly and good at staying in touch and being practical"; "Tom is very good to work with – he's approachable, practical and commercial"*
- **A collaborative approach:** *"His advice is always clear and clients love him"; "extremely personable, which impresses clients and makes a big difference in cases"; "extremely accessible, very responsive and very good in court"; "very strong on his feet and has a good client manner"; "a pleasure to work with"*

Tom is an experienced trial advocate who is not afraid to back his judgment. He enjoys working as part of a team and is currently involved in a number of high-profile, high-value pieces of litigation. Tom also appears in his own right in the Court of Appeal, High Court and before professional regulatory panels. Tom is a sophisticated negotiator who is frequently instructed to act at mediation and in other forms of ADR. Tom was appointed as Junior Counsel to the Crown (Attorney General's A Panel) in August 2021 and



is currently instructed by the Secretary of State for Business, Innovation and Skills on a number of significant directors disqualification matters.

Further details of Tom's practice areas can be found via the links at the bottom of this page. Recent highlights include:

- *Volpi v Volpi* [2021] EWHC 2143 (Ch): trial of a CHF 6m loan claim involving allegations of forgery, against the background of a longstanding family dispute.
- *Bhattacharya v Oaksix Holdings Ltd* [2021] EWHC 1326 (Ch): acting for the successful Appellant in relation to the limitation period applicable for a claim for repayment of monies under FSMA.
- *YJB Port Ltd v M&A Pharmachem Ltd* [2021] EWHC 42 (Ch): acting for the successful Defendants to a claim for breach of a non-compete clause and breach of confidence relating to a thickening compound used to treat dysphagia. Led by Paul Mitchell QC at quantum trial; acting as sole advocate on contested interim applications [2020] EWHC 2239 (Ch) and at liability trial [2019] EWHC 2117 (Ch).
- *Burns v Burns* [2021] EWHC 75(Ch): QROPS pension fraud claim, involving allegations of dishonest assistance, unlawful means conspiracy and deceit.
- *Mosley v Associated Newspapers Ltd* [2020] EWHC 3545 (QB): claim for malicious prosecution arising out of the sending of a "dossier" of evidence to the CPS intending that C be investigated for alleged perjury. Led by Paul Mitchell QC.
- *Willers v Joyce* [2018] EWHC 3424 (Ch): representing the successful defendants in the first case in English legal history of alleged malicious prosecution of civil proceedings since the recognition of the tort by the Supreme Court [2016] UKSC 43. Five-week trial before Rose J. Extensive trial preparation and conducting cross-examination of factual and expert witnesses. Led by Paul Mitchell QC. Subsequent litigation involved a successful application on the admissibility of certain without prejudice communications [2019] Costs L.R. 781 (Andrews J), a non-party costs application against solicitors and counsel [2019] EWHC 2183 (Ch) (Rose J) and an application to cross-examine the judgment debtor in relation to his assets both in and beyond the jurisdiction [2019] EWHC 1278 (Ch).

Privacy Policy

Click here for a **Privacy Policy** for Tom Shepherd.

Public Access

Tom is available to accept instructions on a public access basis in each of his listed areas of expertise, where appropriate. Please see the Public Access Guidance for Lay Clients on the Bar Standard's Board website by clicking [here](#).

Areas of Expertise

Civil Fraud

Tom has vast experience of bringing and defending claims across the full spectrum of civil fraud: from highly sophisticated corporate/investment schemes and cross-border fraud in the context of a large-scale insolvency to the alleged misappropriation of hard cash (in an arcade gaming business) and physical assets (in the form of hundreds of tonnes of by-products from the steel manufacturing process at a plant in South Wales).

Tom has regularly obtained (and defended applications for) urgent freezing injunctions and search orders (including applications to discharge and vary such orders) and related interim measures.

His recent cases include:

- *Burns v Burns* [2021] EWHC 75(Ch): QROPS pension fraud claim, involving allegations of dishonest assistance, unlawful means conspiracy and deceit.
- Defending a claim (purportedly) for in excess of £30m arising out of a complex restructuring of certain group companies, relating to alleged unlawful means conspiracy, dishonest assistance and deceit.
- *Celsa v Benson & ors*: representing one of seven defendants to a claim by the UK's largest steel manufacturer for unlawful means conspiracy arising out of the alleged misappropriation of hundreds of tonnes of by-products from the steel manufacturing process at a plant in South Wales. Settled on confidential terms.
- A substantial claim against a bloodstock agent arising out of the alleged payment of secret commissions, bribes and "luck money" subsequent to the purchase of race horses.
- *Breckons & Ors v Powerscourt Services Ltd & Ors* [2015] EWHC 1330 (Ch): acting for the defendants to a claim alleging fraud and deceit in relation to an investment in farmland in Argentina. Successfully applying to strike out the claim and discharge a freezing order on the ground of material non-disclosure.
- A claim against an IFA and related parties for deceit, breach of trust and dishonest assistance arising out of the misappropriation of substantial funds paid into a series of offshore investment schemes/scams. Settled on confidential terms.
- *Zavgorodnya v Lever* : acting for a high net worth Ukrainian citizen in a claim to recover substantial sums misappropriated in connection with a residential construction project in Knightsbridge. Successful strike-out of Defence on Day 1 of High Court Trial.
- A claim for c.£5m arising out of the misappropriation of cash and assets in a substantial adult gaming centre business, dating back to the 1980s.
- Representing two defendants in a multi-party claim for c.£20 million involving allegations of deceit and unlawful means conspiracy arising out of the alleged unauthorised lending of substantial sums to a boutique hotel operator.
- Defending a former director of a tax advisory firm against allegations of fraudulent misappropriation of sums in excess of £5 million. The case involved issues relating to the scope of a proprietary freezing injunction and the interplay between confiscation and restitution orders obtained in the Crown Court.
- Defending a claim for fraudulent misrepresentation and for deceit arising out of the sale of an international logistics company.
- Represented a Kazakh-based defendant in a multi-million pound fraud claim brought by a Kazakh Bank against seventeen defendants.

Qualifications & Memberships

Tom is a member of the Chancery Bar Association and of COMBAR.

Tom read Law and French at Bristol University and graduated with First Class Honours in 2006. He then undertook the BCL at St Hugh's College, Oxford. During his undergraduate studies, he won the Stephenson Harwood prize for the best performance in Contract Law and also won the ESU National Mooting Competition and the University of Bristol Mooting Competition. He was awarded major scholarships by Lincoln's Inn and graded 'outstanding' on the Bar Vocational Course.