

# Tom Shepherd

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*"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

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### Professional Liability

Tom is regularly instructed in claims for and against a wide range of professionals. He has experience of actions involving auditors, accountants, investment advisors, insolvency practitioners, solicitors and IT professionals.

Recent cases include:

- Defending a claim against solicitors for alleged unlawful means conspiracy, dishonest assistance and professional negligence arising out of a restructuring. Led by Jamie Smith QC.
- Claim by the purchasers of a provider of specialist transport services for students with a disability, arising out of the operation by the sellers of a specialist VAT accounting scheme which resulted in substantial claims by HMRC against the

Company/purchasers.

- Acting for Part 20 Defendant solicitors on the trial of a professional negligence claim against accountants who had acted on, and advised in relation to, the purchase of a golf club in Somerset. Successfully defending contribution claim.
- *Re a pharmacovigilance provider*: a substantial claim for professional negligence and breach of contract against a pharmacovigilance provider subsequent to two failed MHRA inspections.
- Defending a claim against solicitors arising out of the alleged negligent conduct of a substantial Chancery Division claim. Led by Graeme McPherson QC.
- Acting for the claimant private investment fund on an action against solicitors arising out of the alleged negligent advice and drafting of certain transactional and security documentation for a £6m loan in connection with the proposed refinancing of a Championship football club.
- Representing the claimants in a substantial action against solicitors, tax advisors and the operators of a high-risk tax mitigation/spread-betting scheme.
- Successfully defending a claim brought by an IT services company for services allegedly provided to a major IT company in Sweden, subsequent to a three-day trial. Trial judge remarked on his “*neat cross-examination*” of the Claimant’s key witness.
- A claim against solicitors subsequent to an Employment Tribunal claim for caste discrimination and victimisation against the claimant’s former employers.
- A claim against tax advisors and solicitors arising out of an unsuccessful stamp duty land tax mitigation scheme.
- Defending a claim against solicitors relating to the alleged failure to conduct searches that would have revealed the existence of a sewerage pipe beneath a residential property development site. Included difficult questions relating to contemporaneous file notes and the proper approach to valuation of the site in question.
- Acting on a claim against solicitors arising out of the failure to secure a new commercial lease pursuant to the 1954 Landlord and Tenant Act.
- A claim against the administrator of a series of pensions schemes arising out of the alleged negligent miscalculation of benefits and overpayment to scheme members. Led by Graham Chapman QC.
- Defending a claim against a provider of medico-legal services.
- A claim against a leading firm of IT consultants relating to a Payment Card Industry Data Security Standard audit of a company which provided online real-time booking facilities for the UK tourist industry.
- Defending a claim against solicitors in relation to the alleged negligent drafting of a share sale agreement and failure to comply with certain provisions of the Companies Act 1985.
- A claim against patent and trademark attorneys arising out of the alleged negligent provision of advice in connection with the manufacture of satellite equipment.
- Defending a claim against a firm of solicitors arising out of the fraudulent execution of a series of mortgage deeds.
- Acting for the liquidators of a company in relation to very substantial claims in negligence against former solicitors and auditors.

## Qualifications & Memberships

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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.