

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

Banking and Finance

Tom frequently appears on behalf of major banks and financial institutions in relation to the enforcement of guarantees, loan agreements, hire purchase agreements, claims for possession and other applications. He also has substantial experience acting for and against the Financial Conduct Authority.

A selection of his most significant cases:

- *Burns v Burns* [2021] EWHC 75(Ch): QROPS pension fraud claim, involving allegations of dishonest assistance, unlawful means conspiracy and deceit.

- *Sogexia S.A.R.L. v R Raphael and Sons Plc* [2020] EWHC 2775 (Ch): application by payment-services intermediary for an injunction to restrain the respondent bank from making a share distribution and entering into a members' voluntary liquidation.
- A claim for repayment of an alleged loan totalling CHF 6 million, involving allegations of forgery.
- *Re: a Debt Management Company* (2017): successfully representing a substantial commercial debt management company on an application before the Regulatory Decisions Committee of the FCA for permission to carry out regulated activities. Tom was involved at all stages of the proceedings, which resulted in only the second such successful application at the time and a complete change of approach by the FCA to future applications.
- Acting for a commercial lender in relation to the enforceability of certain security documentation arising out of the takeover of a well-known professional football club.
- Advising the assignee of a portfolio of commercial debt in relation to remedies following the breach of a settlement agreement and the enforceability of various guarantees.
- Acting for the FCA on a claim involving a purported forex trading company/scheme. Obtaining urgent freezing and other interim relief.
- *Financial Conduct Authority v Cavendish Moore Ltd & others*: acting for the FCA in a 'land banking' dispute involving over 500 investors in ten subject schemes.
- Defending a conspiracy claim for in excess of £10m brought by the administrators of a now defunct bank, against a senior partner of a well-known international wealth management group. Settled on confidential terms subsequent to the making of a strike out application.
- *Barclays Bank plc v Ball & Clarke*: an appeal concerning advice given by a leading firm of accountants, and statements allegedly made by an employee of a leading high street retail bank, in relation to the Enterprise Finance Guarantee Scheme.
- Advising a commercial bank on the enforceability of a series of cross-guarantees and other security valued in excess of £4 million.
- Acting as sole counsel for a leading high street retail bank in a mortgage dispute involving allegations of fraud, undue influence and misrepresentation.
- Defending a claim by a senior Nigerian barrister against a leading high street retail bank concerning allegations of fraud and breach of mandate. Successful settlement after two days cross-examining the claimant.

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.