hailshamchambers

Clerks: **020 7643 5000**

# Tom Stafford

Call: 2018



## Overview

Tom has been ranked consecutive years as a ‘rising star’ by the Legal 500. Tom’s practice spans professional negligence, commercial, insurance, medical, personal injury, and regulatory disputes. He appears regularly in the High Court, and the county courts, as sole counsel.

His clients have said:

"*He is very detail orientated and quick to identify issues within a case. Tom has a particular skill in drafting robust, easy to understand and effective pleadings.*"

Prior to coming to the Bar, Tom graduated with a Double First in Law from Queens’ College Cambridge. After graduating, Tom worked in the professional and financial disputes team of a leading city law firm, completed an LLM at the University of Edinburgh, and worked as a Research Assistant at the Scottish Law Commission, where he drafted several chapters in a Discussion Paper which considered potential reforms to the law of contract in Scotland.

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### Professional liability

Tom has been ranked by the Legal 500 as a 'rising star'. His solicitors have said that "Tom is always at hand to deal with complex points. He is incredibly helpful, and his drafting skills are very good. He is a safe pair of hands". Prior to coming to Chambers, Tom worked in the professional and financial disputes team of a leading city law firm, where he regularly dealt with a range of professional negligence claims against a range of professionals, in particular solicitors. These frequently included claims relating to defects in leases; claims from dissatisfied beneficiaries under wills; claims relating to failures to conduct searches; alleged under-settlements of personal injury claims; and, SDLT claims.

Tom is now frequently instructed in professional negligence disputes, involving a

range of professionals:

## Lawyers

Tom has been instructed in various cases involving solicitors and barristers, including:

- Alleged conveyancing negligence
- Ground Rent Review cases
- Alleged negligence in the settling of trusts
- Alleged negligence in divorce proceedings
- Alleged negligence in criminal proceedings
- Alleged negligence in immigration applications
- Personal injury under-settlements
- Alleged negligence in the conduct of litigation

In 2021, Tom acted for the First Defendant in *Griffin (t/a Simon Griffin Antiques Ltd) v Brown [2021] EWHC 2810 (Ch)*, successfully striking out the claims and obtaining an extended civil restraint order.

## Accountants and Financial Advisors

Tom has been instructed in various cases involving accountants and/or financial advisors, including:

- Defending numerous cases against mortgage advisors in cases of alleged negligence involving the recommendation of interest-only mortgages
- Cases involving the alleged negligence of an accountant in filing a tax return
- The alleged negligence of a financial advisor in the recommendation of a private pension scheme

## Construction

Tom is frequently instructed in cases for or against professionals in the construction industry. Often, this will be in the context of an architect or project manager being sued for the failure to properly inspect the Works and/or issue payment certificates. Tom has been instructed in cases (amongst others) involving:

- The construction of a biogas fuel plant
- A large-scale property development
- The extensive renovation of a domestic dwelling

## Property Agents

Tom is also frequently instructed in cases involving alleged negligence by property agents. Often, this will involve applying to strike out claims brought by tenants directly against the managing agents, though Tom has also been involved cases involving disputes between landlords and property agents.

## Commercial law

Tom has a particular interest in commercial disputes; in particular insurance disputes, contractual claims, and costs disputes.

Tom is frequently instructed in:

- Non-disclosed commissions in the course of PPI sales, on behalf of banks
- Contractual disputes, usually involving arguments of contractual interpretation, implied terms, frustration, incorporation of terms, repudiatory breach, and misrepresentation
- Cases of alleged civil fraud- in particular cases involving the tort of deceit and alleged misrepresentation
- Cases involving disputes under the Financial Services and Markets Act 2000
- Insurance coverage disputes
- Construction contractual disputes
- Recently, in a multi-million pound dispute involving a series of contracts between numerous companies involved in the sale of oil in Iraqi Kurdistan

Before attending Bar School, Tom worked in the contract team at the Scottish Law Commission and co-authored Discussion Paper No 163, on contractual remedies:

## Medical law

Tom is regularly instructed in claims for and against medical professionals. He has drafted numerous pleadings, appeared in a variety of interlocutory applications, and conducted a number of CCMCs.

Tom’s experience to date has included:

- A claim against a maxillo-facial surgeon who had removed a facial lesion, which it transpired was cancerous, using a dangerous and inappropriate method.
- A claim for psychiatric injuries against a Registrar who had removed a patient’s fingernail without administering the correct level of analgesia.
- A claim involving a delayed diagnosis of a scaphoid fracture.
- A claim involving an alleged failure to manage an empyema appropriately.
- (As a pupil) assisting with a claim involving a delayed diagnosis of necrotising fasciitis.
- (As a pupil) assisting with a claim involving a delayed diagnosis of Cushing’s Syndrome.

Furthermore, Tom frequently advises on procedural issues related to clinical negligence claims, and costs budgeting at CCMCS.

## Regulatory

Tom has been instructed in a number professional disciplinary disputes; from the Royal College of Nursing, to the Architects Regulation Board.

He has a particular interest in challenges to the lawfulness of the processes of, and decisions made by, those bodies and would consider any instructions regarding appeals from these bodies to the Administrative Court, in addition to the regulatory hearings themselves.

## Personal injury

Tom frequently represents claimants and defendants in personal injury proceedings, from claims arising from accidents at work, or road-traffic accidents.

Tom is very familiar with the JC Guidelines and Ogden Tables, and frequently advises on quantum issues.

## Education

City Law School, BPTC (Very Competent) (2017-2018)

The University of Edinburgh (LLM) (2016-2017)

Queens College Cambridge, BA Hons Law (Double 1st) (2011-2014)

## Prizes and scholarships

Gray’s Inn, Prince of Wales Scholarship

George Lang Prize in Roman Law, Cambridge Law Faculty

Queen’s College, Foundation Award

Edinburgh EU/UK Scholarship

## Further information

ICO Data protection registration number: **ZA524961**

Tom Stafford is a barrister regulated by the Bar Standards Board. Click  to view Tom