

Tom Longstaff

Call 2017



Clerks' Details

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Appointments

- Called to the Bar of England and Wales by the Honourable Society of the Inner Temple (2017)
- Solicitor of England and Wales (2014)
- Local Government Councillor - Normanton Town Council (May 2015 - January 2017)
- Director - The Normanton Freeston Foundation Trustees Limited (May 2015 - January 2017)

Memberships

- Northern Circuit
- Northern Circuit Commercial Bar Association

Commercial CV

Overview

Tom has experience of acting in some of the largest cases to be litigated in the English courts and of acting for many large corporate clients and high net-worth individuals.

A significant number of the cases in which Tom has been involved are litigated in circumstances where the reputation of the business and those involved is at stake. He also has experience of substantial Group Litigation against large organisations and of acting in cases involving allegations of fraud, bribery and corruption.

Tom has acted many applications for interim relief, including to protect contractual rights, for the return of goods, to prevent breaches of the data protection regime.

At the start of the Covid-19 pandemic and during the first national lockdown, Tom was instructed in a without notice application for the delivery up of goods, including protective clothing belonging to key workers.

Recommendations

“Excellent at what he does and puts the client at ease”

“Demonstrated a complete understanding of the matter from the outset – we were impressed with his ability to grasp the issues and address the salient points in a clear and precise manner.”

“Handled himself well when opposing Counsel presented him with issues on the door and in Court which helped get the result the Client wanted. Truly a pleasure to work with.”

“Very impressive – and user friendly as regards his manner with the client out of the courtroom.”

Education

- BBP Law School, London – Bar Transfer Test (2017)
- College of Law, York – Legal Practice Course (2011 – 2012)
- University of York – LLB Law (2008 – 2011)

Scholarships & Awards

- Inner Temple – Major Scholarship
- Inner Temple – Duke of Edinburgh Entrance Award
- Sidney Sussex Scholarship – 1st in year

Publications

Banking Disputes Quarterly (May 2016) - Borrowers defending claims on grounds of misrepresentation who seek rescission must repay outstanding principal as a condition to defending the claim

Cases

General Commercial

- Led by David Mohyuddin QC in a multi-million pound claim brought by the buyer under a Share Purchase Agreement, following an alleged breach of warranty.
- Led by David Mohyuddin QC in an appeal relating to the application of the Damages-Based Agreement Regulations 2013 to commercial contracts (*RVA Surveyors Limited v BIAS Harrogate Limited* [2019] EWCA Civ 2433), and acting as sole counsel in a related appeal.
- Instructed in a 14 day trial as sole Counsel for the Defendant to a claim which alleges breach of fiduciary duty.
- Acting for the Defendant in a 3 day trial relating to alleged breaches of a commercial lease agreement.
- Acting as sole Counsel for the Claimant in substantial litigation against 23 Defendants which concerns the assignment of a licence and arguments as to the ability of a court to imply an agreement between commercial parties.
- Acting in a dispute between a Super League Rugby League team and the owners of the stadium, which followed a without notice application for interim relief to enforce the alleged terms of an agreement.
- Acting for the Defendant in a 2 day trial which concerned the quality and condition of commercial waste which had been exported to China.
- Advising an American client in respect of the interpretation of a foreign-exchange mechanism implied into a contract with a Russian hotel owner.
- Acting in arbitration proceedings on behalf of an American client against a hotel owner based in the Ukraine.
- Advising on the practical effect of the Recast Brussels Regulation and Rome I, and the ability to enforce the judgment of a foreign court in the UK.
- Advising a West African company on civil bribery law and data protection policy.

Group Litigation

Tom has extensive experience of Group Litigation, and has been instructed in some of the largest group actions to be litigated in the English courts. His experience includes:

- Led by Mark Cawson QC and Louis Browne QC in the substantial group litigation which followed the collapse of the Fundão Dam in South-eastern Brazil.
- Led by David Mohyuddin QC in a group action which followed the VW Emissions scandal.
- Led by Louis Browne QC in advisory work concerning the ability to apply for a Group Litigation Order in respect of a number of consumer claims.

Banking and Finance

Whilst at Linklaters LLP, and since being called to the Bar, Tom has acted in substantial

financial litigation disputes, including in claims relating to the sale of interest rate derivative products to retail customers.

His experience includes:

- Defending a major German bank in a £500 million dispute between a lending syndicate and high net-worth individual which alleged 'front-running' and conspiracy.
- Defending a bank in a multi-million pound dispute relating to alleged unlawful interference with an agreement for the extraction of mineral deposits.
- Defending a bank in a claim which alleged manipulation of the LIBOR rate of interest;
- Advising a bank on the liability of a large corporate to pay breakage costs on the expiry of a fixed-rate loan.
- Defending a bank in a claim relating to the sale of multiple interest rate hedging products and with an alleged value of approximately £81 million.

Fraud

As well as having experience of acting in matters involving allegations of bribery and corruption against public officials, Tom has recently been instructed in the following matters:

- Acting for a charity in an action to recover substantial sums from a number of former trustees on the basis of fraud and breach of trust.
- Acting for the victim of a substantial fraud in an action to recover substantial sums which had been misappropriated from a pension fund.

IT

- Instructed as sole Counsel by a leading provider of postal services in the United Kingdom as to the ability to terminate a contract with a value of approximately £340 million per annum.
- Instructed in a dispute concerning the failure of an IT provider to develop a mobile application for the sale of perfume and cosmetics products.
- Instructed by a national law firm, and led by Giles Maynard-Connor QC, in a dispute relating to the failure of a provider of online legal resources to properly develop and install bespoke practice management, human resources and client relationship management software.