

THOMAS ARNULL



Call 2019

Tom has a successful and varied practice spanning the entirety of Chambers' specialist areas. He is both a highly skilled legal analyst, and a compelling advocate, who regularly appears in the High Court and the County Courts. He is meticulous but practical, and tactically astute, with a friendly and empathetic manner with clients.

Immediately prior to joining Ten Old Square, Tom spent a year in America studying for an LL.M at Harvard Law School. Whilst there, he appeared as an advocate before the Massachusetts courts, and won the Federico Giuseppe Mancini Prize for his dissertation.

Court of Protection

Tom regularly acts in Court of Protection matters, involving a wide range of issues, from those relating to the appointment of deputies, to the conduct of deputies and attorneys, and making, supporting or opposing various best interests applications. He writes regularly for Practical Law on Court of Protection matters as a part of the "Questions for Counsel" series. He has also advised on the role of deputies and attorneys in litigation on behalf of a protected party.

Insolvency & Bankruptcy

Tom has a wide range of experience in the field of insolvency, having acted in a number of different matters related to both personal and corporate insolvency, including acting in relation to applications to appoint administrators, to set aside statutory demands, to obtain injunctions prohibiting the presentation of winding up petitions, to extend administrations and for the leave of the Court under s 216 of the Insolvency Act to use an otherwise prohibited Company name.

Location

Ten Old Square
Lincoln's Inn
London
WC2A 3SU

Contact Us

T +44 (0)20 7405 0758
F +44 (0)20 7831 8237
E: clerks@tenoldsquare.com
DX: LDE Box No 306

Capital Taxes

Tom regularly advises on inheritance tax and capital gains tax, particularly as these apply to trusts and estates, including in cases of considerable complexity. He is often instructed to advise on and to draft documents (including wills, trusts, deeds of variation and appointment etc.), with a view to efficient tax planning.

Commercial Chancery

Tom has a broad and successful commercial chancery practice. He has acted in a large number of cases relating to contractual disputes including breach of contract and debt recovery cases, unjust enrichment and professional negligence cases, across a wide variety of commercial contexts (e.g. residential care homes, shopping malls, and professional water installation maintenance firms).

Partnerships & LLPs

Tom regularly acts in Partnership and LLP cases, both independently and as a junior working as part of a wider counsel team. He was recently involved in a long-running and high-value arbitration relating to partner exits and dissolution (led by Jeremy Callman). He also has experience advising off-shore partnerships. He writes for Practical Law on Partnership and LLP matters as a part of the “Questions for Counsel” series and has given a number of talks and seminars on Partnership and LLP law, including for MBL.

Private Client: Contentious

Tom has extensive experience of acting in contentious private client matters, including Inheritance Act disputes, disputes as to the construction of wills and trusts, applications to remove executors and trustees, and advising as to trustees’ and executors’ duties and liabilities. His recent article entitled “*Sham trusts and the requirement that a shamming intent be shared: Administrators of the Estate of Hanson v O’Leary and Ors*” appeared in Volume 28 Issue 5 of the journal *Trusts & Trustees*.

Private Client: Non-Contentious

Tom frequently acts in non-contentious private client matters in connection with both trusts and estates. He is often instructed to advise on and to draft a wide variety of legal instruments including Wills, Trust Deeds, Deeds of Appointment and Variation. He has often advised both beneficiaries and trustees concerning the construction of wills and trusts and the exercise of powers thereunder, and has acted in a range of non-contentious applications including applications for the rectification of wills. Tom is also experienced in advising in relation to the taxation of trusts and estates, and in drafting legal instruments to achieve tax efficient outcomes.

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Property

Tom has extensive and wide-ranging experience in Property law. He regularly acts in matters involving both real property and landlord & tenant disputes. The matters on which he advises are often highly complex, and he has acted for many different types of client, including landlords, beneficiaries and trustees of land. Tom is also experienced in managing the complexities that can arise when property disputes intersect with other areas of law (for example, probate and trusts, or insolvency).

Wills & Probate

Tom is regularly instructed in a wide range of matters relating to wills and probate, acting both for beneficiaries of estates and for executors and personal representatives. He has often advised on the construction of wills and will trusts and the exercise of powers thereunder, and has acted in a range of non-contentious applications including applications for the rectification of wills. Tom is also experienced in advising in relation to the taxation of estates, and in drafting legal instruments to achieve tax efficient outcomes. He also frequently advises on every aspect of the probate process, including on its processes and procedures, and also on the various duties of personal representatives and potential legal actions to enforce them.

Qualifications

- Harvard Law School, Harvard University, LL.M (2019)
- The University of Law, BPTC (Very Competent) (2018)
- The University of Law, Graduate Diploma in Law (Distinction) (2017)
- University of Cambridge, (Trinity Hall) Philosophy BA (Double-First; Third in the year in 2013 and 2014) (2015)
- Federico Giuseppe Mancini Prize, Harvard Law School
- Senior Advocacy Scholarship and Best Written Skills Prize, BPTC, University of Law
- Lord Denning Scholarship, Lincoln's Inn
- Bishop Bateman Scholarship, Trinity Hall, University of Cambridge
- Kitty Crawley Prize for Philosophy, Trinity Hall, University of Cambridge

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