



Thomas Challacombe

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Practice Overview

Tom became a member of chambers in October 2008 and joined as a member of our civil group. He has since become our Civil Group Deputy Head.

Prior to joining KBG Tom was employed by a Solicitors firm specialising in civil litigation.

Tom appears in Courts/Tribunals throughout the Western Circuit.

Employment

Tom appears in Employment Tribunals throughout the country representing both Claimants and Respondents.

His practice is both paperwork and advocacy based and he covers all areas of dispute that arise including:

- Constructive dismissal
- Unfair dismissal
- Discrimination (age, disability, race, sex and sexual orientation)
- Protected disclosures (whistleblowing)
- Contractual claims for unlawful deduction of wages
- Harassment
- Victimisation

He has experience in dealing with jurisdictional issues such as those that arose in the case of *Lawson v Serco* [2006] UKHL 3 and *Williams v University of Nottingham* [2007] IRLR 660

Tom has advised and acted for Claimants in claims against employers under the Protection from Harassment Act 1997 in the County Court.

Personal Injury and Clinical Negligence

Tom's personal injury practice involves him undertaking hearings on both the fast and multi track. He advises on liability and quantum, settles pleadings and drafts schedules and counter schedules of loss.

Tom's practice involves advising on matters of:

- Employers' Liability
- Health and Safety at Work
- Occupiers' Liability
- Highways Act
- New Roads and Street Works Act
- Animals Act
- Road traffic
- Product liability
- CICA appeals

In addition to trials on the fast and multi track Tom appears at case management conferences, application hearings, costs hearings and CRU appeals.

Tom's experience with CICA appeals has seen him obtain significant 6 figure awards for his Clients.

Tom has a developing clinical negligence practice, which he intends to establish over the coming years.

He accepts instructions on a CFA basis and is happy to work to tight deadlines.

Probate & Inheritance

Tom has experience in dealing with disputes between unmarried couples relating to property ownership in light of *Stack v. Dowden* and *Jones v. Kernott*, and claims under the Inheritance (Provision for Family and Dependents) Act 1975.

Tom's previous instructions under the 1975 Act have included claims with foreign elements such as property situated out of this jurisdiction.

Tom has experience in contentious probate matter such as:

- Disputes over the validity of Wills
- Testamentary Capacity and undue influence
- Deeds of variation and rectification
- The liability of Estates, Executors and Personal Representatives
- The construction of Wills

He accepts instructions on a CFA basis and is happy to work to tight deadlines.

Professional Liability

Tom's professional liability practice is both paperwork and advocacy based. He advises on all tracks. His experience to date involves claims against:

Financial Advisers;

Solicitors (Dealing with issues that arise in relation to property and conveyancing, wills, conflicts of interest and limitation); and surveyors

Inquests

Tom has experience of representing many different parties, including:

- Family of the deceased
- Insurers
- Primary Care Trusts
- Health and Safety Executive

He provides advice and representation in the early stages of contact with the coroner and has experience of dealing with issues of disclosure. He provides representation at pre-inquest reviews and advocacy at inquests both with and without juries.

Land Law

Tom undertakes work in the following areas of land law:

- Adverse possession
- Boundary disputes
- Covenants (including restrictive covenants)
- Easements
- Estoppel interests
- Mortgages, particularly charges, and possession actions
- Nuisance including Rylands v Fletcher matters
- Trusts of land

Landlord & Tenant

Tom appears for and advises both landlords and tenants in cases involving residential, business and most recently holiday home tenancies.

TOLATA

Tom's pupillage with Chambers had a heavy reliance on claims under TOLATA. Since completion of pupillage Tom has represented clients in claims under the Act.

Tom's practice in this area continues to develop.