

Tom Corby

CALL: 2011

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Languages: Spanish (proficient)



Overview

Tom has a broad commercial practice, with a particular focus on international arbitration, shipping, commodities and sport. He is ranked as a leading junior in a number of practice areas by *Chambers and Partners* (UK Bar) and *The Legal 500* (UK Bar). He has been described as “a real star” (*The Legal 500* 2023) who is “brilliant on paper and on his feet” (*Chambers and Partners* 2023).

His “strengths include skillful cross-examination” (*Chambers and Partners* 2023), “an ability to cut through complex issues” (*The Legal 500* 2023) and providing “really sharp, accurate advice” (*Chambers and Partners* 2023). He is said to be “above all a pleasure to work with” (*The Legal 500* 2022) and to provide “an excellent service to his instructing solicitors” (*The Legal 500* 2022).

Tom has extensive experience of arbitrations seated in England and elsewhere under a variety of rules (LCIA, ICC, LMAA, SCMA) both as sole counsel and led. He also regularly appears as sole counsel and led in the High Court and Court of Appeal. He has significant and recent experience of applications for anti-suit injunctions, worldwide freezing injunctions and applications under the Arbitration Act 1996 (including claims under sections 68 and 69).

Tom worked as a researcher on the 4th edition of *Voyage Charters* and has joined the editorial team for the 6th edition.

Education

- City University: Graduate Diploma in Law, Distinction (2010)
- University of Oxford, New College: BA (Hons), First Class

Publications

- Researcher for *Voyage Charters* (4th edn, *Informa Law*, 2014).

Professional memberships

- COMBAR
- Middle Temple Committee for Equality, Diversity and Social Mobility (2013-2021)

Lectures/talks

- ‘Brexit and its possible impact on the maritime sector’: Congreso Nacional of the Asociación Española de Derecho Marítimo (15 June 2017).

International arbitration

- Acted for the contractor in an ICC arbitration worth c. US\$ 1 billion concerning disputes arising out of the construction of a metro system for a Middle Eastern state (led by Duncan McCall KC and Ben Pilling KC).
- Acted for the respondent (seller) as sole English counsel in an ICC gas price review arbitration in Munich worth in excess of €4 billion in respect of a dispute under a long-term take-or-pay contract for the sale of Libyan gas (with Bonelli Erede).
- Acted for the respondent in an LCIA arbitration arising out of a dispute under a joint venture agreement for the construction of a 110-hectare mixed-use urban development in Russia worth in excess of US\$250 million (led by Duncan McCall KC).
- Acted for a major European construction company in an ICC arbitration in Milan concerning a dispute arising out of the tendering process for the construction of a motorway in Romania.
- Acted for an insurance company in an ad hoc arbitration concerning issues of construction of a reinsurance policy and aggregation (led by Christopher Hancock KC).
- Acted in an LCIA arbitration concerning a claim for misrepresentation following a partnership dispute at a major international retail property agency (led by Philip Edey KC).
- Acted in an LCIA arbitration concerning allegations of unfair prejudice by a minority shareholder of a large Eastern European vodka company (led by Duncan Matthews KC and Blair Leahy KC).
- Acted in an LCIA arbitration in respect of a disputed claim under a letter of guarantee relating to an investment by a Middle Eastern state-owned property developer (led by Duncan McCall KC).

Shipping

Tom's reported cases in the High Court include:

- ***Argos Pereira Espana SL v Athenian Marine Ltd ("The Frio Dolphin")*** [2021] 2 Lloyd's Rep. 387, [2022] 1 All E.R. (Comm) 345, [2021] 1 CLC 552: A s69 appeal establishing the right to claim equitable compensation for foreign litigation brought in breach of the equitable obligation on an assignee to arbitrate in accordance with an arbitration clause governing the rights assigned to it.
- ***FSL-9 PTE Ltd v Norwegian Hull Club*** [2016] 2 All E.R. (Comm) 576 – A case about whether a "liberty to apply" provision in a P&I Club letter of undertaking conferred on the court a power to compel a P&I Club to put up further security (led by Charles Kimmins KC).
- ***Geden Operations Ltd v Bulk Handy Holdings Inc ("The Bulk Uruguay")*** [2014] 2 Lloyd's Rep. 66 – A s69 appeal concerning a time charterer's right to order a vessel to transit the Gulf of Aden (led by Charles Kimmins KC).
- ***The London Steam Ship Owners Mutual Insurance Association Ltd v The Kingdom of Spain and The French State ("The Prestige") (No 2)*** [2014] 1 Lloyd's Rep. 309 A multi-billion Euro oil pollution case arising out of the loss of the M/T Prestige off the coast of Spain in 2002, involving applications under s66, 67 and 72 of the Arbitration Act 1996. The case raised conflicts of law issues, including a consideration of the Through Transport doctrine, sovereign immunity and arbitrability (led by Christopher Hancock KC and Charlotte Tan).

The majority of Tom's shipping practice consists of arbitration. Recent cases include:

- LMAA Arbitration – acting for the charterers in a dispute following the loss of a Pure Car And Truck Carrier following a vehicle fire after loading, worth in excess of US\$ 70 million (led by Charles Kimmins KC).
- LMAA Arbitration – acting for the charterers in a dispute arising out of an explosion and fire on the *MSC Flaminia* (led by Julian Kenny KC).
- LMAA Arbitration – acting as sole counsel for a party under a Vessel Sharing Agreement in respect of a dispute following the arrest of two vessels due to suspected drug smuggling.
- LMAA Arbitration – acting for buyers in a four-week arbitration under two resale contracts for seventh generation ultra deepwater drillships in a dispute with a shipyard worth US\$ 350 million (led by Michael Ashcroft KC).

- LMAA Arbitration – acting as sole counsel in an arbitration concerning a dispute under a Norwegian Saleform contract for the sale of an oil tanker.
- LMAA Arbitration – acting as sole counsel in an arbitration arising out of the termination of a ship sale contract on the basis of delays in payment of the purchase price.
- LMAA Arbitration – acting as sole counsel in a three-day arbitration following the cancellation of a long-term offshore exploration contract on the basis of the Covid-19 pandemic and *force majeure*.
- SCMA Arbitration – acting for the owner of a Dive Support Vessel in a 10 day expedited arbitration in Singapore arising out of the premature termination of a long term charterparty by her charterers (led by Timothy Hill KC).

Commodities

- LCIA Arbitration – acting for a major commodities trader in a three-day arbitration concerning jurisdiction and liability in a dispute worth US\$ 120 million arising under a sale and purchase agreement for LNG (led by Timothy Hill KC).
- LCIA Arbitration – acting as sole counsel for a buyer of a cargo of oil in a five-day arbitration against the seller following claims made in China in respect of quality and the description of the cargo.
- An ICC Arbitration – acting as sole counsel for the purchaser of a cargo of naptha in a one-day arbitration in Panama City against a South American state-owned oil company.
- An LCIA Arbitration – acting as sole counsel for a major international bank in an arbitration arising under long-term contracts for the sale and purchase of iron ore produced by a mine in Sierra Leone.
- An LCIA Arbitration – acting as sole counsel for a European trade credit bank in an arbitration concerning defaults under a contract for the sale of steel to a Middle Eastern construction company.
- Acting for the buyer in a claim in the Commercial Court concerning the effect of sanctions on a contract for the sale of Belarusian bio-fuel (led by Guy Morpuss KC).
- Acting for the seller in a claim in the Commercial Court concerning liability for Scandinavian excise duties under sale contracts for cargoes of fuel oil.

Sport

- Acted for a former director of a Championship football club in a case about breach of directors’ duties and defamation (led by David Reade KC).
- Acted for the agent of an English Test Match cricketer in a dispute about unpaid commission.
- Acted for a football “Super Agent” in a dispute with another agent about the entitlement to commission following a multimillion pound transfer of an international football player.
- Acted for a Premier League Football Club in a dispute about the development and sale of non-fungible tokens (NFTs).

General commercial

- Obtaining an anti-suit injunction for Dell to restrain proceedings brought by a distributor in Morocco in breach of an arbitration agreement (led by Thomas Raphael KC).
- Acting for a major European bank in an application in the Commercial Court arising out of litigation concerning an allegedly fraudulent claim under a marine insurance policy (led by Julian Kenny KC).
- Acting for a leading internet games company in a claim in the Commercial Court concerning a contract for the redirection of internet traffic to a target website.
- Acted for a major international bank in a dispute with a sovereign wealth fund over the recoverability of management fees following the termination of an investment management agreement.
- ***The English Electric Company Ltd v Alstom UK Ltd*** [2015] EWHC 924 (QB); [2016] EWCA Civ 1314: acted for the claimant (at first instance and in the Court of Appeal) in a claim about the extent to which liability for negligently exposing an engineering apprentice to asbestos could be passed up a chain of indemnities in sale and purchase agreements (led by David Lewis KC).
- ***Associated Electrical Industries Limited v Alstom UK*** [2014] EWHC 430 (Comm) – A case considering the correct approach to procedural default in light of the Jackson Reforms and the decision of the Court of Appeal in *Mitchell v News Group Newspapers Limited* [2013] EWCA Civ 1537.

Recommendations

Thomas is incredibly bright, calm and measured, with sharp attention to detail and an ability to cut through complex issues. [The Legal 500 UK Bar 2024](#)

He is very user-friendly, incredibly popular with clients, and works really well in a team. [Chambers UK Bar 2024](#)

Hard working, reliable, and a pleasure to work with. [The Legal 500 UK Bar 2024](#)

Tom is very hard-working, very clever and very reliable. [Chambers UK Bar 2024](#)

Tom is a really strong junior. [Chambers UK Bar 2024](#)

Super bright, inspires confidence, excellent on paper. A real star. [The Legal 500 UK Bar 2023](#)

He is decisive, super-bright, user-friendly and inspires confidence. [The Legal 500 UK Bar 2023](#)

Thomas's strengths include skilful cross-examinations. [Chambers UK Bar 2023](#)

He is extremely hard-working, very clever and a real pleasure work with. [Chambers UK Bar 2023](#)

Thomas is brilliant on paper and on his feet. He is very hands-on and user-friendly. [Chambers UK Bar 2023](#)

Incredibly hard-working, spectacularly clever, always polite whatever the provocation, and above all a pleasure to work with. [The Legal 500 UK Bar 2022](#)

Thomas is brilliant on paper and on his feet. He is very hands-on and user-friendly. [Chambers UK Bar 2022](#)

Extremely diligent, thorough, knowledgeable and strategic, he provides an excellent service to his instructing solicitors. [The Legal 500 UK Bar 2022](#)

He is extremely hard-working, very clever and a real pleasure work with. [Chambers UK Bar 2022](#)

He is hard-working, approachable and experienced. He copes with big cases well. [Chambers UK Bar 2021](#)

Absolutely excellent and very user-friendly; nothing is too much trouble. [The Legal 500 UK Bar 2021](#)

He is commercial, prompt and user-friendly. He adds value and takes initiative. [Chambers UK Bar 2021](#)

A rising star who is particularly recommended for shipping and commodities matters. [The Legal 500 UK Bar 2021](#)

He is always fully prepared, highly persuasive and sensitive to the nuances of advocacy before tribunals and courts. [The Legal 500 UK Bar 2020](#)

His work product is first class. His turnaround time, attitude and client management also impress. [Chambers UK Bar 2020](#)

A rising star who will undoubtedly take silk, he is clever, reassuring and user-friendly with a sharp legal mind. [The Legal 500 UK Bar 2020](#)

He's exactly what you want from counsel – good on the black letter law as well as commercially minded." "He's extremely thorough, well prepared and diligent. [Chambers UK Bar 2020](#)

He is approachable, reliable and brilliant on paper. [The Legal 500 UK Bar 2018](#)

Excellent to work with, he has a very strong intellect, is extremely hardworking and very responsive. [The Legal 500 UK Bar 2018](#)