

Roger Thomas

Year of Call: 2001
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Overview

Roger Thomas is a busy specialist family finance barrister, representing litigants under the Matrimonial Causes Act 1973, the Civil Partnership Act 2004 and cohabiting couples under the Trusts of Land and Appointment of Trustees Act 1996. He joined 3PB from another large barristers' chambers in Birmingham in November 2023.

Having spent more than 20 years in commerce and industry before coming to the Bar, Roger brings to his work a wealth of first-hand experience at the 'coal face' which enables him to quickly understand the relevant issues in cases and to advise both professional and lay clients alike in simple, easily-understood terms.

Family

Family barrister Roger Thomas enjoys a thriving family finance practice, representing litigants under the Matrimonial Causes Act 1973, the Civil Partnership Act 2004 and cohabiting couples under the Trusts of Land and Appointment of Trustees Act 1996.

He is regularly instructed in cases of high net worth, particularly where the valuation of businesses and farms is concerned and in which his previous experience as a Chartered Management Accountant can provide useful insights. Roger is used to dealing with family assets and disputes over business ownerships/shareholdings, wills and trusts.

Roger is a skilled advisor and negotiator and is adept at putting even the most nervous client at their ease and instilling confidence in them. In aiming to obtain the best possible outcome for his lay clients, Roger strives to find a negotiated solution thereby saving time, money and trouble for them. However, if a final hearing becomes inevitable, he is an incisive and tenacious advocate in his client's cause.

Prior to coming to the Bar in 2001, Roger qualified as a Chartered Management Accountant and enjoyed a 20-year career in the manufacturing and commercial sectors. Much of his career was at Board level and a significant proportion of his work was of an international nature.

Notable Cases

Elliott v Butler [2016] EWCA Civ 953; Acting for the wife. Portfolio of properties all in the wife's sole name valued at c.£4m but underpinned by mortgages of c.£3.5m. District Judge made an order for sale of whole portfolio to relieve the wife of the burden of the mortgages. Husband took up occupation of the only property with significant equity – a farm in the Lake District – and barricaded himself in, using every legal device imaginable to resist his removal. Secured an order in the High Court for his committal to prison, which was upheld in the Court of Appeal, allowing the portfolio to be sold.

K v K: Acting for the husband. Assets in Australia worth AS$52m and a flat in London's Piccadilly worth £2m. The parties had entered into an financial settlement agreement in Australia to deal with their Australian assets and a 'side agreement' in

relation to the husband's flat in Piccadilly by which he had agreed the wife could reside their when in London. Wife took up full time occupation in the flat and claimed home rights. Issues were the status of the 'side agreement' both in Australian law and English Law; whether the flat was a 'matrimonial home' under s.30(7) FLA 1996; and whether the wife had acquired any rights in the property. Consent order achieved by which the wife agreed to vacate the property.

R v M: Acting for the wife. The wife's divorce petition was defended by the husband on the grounds of domicile, he asserting that he was domiciled in the UAE and that he had obtained an alimony order in the Dubai courts. Trial of the issue resulted in a finding that the husband never lost his domicile of origin in England & Wales. Husband ordered to instruct his bank in the Isle of Man to pay the wife's costs order.

C v C: Acting for the wife. Husband and wife built a property in the grounds of the husband's mother's house and lived there for a number of years. Husband claimed in the divorce that the property was his mother's and he had no interest in it, and also that his other assets were mortgaged to his mother. Uncovered undisclosed assets, including property developments and a Lamborghini in the husband's name. Settlement subsequently obtained.

F v R: Acting for the claimant in TLATA proceedings. Persuaded the court at trial that the claimant was subjected to coercive control by the defendant, including serious sexual assault, which vitiated her consent to the joint purchase of the property in dispute. Persuaded the court that all of the financial contributions to the purchase of the property were made by the claimant. Obtained a declaration that the claimant held 100% of the beneficial interest in the property and an order for costs.

S v R: Acting for the claimant in TLATA proceedings / the defendant in Sch. 1 CA proceedings. Persuaded the court at trial that the declaration of trust entered into by the parties upon purchase of the property by which they had declared themselves tenants in common in unequal shares had not been varied by a later purported notice of severance of a joint tenancy. Obtained the dismissal of the defendant's Sch. 1 application and an order for the immediate sale of the property together with a substantial order for costs.

E v G: Acting for claimant in TLATA proceedings. Not long after purchasing a property together, the defendant disappeared. The claimant subsequently discovered that he had forged her signature to obtain loans which he had secured against the property and then fled the jurisdiction. Using social media and other tools, tracked the defendant down to an address in Ankara, Turkey, and then used the Hague Convention to serve him with the TLATA application in Turkey.

H v H: Acting for the wife. Business assets (including the family home) over £5m and husbands SIPP worth £1.2m. The husband owned 75% of the shares in the dynastic family business which had been begun in the 1800s, some of which were held in a trust. The central issue was whether the wife had a claim over the business assets and, if so, to what extent. Resolved at trial on a needs basis with an award of £550k for housing plus a pension share of a further £450k.

K v K: Acting for the wife. Assets worth £1.6m, including the parties' civil engineering business. The issue was liquidity and how the wife could extract her entitlement to one half of the assets. Persuaded the court that this was one of those cases where "the goose may well have to go to market for sale…" Settlement achieved without a sale of the business.

V v V: Acting for the wife who was living in the Netherlands. Assets worth £1.3m, including the wife's inherited property worth £325k. Preserved wife's inheritance intact and achieved 80:20 split of the other assets in her favour. Opposing Queen's Counsel.

O v O: Acting for the husband. Family home attached to family business (farm partnership) collectively worth c.£1m. The issue was the wife's drastically curtailed life expectancy and how, if at all, that should affect the outcome after a marriage of almost 40 years. Persuaded the court that the wife's award should be based on needs rather than sharing notwithstanding her testamentary wishes. Settlement achieved.

Recommendations

"Roger is fantastic. He has a brilliant way with clients, is calm and measured in his approach. His work is methodical and precise, while his written documents are concise and persuasive. He is able to break down the most complex matters and advise clients in a really straightforward way that they can understand."
"Roger was able to navigate the issues with ease and identified key arguments in the submissions to the court, progressing the matter and assisting the client towards conclusion."
"He is very thorough with brilliant attention to detail. Roger puts complicated legal terms and principles into simple language for clients."
Chambers UK 2027/Divorce and Financial Remedy/Leading juniors/Midlands Circuit

'Roger is a go-to for complex financial remedy cases. His accountancy background sets him apart from other advocates and allows him to provide technical expert advice to clients. He is an extremely competent barrister and provides clients with upfront, honest advice.'
Legal 500 2027/Divorce and Financial Remedy/Leading juniors/Midlands Circuit

Roger's preparation is first-class. He is forthright yet reassuring with clients, and has the ear of the court, knowing exactly which points to push.'
Legal 500 2026/Divorce and Financial Remedy/Leading juniors/Midlands Circuit

Having joined from St Ives Chambers in November 2023, Roger Thomas brings with him considerable experience representing litigants under the Matrimonial Causes and Civil Partnership Acts as well as cohabiting couples under TOLATA. He is noted for his skill 'tackling cases with a jurisdictional element' as well as for his persuasive advocacy.
'Roger has an excellent skill set. He is exceptionally bright, particularly when it comes to complex financial remedy work. He is a very skilful negotiator and his advocacy is extremely persuasive.'
Legal 500 2025/Divorce and Financial Remedy/Leading juniors/Midlands Circuit

Academic qualifications

- LL.B. (Hons)
- A.C.M.A.

Professional bodies

- Family Law Bar Association