Victoria Roberts

Year of Call: **2005**

ST JOHN STREET CHAMBERS
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Victoria joined Chambers in February 2020 as a member of the Business and Property team. She has wide-ranging expertise in Chancery and Commercial matters, and Insolvency. Given the urgent nature of much of the work undertaken, Victoria offers a quick turnaround on all papers.

Insolvency

Instructed on behalf of companies, liquidators and trustees in bankruptcy and appears regularly in the Chancery Division of the High Court.

Victoria's cases typically concern transactions at undervalue, wrongful/fraudulent trading, issues as to validity of securities and directors' disqualifications proceedings. Her caseload includes various hearings such as applications to set aside statutory demands, injunctions to restrain presentation of winding up petitions or advertisement and validation orders.

Litigation

Advises and acts in a range of matters which belong to the Business and Property Court including boundary disputes, mortgages, contentious probate and landlord and tenant matters alongside commercial disputes, including claims relating to breaches of contract for the supply of goods, professional negligence matters, partnership disputes (including agricultural) and claims brought by commercial lenders.

A recent example includes acting for a debtor in a large insolvency and possession claim involving multiple cases as to whether the creditor could actually show good title to certain alleged debts.

Equine

Undertakes Equine cases including cases relating to the sale of horses.

Data Protection

Regularly instructed on GDPR and DPA issues such as subject access requests (including pre-action disclosure applications), data breaches and compensation claims. Also advised various entities, including a major charity on their data protection obligations and policies.

Financial mis-selling work

Victoria has a wide range of experience in mis-selling cases with a particular leaning to consumer loans, business energy claims and car finance up to Supreme Court level. Victoria also accepts instructions against brokers in these areas. Notable cases in this area are:

Regulatory Finance / Banking work

Victoria also has significant experience in the regulation of retail mortgages and consumer credit in the High Court and Upper Tribunal. Recent work includes acting on a prohibition case against a director of a car finance brokerage company in respect of non-financial misconduct allegations and in an Upper Tribunal case against two directors of a pension advisory company as a result of mis-sold pensions which resulted in significant losses to the pension holders.

Outside of Chambers, Victoria's interests include playing polo.

PRIVACY POLICY

In February 2025, Victoria co-authored ‘A Practical Guide to the Mis-selling of Car Finance’ with Nick Harrison. Links below.

A Practical Guide to the Mis-Selling of Car Finance (Links: Law Brief Publishing / Amazon)



Education

2001- 2004 LL.B. (Hons)
2004 – 2005 BVC
2012: International Scholarship (Dubai)

Professional Memberships

Lincoln's Inn
Northern Circuit Commercial Bar
Family Law Bar Association
Insolvency Lawyer's Association
Chancery Bar Association
Northern Chancery Bar Association Committee Member
Panel member of the Legal Ombudsman Service

Notable Cases

Johnson v First Rand Bank Limited and others (2024): Victoria acted on behalf of a charity to intervene in the significant Supreme Court case against PCP Car Finance lenders which considered whether car dealers owe a disinterested duty and / or fiduciary duty to provide consumers when purchasing a car with credit and whether insufficient disclosure of commission arrangements makes the relationship between the lender and consumer unfair for the purposes of s.140A of the Consumer Credit Act 1974.Johnson Supreme Court (Johnson v First Rand Bank Limited and others UKSC 2024/0158)

Suleman v Black Horse Finance and Others (2022): Successful pre-action disclosure application against three car finance lenders in relation to the disclosure of undisclosed commission documents which is now the leading case for all such applications made in the County Courts.

Wallbank v Creation Consumer Finance (2022): Successful in a claim for rescission against a consumer lender in respect of an undisclosed commission paid to the broker.

Murphy v Creation Consumer Finance Limited (2022): Successful application made on behalf of the Claimant against the lender for specific disclosure of undisclosed commission documents.

Secure Mortgage Corporation Ltd & Anor v Harold & Ors [2020] EWHC 1364 (Ch) (28 May 2020) – application to remove an administrator from office on the grounds of an invalid appointment. **(LINK TO JUDGMENT)**

HM Attorney General -v- Athar, Khan, Hussain and Southall Black Sisters [2019] (Court of Appeal, Etherton MR, King LJ and Moylan LJ – Acted as Junior Counsel to Charles Hale QC on behalf of

an intervenor in a case which considered whether parties to a Nikah marriage ceremony were entitled to a decree of nullity thus entitling one of the spouses to apply for financial remedy relief.

Morrell v DWP 2019 (Prestatyn County Court, HHJ Howells): Appeared successfully alongside the BBC in an application to strike out a litigant's claim against the DWP and obtained a two-year general Civil Restraint Order on behalf of the DWP in my role as Treasury Counsel.

Hancock v Promontoria (Chestnut) Ltd [2019] EWHC 2646 (Ch) High Court: Acted as Junior Counsel in a substantive insolvency appeal hearing in respect of whether or not an alleged creditor could actually show good title to certain alleged debts. Detailed issues as to construction / interpretation of an Assignment and Assumption Deed. Successfully obtained permission to appeal in a second appeal to the Court of Appeal.

Akthar v Welcome Finance Ltd (2019) Manchester County Court: Successfully obtained damages at trial in respect of a mis-selling case. The Court found that there was an unfair relationship between the lender and borrower and that the broker who arranged the finance owed a fiduciary duty to the borrower. The broker's commission was also awarded in C's favour.

Hancock v Promontoria Pine Designated Activity Company (2019) (Liverpool County Court, Business and Property): Successfully applied to set aside a statutory demand in the sum of £650,000 brought by an Irish based company on the issue of whether there had been an effective assignment and therefore whether the creditor had title to bring insolvency proceedings.

Natwest Bank PLC -v- Chen 2018 (Dudley County Court): Successfully set aside a summary judgment in an application where the debtor had substantially delayed in making an application to set aside the judgment upon receiving notice of a final charging order during enforcement proceedings.

McGann -v- Bisping (2017) High Court of Justice, Mercantile Division, Richard Salter QC sitting as a Deputy High Court Judge: Acted as Junior Counsel to Nigel Lawrence QC in a large value breach of contract claim against a high profile MMA fighter. Victoria Roberts was responsible for making an application for a disbarring order in respect of the Defendant's non-disclosure. Successfully obtained damages at trial.

H-C v H-C (2017) (Ancillary Relief: sharing and needs) Manchester County Court: Acted for a husband in a financial remedy case where the wife had a terminal illness. Successfully argued that the husband's needs should take priority over the wife's claim for an equal division of the matrimonial assets.

NWF Fuels Limited v Gogerddan Garage Limited (2017) (High Court of Justice, Birmingham District Registry): Ssuccessfully secured judgment for £298,000 against a company and its guarantor directors in favour of a fuel supply company. Issues involved limitation defences, a counterclaim for alleged non-supply and attempted dissipation of company assets.

John Burns v Nationwide (2017) (HHJ Hodge QC–on appeal from DDJ Hesaltine, Birkenhead County Court): Successfully appealed a case management decision relating to the court's refusal to allow an application to rely on an Amended Defence. Victoria was also successful in appealing a possession order and money judgment for £250,000 made at a summary hearing on the basis that the lender's failure to provide consent for proposed leases over the secured property created an unfair relationship within the meaning of s140A of the Consumer Credit Act 1974.

McGovern v Brooks (2016) (High Court of Justice): Appeared on behalf of a successful claimant in an application to remove an executor in a probate matter. The case was unique in that it involved an application to remove prior to a grant of probate being obtained. Both executors were removed.

Bland v Brady (2015) High Court of Justice, Manchester District Registry: Successfully obtained a substantial judgment in a misfeasance / breach of fiduciary duties action against a former director of a company on behalf of a liquidator.

Gisburne Park Estates Ltd v Panama Sports Horses UK Ltd (2015)–Court of Appeal (Vos L.J): Acted as Junior Counsel to Raquel Agnello QC. Acted for the successful Respondent in a second appeal and application to admit fresh evidence which was dismissed.

Gisburne Park Estates Ltd v Panama Sports Horses UK Ltd (2015)–On Appeal (HHJ Pelling QC): Acted as Junior Counsel to Raquel Agnello QC. Successfully resisted the Appellant's application to appeal.

Gisburne Park Estates Ltd v Panama Sports Horses UK Ltd (2014): Acted as Junior Counsel to Stephen Cogley QC in a contested winding up petition with related landlord and tenant issues (relief from forfeiture, distress, and unlawful eviction).

Knox v Three (2015): Compromised a claim for injunctive relief/damages against an international mobile telephone provider.

Liverpool City Council v Public Safety Charitable Trust [2012] (latterly 2013 EWHC 1237 (Admin) (Sales.J): Appeared in a test case on behalf of the Council at first instance in relation to liability orders claimed against the PSCT requiring payment of non-domestic rates in respect of commercial properties owned by the charitable trust.

Oceans Eleven Limited v Richardson (2012): Successfully obtained an injunction to restrain a presentation of a winding up petition against a family owned company.

Liverpool Quays Management v Moscardini [2012] UKUT 244 (LC): Successfully resisted an appeal brought by a management company in the Upper Tribunal (Lands Chamber) for the payment of legal fees as service charges in respect of proceedings by lessees against a third party.

HH v Sutton (2013) (Mr Justice Briggs V.C), High Court of Justice, Manchester District Registry: Acted for a large firm of solicitors in injunction proceedings to prevent a former employee from disposing of the firm's website names.

In Re A Company (2014) (High Court of Justice, Companies Court): Acted for a PLC which sought injunctive relief against an offshore holding company in order to protect its main asset (a valuable shareholding in a coal mine). Successfully obtained an Undertaking.



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