

Timothy Sherwin

Call: 2014

The Chancery junior I want on every single one of my matters. Future silk material. An absolute superstar.

Chambers & Partners UK Bar: Legal 500 UK Bar



Timothy Sherwin is a chancery barrister with a practice in private client and business litigation.

Chambers & Partners ranks him in Band 1, and describes him as having *"a strong chancery practice which includes taking instructions in contentious trusts and estates matters, as well as handling company and insolvency disputes"*. He was named Star Junior Under 10 Years' Call at the **Chambers and Partners High Net Worth Awards 2020**. He is described by the legal directories as *"the real deal"*, *"superb"*, *"future silk material"*, a *"top choice"*, and *"an excellent strategic thinker."*

Timothy has detailed experience of contentious trusts, probate and succession cases, Court of Protection matters, art & cultural property litigation, company cases, insolvency disputes, civil fraud, as well as banking and general commercial litigation. He is very frequently instructed on cases which involve a number of overlapping areas of law.

Timothy is recommended in Chambers and Partners and the Legal 500 in a number of areas, including being ranked as band 1 in Trusts by Chambers & Partners. In private client litigation, he is said to be *"The Chancery junior I want on every single one of my matters"*, *"an excellent junior and would always be a top choice for complex multi-jurisdictional private wealth disputes"*, *"absolutely brilliant – super bright, very quick, very responsive and did a great job for us"*, *"a highly effective junior, and an excellent advocate on his own feet"*, and *"tough, tenacious and charming"*. For Chancery commercial work Timothy is described as *"a very able junior with a maturity and level of ability which belies his call... He has been excellent"*. He is recommended for civil fraud, where he is noted as *"Exceptionally bright, years ahead of his call in his knowledge and capability"*. In company law Timothy is commended as having *"an increasingly active practice in section 994 petitions and companies held in trust structures"*, and is described as *"an absolute superstar"*.

Fuller details of Timothy's experience are set out below.

Expertise

Arbitration

Timothy is comfortable dealing with and advising on all aspects of arbitration, in a commercial and a private client context. Recent highlights include **A v B (2025)**, a 4-day LCIA arbitration in a £multi-million pharmaceuticals dispute, in which Timothy was unled against a silk and a junior.

Art and Cultural Property

Timothy has a special interest in art and cultural property matters.

- ***Simon v Taché* [2022] QB 917, [2022] 3 WLR 835, [2022] EWHC 1674 (Comm)**: jurisdiction challenge in claims arising out of the purchase of a large collection of modern art. Important for its consideration of the “gateways” in CPR PD 6B concerning property and constructive trusts in the context of art litigation. Timothy led Alex Peplow.
- ***Field v Del Vecchio* [2022] EWHC 1920 (Ch); [2022] EWHC 1118 (Ch); [2022] EWHC 1117 (Ch); [2022] EWHC 146 (Ch); [2021] EWHC 3494 (Ch)**: claim by the administrator of Duggie Fields’ estate for delivery up of Duggie Fields’ artwork. Timothy obtained interim delivery up orders and injunctions; and judgment in default. He also acted in a committal application where the defendant was found guilty of contempt of court, and sentenced to 18 months’ imprisonment. Timothy was sole counsel.
- ***Meem Ya Meem v Sotheby’s* (2017)**: claim concerning important modernist statue. Timothy was led by Edward Cumming QC.

Timothy is also frequently instructed to advise on and deal with cases which, by their nature, are private. Thus, he acts for a client concerning remedies for the theft of £4m worth of classic cars, and has also advised on difficult questions arising out of settlements made by the family of prominent artists, as well as on the mortgage and sale of works of art held on trust.

Banking & Financial Services Disputes

Timothy has very broad experience of both investment and retail banking cases, and has appeared led and in his own right in many such claims. Timothy is therefore comfortable dealing with banking cases on his own or as part of a team, and has worked with several prominent KCs in such matters.

- ***Public Institution for Social Security v Al-Wazzan & ors* [2024] EWHC 3321 (Comm)**: Very large and complex bribery claim. Timothy acts unled for the children of the first and second defendants, challenging jurisdiction. An appeal is listed to be heard in late 2025.
- ***Various claimants v Utmost Intl Isle of Man Limited & ors* (2024/2025)**: a large (c. £250 million) group claim by investors in offshore portfolio bonds resulting out of alleged secret commissions paid by the bond issuers to the investors’ advisor brokers. Timothy is led by Edward Cumming KC, assisting Whittles Law.
- ***Byers v Samba Financial Group* [2021] EWHC 60 (Ch); [2020] EWHC 2411 (Ch); [2020] EWHC 2380 (Ch); [2020] EWHC 1051 (Ch); [2020] EWHC 1006 (Ch); [2020] EWHC 853 (Ch); [2019] EWHC 3690 (Ch); [2019] EWHC 2864 (Ch); [2019] EWHC 951 (Ch); [2018] EWHC 3180 (Ch), [2018] 3181 (Ch)**: £330m knowing receipt claim against a Saudi bank.
- ***Libyan Investment Authority v Société Générale SA & ors* (2017)**: \$2bn bribery claim against French bank.
- ***Libyan Investment Authority v Goldman Sachs International* [2016] All ER (D) 120 (Oct), [2016] EWHC 2530 (Ch)**: \$1.2bn undue influence/unconscionable bargain claim against London bank.

Civil Fraud & Asset Recovery

Timothy has detailed expertise in cases which involve allegations of dishonesty and unconscionable conduct, and is very

frequently asked to advise on or appear in such cases. The Legal 500 says that his “*advocacy is first rate*”, he is “*highly effective and dependable*”, and he is “*Exceptionally bright, years ahead of his call in his knowledge and capability, extremely approachable and conscientious*”.

Indeed, he has been instructed in some of the largest and most important fraud cases before the English and other courts in recent years, such as:

- **Public Institution for Social Security v Al-Wazzan & ors [2024] EWHC 3321 (Comm)**: Very large and complex bribery claim. Timothy acts unled for the children of the first and second defendants, challenging jurisdiction. An appeal is listed to be heard in late 2025.
- **Various claimants v Utmost Intl Isle of Man Limited & ors (2024/2025)**: a large (c. £250 million) group claim by investors in offshore portfolio bonds resulting out of alleged secret commissions paid by the bond issuers to the investors’ advisor brokers. Timothy is led by Edward Cumming KC, assisting Whittles Law.
- **St John’s Trust Company (PVT) Limited v Watlington [2020] SC (Bda) 51 Civ**: complex corporate and trust litigation in respect of a trust worth up to \$8bn alleged to be at the heart of the largest US tax fraud in history. Timothy is led by Edward Cumming QC, assisting Katie Tornari and Mark Diel.
- **Byers & ors v Samba Financial Group [2021] EWHC 60 (Ch); [2020] EWHC 2411 (Ch); [2020] EWHC 2380 (Ch); [2020] EWHC 1051 (Ch); [2020] EWHC 1006 (Ch); [2020] EWHC 853 (Ch); [2019] EWHC 3690 (Ch); [2019] EWHC 2864 (Ch); [2019] EWHC 951 (Ch); [2018] EWHC 3180 (Ch), [2018] 3181 (Ch)**: US\$ 330m unconscionable/ knowing receipt claim against a Saudi bank. Led by Stephen Smith QC and Adam Cloherty.
- **The Libyan Investment Authority v Société Générale SA & ors (2017)**: US\$ 2bn bribery claim. Led by Mark Howard QC, Roger Masefield QC, and Craig Orr QC.
- **The Libyan Investment Authority v Goldman Sachs International [2016] All ER (D) 120 (Oct), [2016] EWHC 2530 (Ch)**: \$1.2bn undue influence/unconscionable bargain claim. Led by Philip Edey QC and Roger Masefield QC.

Timothy also deals frequently with such cases in his own right. For example:

- **Axon Limited v O’Keeffe [2021] EWHC 2768 (Ch)**: summary judgment and strike-out of claim in alleged unlawful means conspiracy and allegedly fraudulently procuring an order.
- **Mattar v Massenya (2020)**: a 5 day trial of a claim in fraudulent misrepresentation, conspiracy and dishonest assistance, and appeal from the same (**ChD, 8 October 2021**).

Commercial Litigation

Timothy is regularly instructed in commercial cases as part of his busy commercial-Chancery practice. He is the most junior barrister recommended in this area in Chambers and Partners, described as “*[a]n emerging talent at the Commercial Chancery Bar. He is regularly trusted with high-value matters*”, and “*a very able junior, with a maturity and level of ability which belies his call. He’s very easy to deal with.*” He is said to have “*knowledge and strategic nous well beyond his years.*”

Much of the litigation in which Timothy is involved are commercial cases which also engage other areas of his practice, such as insolvency, trusts, company and partnership law, banking law or fraud. Timothy is very comfortable dealing with such multi-faceted cases. Major examples include:

- **Public Institution for Social Security v Al-Wazzan & ors [2024] EWHC 3321 (Comm)**: Very large and complex bribery claim. Timothy acts unled for the children of the first and second defendants, challenging jurisdiction. An appeal is listed to be heard in late 2025.
- **Various claimants v Utmost Intl Isle of Man Limited & ors (2024/2025)**: a large (c. £250 million) group claim by investors in offshore portfolio bonds resulting out of alleged secret commissions paid by the bond issuers to the investors' advisor brokers. Timothy is led by Edward Cumming KC, assisting Whittles Law.
- **B&J Investments Ltd v IQEQ (2024)**: £multi-million claim concerning the financing of a hotel. The case settled after a complex 3-day hearing. Led by Hermann Boeddinghaus KC.
- **Byers v Samba Financial Group [2021] EWHC 60 (Ch); [2020] EWHC 2411 (Ch); [2020] EWHC 2380 (Ch); [2020] EWHC 1051 (Ch); [2020] EWHC 853 (Ch); [2019] EWHC 3690 (Ch); [2019] EWHC 2864 (Ch); [2019] EWHC 951 (Ch); [2018] EWHC 3180 (Ch), [2018] 3181 (Ch)**: a \$330m unconscionable/ knowing receipt claim by an investment company against a Saudi bank. Led by Stephen Smith QC and Adam Cloherty.
- **The Libyan Investment Authority v Société Générale SA & ors (2017)**: \$ 2.1bn fraud claim against a French bank which settled very shortly before a 14 week trial in the English Commercial Court. Led by Mark Howard QC, Roger Masefield QC, and Craig Orr QC.
- **The Libyan Investment Authority v Goldman Sachs International [2016] All ER (D) 120 (Oct), [2016] EWHC 2530 (Ch)**: \$1.2bn undue influence and unconscionable bargain against an investment bank. Led by Philip Edey QC and Roger Masefield QC.

In addition to these major pieces of commercial litigation, Timothy regularly deals with commercial matters as advocate.

- **A v B (2025)**: 4-day LCIA arbitration in £multi-million pharmaceuticals dispute. Timothy was unled against a silk and a junior.
- **Re Smith (2023)**: Timothy acted unled against a silk and two juniors for a removed trustee in complex and hard-fought costs proceedings concerning a trust in a commercial context. This (aspect of the) dispute settled after a 1.5 day hearing in the Commercial Court.
- **Mate v Mate [2023] All ER (D) 48 (Feb), [2023] EWHC 238 (Ch)**: trial of a claim in unjust enrichment.
- **Simon v Taché [2022] QB 917, [2022] 3 WLR 835, [2022] EWHC 1674 (Comm)**: complex jurisdiction challenge in respect of agency/constructive trust claim, considering novel points on Brussels Recast and the scope of several "gateways" under CPR PD 6B. Timothy led Alex Peplow.
- **Re Taunton Logs Limited [2020] EWHC 3480 (Ch)**: £3.3m debt/share capital claim.
- **Bamford v Hughes [2020] EWHC B30 (Comm)**: £1m debt/fraud claim. Timothy obtained summary judgment in the London Circuit Commercial Court.
- **Axon Ltd v Drivex Business Solutions SL [2020] EWHC 3813 (QB)**: Timothy successfully challenged the jurisdiction of the English court in an unjust enrichment dispute.

Company & Partnership Law

Timothy ranked by the Legal 500 in this area with a "notable company law practice", described as "an absolute superstar" with "an increasingly active practice in section 994 petitions and companies held in trust structures".

Timothy was a contributing editor to **Atkin's Court Forms: Companies – General (vols. 8(1), 8(2) & 8(3))** (2018, LexisNexis).

Timothy's recent company law experience includes:

- **Large s. 994 petitions appeal:** Timothy was brought in to assist a leader on an application for permission to appeal a complex sett of s. 994 petitions.
- **Large family corporate dispute:** Timothy was instructed for several years in a large and complex dispute between two halves of a family in respect of a number of family companies and LLPs. The case settled shortly before the first hearing of two s. 994 petitions.
- **Re Taunton Logs Limited [2021] BPIR 427, [2021] All ER (D) 18 (Jan), [2020] EWHC 3480 (Ch):** £3.3million claim for debts said to arise from the non-payment of share capital. This is the leading case on the scope of insolvency proceedings and debt claims under calls pursuant to articles of association. Sole counsel.
- **St John's Trust Company (PVT) Limited v Watlington [2020] SC (Bda) 51 Civ:** \$8bn corporate/trust litigation. Led by Edward Cumming QC and assisting Katie Tornari and Mark Diel.
- **Re Energy Corrector Limited; Brouwer v Anstey [2019] EWHC 1139 (Ch); [2019] EWHC 144 (Ch); [2018] EWHC 651 (Ch).** Trial and interlocutory disputes surrounding s. 994 petition. Sole counsel.
- **Pattie v Thornhill (2018).** 3 day trial of shareholder agreement/ proprietary estoppel claim. Sole counsel.

Court of Protection

Timothy is comfortable advising on and appearing in Court of Protection cases, especially those which raise issues concerning property and affairs.

For example, in **Re Z [2020] COPLR 367, [2019] EWCOP 55; [2018] EWCOP 9** Timothy (led by Edward Cumming QC) appeared in a number of hearings in the course of these substantial and complex proceedings in the Court of Protection on behalf of the brother of a successful businessman ("Z") concerning Z's capacity to manage his property and affairs (including his interest in and powers under a large settlement), the validity and alleged revocation of several lasting powers of attorney, the appointment of deputies, and Z's contact and communication with members of his family.

Timothy is well experienced in dealing with all such matters in the Court of Protection. For example:

- Timothy is frequently involved in cases turning on the use, and mis-use, of Lasting Powers of Attorney.
- Timothy regularly advises on the appointment and removal of deputies.
- Timothy has considerable experience in cases involving statutory wills.

Family finance: trusts, companies, and contracts

Timothy is often instructed in cases where Chancery and Family law interact. He has experience in acting as Chancery counsel in Family cases, and in dealing with Family cases brought before the civil courts. Timothy has a good grounding in Family law issues arising in such cases.

- **JT v RL [2025] EWHC 1335 (Fam):** Successful strike-out/summary judgment on behalf of a father arguing that a "letter of intent" created in the context of Children Act proceedings was not binding or enforceable because there had been no

intent to create legal relations, and because of a breach of the rule in *Hyman v Hyman*. Timothy was led by Janet Bazley KC.

- ***T v L (ChD, 16 April 2021)***: Successful transfer from Chancery Division to Family Division of a claim brought in breach of contract/trust concerning Children Act agreements. Timothy was led by Janet Bazley KC.
- ***RS v AS [2020] EWHC 3239 (QB)***: Timothy successfully struck out a claim brought by the mother for breach of contract where the alleged agreement was unenforceable as a result of the Child Support Act 1991 and the rule in *Hyman v Hyman* [1929] AC 601. Sole counsel.

Timothy is also comfortable dealing with cases of matrimonial finance, such as those involving the use of trusts and companies to hold wealth, and attacks on such structures.

Insolvency

Timothy is regularly instructed to appear in the High Court and the County Court in insolvency matters, both corporate and personal. He acts for petitioners, debtors and insolvency practitioners in all types of bankruptcy, liquidation and other insolvency proceedings, including (for example) in applications to set aside statutory demands and contested bankruptcy hearings.

- ***Re Taunton Logs Limited [2021] BPIR 427, [2021] All ER (D) 18 (Jan), [2020] EWHC 3480 (Ch)*** The leading case on the scope of insolvency proceedings and debt claims under calls pursuant to articles of association. Sole counsel.
- ***In the matter of an alleged trust held by a company in liquidation (2020)***: £3m trust/insolvent company dispute. Sole counsel.
- ***Re Vigneswaran; Vigneswaran v 1st Credit (Finance) Limited (2019)***. Trial of an application to set aside bankruptcy. Sole counsel.
- ***Re Bell; Miller v Bell (2018)***: 2 day trial of section 423 application. Sole counsel.
- ***Re Sandhu; Leeds v Sandhu (2018)***, a complex cross-border directions application in bankruptcy estate. Sole counsel.

Professional Negligence

Many of Timothy's cases involve questions of professional negligence, and he has detailed experience of advising and acting for and against trustees, company directors, solicitors, investment professionals, bankers, managing agents, art advisers, and a wide range of other professionals.

For example, Timothy has:

- acted in proceedings concerning the scope of directors' and trustees' duties to account after retirement (***St John's Trust Company (PVT) Limited v Watlington [2020] SC (Bda) 51 Civ***);
- acted in contested accounts arising from agents' breaches of their fiduciary duty of care (***Thoud Developments Limited v Rynew Property Management Limited (2019)***);
- acted in proceedings against allegedly negligent auctioneers (***Meem Ya Meem v Sotheby's (2017)***);

- regularly advised trustees/personal representatives considering on what basis to contest or settle claims against their legal advisors for negligence; and
- regularly advised fiduciaries, beneficiaries and third parties on possible claims against professionals flowing from the rule in *White v Jones* [1995] 2 AC 207.

Real property

Timothy is frequently instructed on real property cases.

- ***Mate v Mate* [2023] Costs LR 1425, [2023] EWHC 806 (Ch); [2023] All ER (D) 48 (Feb), [2023] EWHC 238 (Ch)**: trial of claims in proprietary estoppel and unjust enrichment over farm land released from the green belt.
- ***Gibbons v Smith* [2020] All ER (D) 38 (Jul), [2020] WTLR 947, [2020] EWHC 1727 (Ch)**: Timothy acted successfully for the Claimants in this directions application in respect of trusts over land. At the close of argument, Roth J praised Timothy for having presented the case "impeccably".
- In the matter of a trust of land: Timothy advised the trustees of a trust over land worth c. £3million concerning various complex issues of construction of the trust deeds, engagement with the beneficiaries, and associated TOLATA issues.
- *Garcia v Mildenhall* (2020): Timothy acted for the administrator of an estate alleging breach of trust against the trustee of a trust of land who allegedly sold the property in breach of trust. Timothy obtained an interim proprietary and freezing injunction in the High Court.
- ***Thoud Developments Limited v Rynew Property Management Limited* (2019)**: Timothy appeared successfully at a day-long trial of accounts between the Claimant freeholder and its former managing agent in the County Court at Central London, obtaining numerous heads of relief for his client.
- ***Wright v Wright* (2019)**: Timothy acted for the Claimant in a claim concerning the beneficial ownership of a property held in a settlement governed by the Settled Land Act 1925, created pursuant to his father's will, where the Defendant raised an estoppel argument. The Defendant abandoned his defence and counterclaim on the first day of a three-day trial.
- Timothy appeared successfully in the Lower Tier Tribunal (Property Chamber) in the trial of in a dispute over the validity of a service charge (see ***Ainley v Bloore* LON/00AW/LSC/2015/0281 & 0415**).
- Timothy regularly deals with TOLATA claims, and advises on and appears in all aspects of TOLATA.

Trusts, Probate & Estates

A major part of Timothy's practice focuses on trusts, probate and estates. Timothy listed as a band 1 junior in Trusts, having *"built up a really strong practice and reputation in the contentious trusts field and is starting to make a name for himself in offshore work. He is a good, solid practitioner and is operating well ahead of the field in his call range."* He is described by Chambers and Partners as *"Great, however complex the case or difficult the client", "really good to work with on traditional chancery matters", and "absolutely brilliant – super bright, very quick, very responsive and did a great job for us. His written work was excellent."* The Legal 500 says Timothy is *"superb at distilling complex trust issues in a clear and precise way", and he "Has an excellent nose for the way in which judges are likely to approach cases instinctively. He is tough, tenacious and charming."*

While the majority of his work in this field is on contentious matters, Timothy is also happy advising on non-contentious issues.

Key cases include those below.

Trust matters

- ***In the matter of the O Trust* [2025] CIGC (FSD) 56**: Important directions application establishing that a trustee can be “held before the court” and have its accounts passed where it is a sole trustee but no replacement trustee can be found. Sole English counsel, assisting Harneys.
- ***Earl of Yarmouth v Ragley Trust Co Ltd* (2025) 28 ITELR 90; [2025] EWHC 1099 (Ch)**: large and complex removal application. Timothy acted unled for the trustees.
- ***Re Smith* (2023)**: Timothy acted unled against a silk and two juniors for a removed trustee in complex and hard-fought costs proceedings concerning a trust in a commercial context. This (aspect of the) dispute settled after a 1.5 day hearing in the Commercial Court.
- ***Velutini Perez v Equiom Trust Corp (UK) Ltd* [2023] EWHC 615 (Ch); [2023] WTLR 349, [2022] EWHC 2996 (Ch)**: Claim concerning the revocation of a large trust, and consequent issues of retention and indemnity. Led by Andrew Twigger KC.
- ***Re the Sunfire Trust* (2022)**: Application by trustee to the Cayman court for directions under section 48 of the Trusts Act, and cross-application by beneficiaries for removal of the trustee. Led by Shan Warnock-Smith QC.
- ***St John’s Trust Company (PVT) Limited v Medlands (PTC) Limited* [2021] CA (Bda) 20 Civ**: Appeal concerning court’s supervisory role in the removal of trustees in trusts worth up to \$8billion. Timothy is led by Edward Cumming QC, assisting Katie Tornari and Mark Diel
- ***St John’s Trust Company (PVT) Limited v Watlington* [2020] SC (Bda) 51 Civ**: \$8billion trust and corporate dispute. Led by Edward Cumming QC, assisting Mark Diel and Katie Tornari.
- ***Byers & ors v Samba Financial Group* [2021] EWHC 60 (Ch); [2020] EWHC 2411 (Ch); [2020] EWHC 2380 (Ch); [2020] EWHC 1051 (Ch); [2020] EWHC 1006 (Ch); [2020] EWHC 853 (Ch); [2019] EWHC 3690 (Ch); [2019] EWHC 2864 (Ch); [2019] EWHC 951 (Ch); [2018] EWHC 3180 (Ch), [2018] 3181 (Ch)**: \$330m knowing receipt and breach of trust claim. Led by Stephen Smith QC and Adam Cloherty.
- ***Gibbons v Smith* [2021] EWHC 1278 (Ch); [2020] WTLR 947, [2020] All ER (D) 38 (Jul), [2020] EWHC 1727 (Ch)**: Directions application concerning trusts said to be both private members clubs and charities. Sole counsel.
- ***In the matter of the X & Y Trusts* (2021)**: Complex *Benjamin* application in \$400m New Zealand trusts. Led by Jonathan Hilliard QC.
- ***Garcia v Mildenhall* (2020)**: Timothy obtained interim proprietary and freezing injunctions in respect of breaches of trust. Sole counsel.
- ***In the matter of a Cayman Islands trust* (2020)**: Complex *Beddoe* application in \$2bn trust. Led by Francis Tregear QC and Andrew Holden.
- ***In the matter of an alleged trust held by a company in liquidation* (2020)**: £3m trust dispute, with Timothy acting for liquidators of trustee company. Sole counsel.
- ***In the matter of the X Trusts* [2019] WTLR 1055, [2018] SC (Bda) 56 Civ**: \$5bn trustee removal application in Bermuda. Led by David Brownbill QC and Andrew Holden.
- ***Wright v Wright* (2019)**: Settled Land Act 1925 trial. Sole counsel.

Succession, probate and estates matters

- ***Public Institution for Social Security v Al-Wazzan & ors* [2024] EWHC 3321 (Comm)**: important case on jurisdiction in

cross-border estates. Timothy acts unled for the children of the first and second defendants, challenging jurisdiction. An appeal is listed to be heard in late 2025.

- **Estate of Archibald v Sinclair [2023] All ER (D) 62 (Oct), [2023] EWHC 2515 (Ch)**: claim under the 1975 Act involving permission under s. 4, standing under s. 1(1)(d), and whether claims can survive the claimant's death. Sole counsel.
- **Igiehon v Okunbo [2023] EWHC 33 (Ch)**: complex estate and fraud claims, involving estate said to be worth in excess of \$100m. Sole counsel for Ds22-25.
- **Re Recchia deceased (ChD, 6 May 2022)**: construction application of a will, raising interesting issues of the presumptions against intestacy, and against lapse. Sole counsel.
- **Boothman v Horsford [2022] WTLR 1**: Removal of executors application/ claim for an account. Sole counsel.
- **Atchison v Thales SA (2021)**. Complex CHF100m+ fraud/estate claim. Led by John Machell QC.
- **In the matter of an estate**: Forgery probate claim in £1m+ estate. Sole counsel.
- **In the matter of an estate**: Undue influence probate claim in £1m+ estate. Sole counsel.
- **In the matter of an estate**: Debt/resulting trust claim in estate. Sole counsel.
- A large number of claims under the Inheritance (Provision for Family and Dependents) Act 1975. Timothy has acted for and advised beneficiaries, personal representatives and third party claimants in such cases. Timothy's experience includes spousal claims, the claims of both adult and infant children, and claims by those who lived with the deceased as spouses. Examples include: **Re Duffy (dec'd); Duffy v Harris (2019)**, an application by an adult of the deceased in which Timothy acted for the defendant in an unusual and hard-fought application to strike out the claim in the High Court; **Re McIver (dec'd); Price v McIver (2018)**, an application in the High Court in Liverpool in which Timothy acts for the applicant partner of the deceased who is seeking financial relief following his suffering very serious injuries at the same time as the deceased died; **Re Douglas (dec'd); Montgomery v Douglas (2018)**, an application in the High Court in London in which Timothy acted for the defendant administrator and father of the deceased where the deceased had been a patient of the Court of Protection and his mother was seeking increased benefit from his estate; and **Re Omaning-Okantah (dec'd); Okantah v Okanta (2017)**, an application in the County Court at Central London in which Timothy acted for the defendant executors and children of the deceased in a claim brought by the deceased's second wife on behalf of the deceased's youngest daughter (the claim was settled at mediation).
- Part 8 claims on the construction of wills.

Charity matters

In **Gibbons v Smith [2020] WTLR 947, [2020] All ER (D) 38 (Jul), [2020] EWHC 1727 (Ch)** Timothy acted successfully for the Claimants in this directions application in respect of trusts over land. It is an important case on section 1 of the Recreational Charities Act 1958 (now section 5 of the Charities Act 2011), arising in the context of a failed attempt to create a charity under that provision.

Timothy is well experienced in advising and dealing with issues of charity law, as well as trust and company/CIO issues arising for charities. Timothy has been the trustee of a small charity, and so is keenly aware of the challenges faced by those administering charities of all descriptions.

Timothy writes and lectures extensively on trusts, estates and probate matters. For example he has recently published "A Breakdown in the Trust: the Removal of Trustees", in the *ACTAPS Newsletter* Issue 201, September 2016, a paper on *donationes mortis causa* in the *Trusts and Estates Law & Tax Journal*, and an article in the *Journal of International Banking and Financial Law*

on trustees' investment powers and the operation of exclusion clauses in such circumstances.

Further, Timothy together with **Elsbeth Talbot Rice QC** and Robert Avis presented a **paper** on the variation of trusts at the 2016 XXIV Old Buildings Geneva conference, the proposals in which have been adopted by the States of Jersey which is putting forward amendments to the Trusts (Jersey) Law 1984 to reflect them.

Academic History

- Postmastership – Merton College, Oxford
- Fowler Prize – Merton College, Oxford
- Research Council Master's Studentship – Arts & Humanities Research Council
- Lord Hardwicke Award – Lincoln's Inn
- Lord Bowen Scholarship – Lincoln's Inn
- Lord Denning Scholarship – Lincoln's Inn
- Levitt Scholarship – Lincoln's Inn

- BA, Classics (First Class) – Merton College, Oxford
- MSt, Classics (Distinction) – Merton College, Oxford
- GDL (Distinction) – City University, London
- BPTC (Outstanding) – City University, London

Professional Memberships

- Chancery Bar Association
- Committee Member of the Junior Chancery Bar Association.
- Commercial Bar Association
- Contentious Trusts Association

Business Details

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