



# International Private *Wealth Disputes*





# Introduction

As private wealth becomes more global and family dynamics more complex, disputes will inevitably arise.

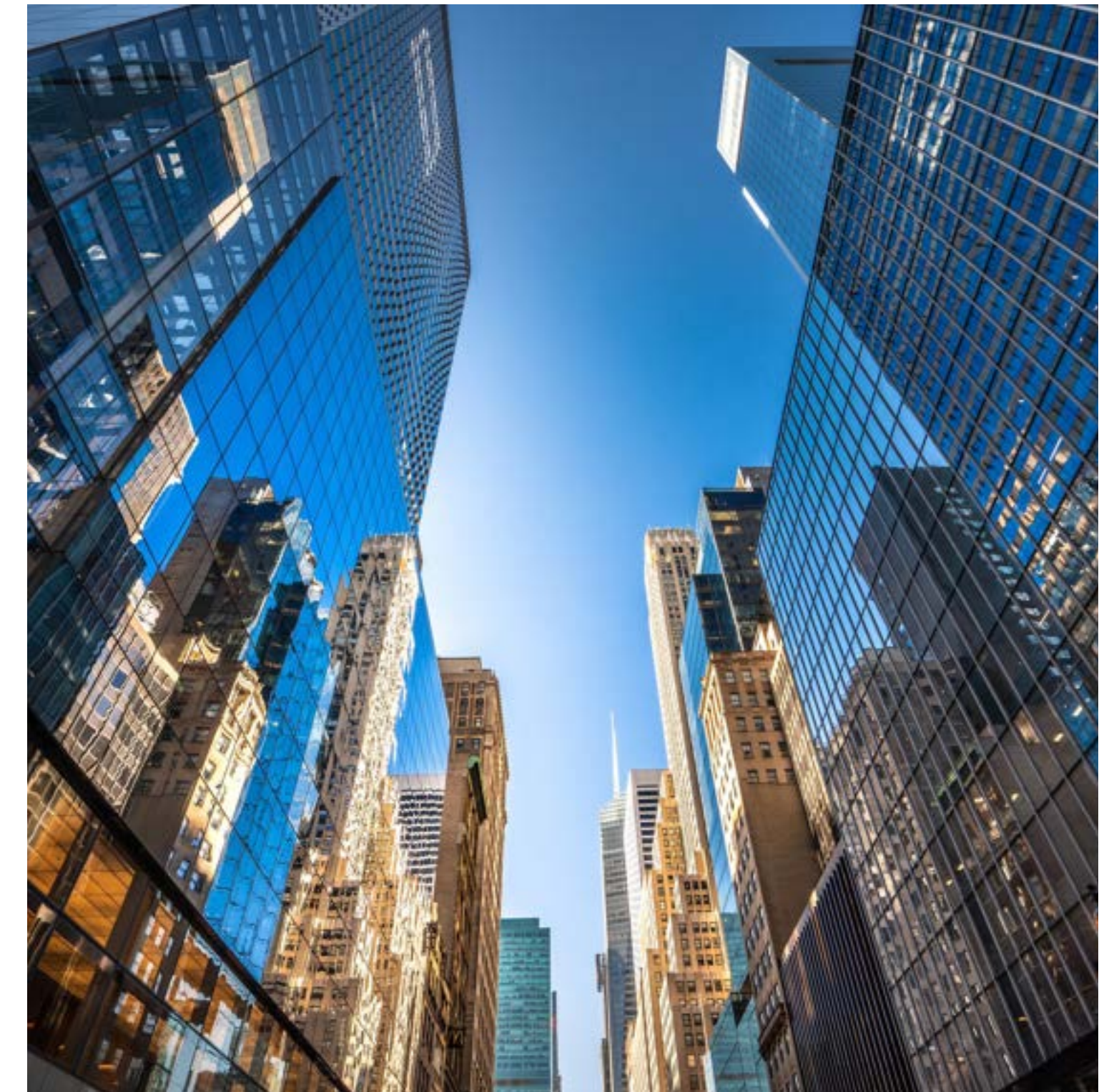
These can be challenging both for the individuals involved and for their trustees and fiduciaries, and contain assets located in multiple jurisdictions, often held in private wealth structures internationally. We draw on the firm's international expertise in succession, trust, tax and divorce law matters, and work in collaboration with your other professional advisers across the world to provide you with a seamless service and co-ordinate cross-border litigation.

With one of the largest practices in the UK and teams in [Hong Kong](#), [Singapore](#), [Bahrain](#), [Dubai](#), [Qatar](#), [Geneva](#), [Zurich](#), [Paris](#) and [Luxembourg](#) as well as close relationships with specialist law firms through our preferred foreign law network in jurisdictions

where we do not have a physical presence, we have the capacity to take on significant, resource-intensive disputes work internationally.

Whether you are a private individual, family business, family office, trustee (both individual and trust company) or another fiduciary, such as an executor, protector, deputy or attorney, we cover the full range of complex private trust and estate disputes including hostile litigation, administration actions and trust issues on divorce. We are one of the leading practices dealing with contentious Court of Protection proceedings relating to unauthorised gifts and capacity issues.

Our work regularly requires us to advise on the recovery of assets, injunction and enforcement proceedings in commercial and fraud cases involving trusts, foundations, and corporate structures. A large proportion of this work is international, ranging from multi-jurisdictional trust disputes to complex







## Introduction (cont)

succession disputes for individuals with assets held across the globe.

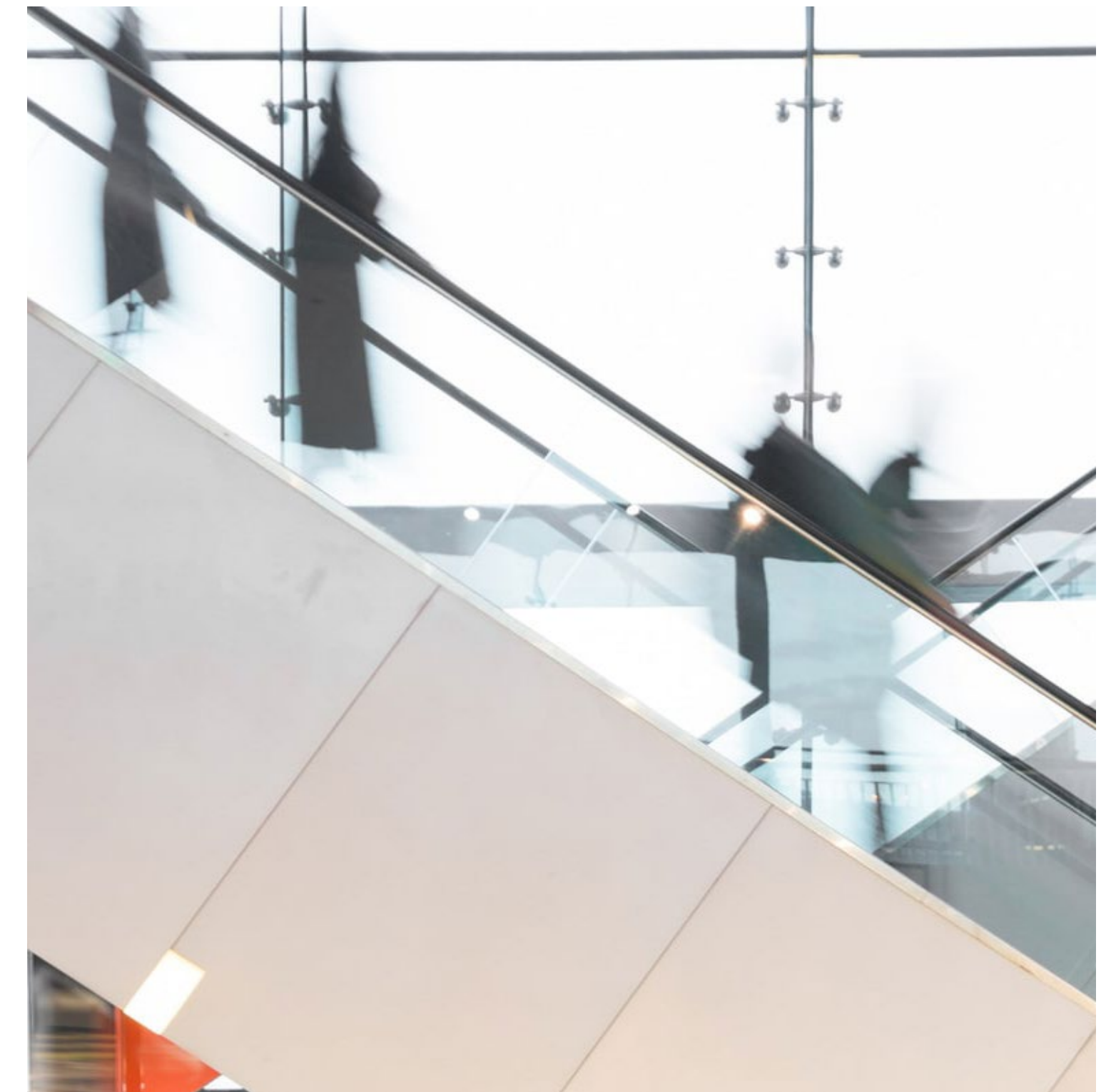
As well as our international offices, we have a wealth of experience in most other offshore jurisdictions, including Jersey, Guernsey, Bermuda, BVI, the Bahamas, Cayman, Singapore, Malaysia, Liechtenstein, Gibraltar and the Isle of Man.

Art and valuable luxury assets are an increasingly important asset class for individuals and families looking to diversify their wealth. We have expertise in resolving disputes over works of art and cultural assets whether for private owners, trusts, charities, governments, museums, dealers, auction houses, artists' estates, artists or creators.

We also handle disputes and investigations for you across all areas of tax. The [tax disputes and investigations team](#) specialises in not only HMRC disclosures and enquiries but also litigation before the

courts and tribunals, advising on the scope of HMRC's powers, remedying unsuccessful planning and tax-related professional negligence.

In addition to this, our [pension disputes team](#) advise trustees, employers, representative beneficiaries, or an individual member, in relation to pension schemes and assets based both in the United Kingdom and around the world. We advise on the full range of disputes from rectification and construction to Pension Ombudsman complaints.





# Our international practices

## Europe

Whether you require advice on judicial assistance measures, white collar criminal matters, or protection of adults, we work in collaboration with your other professional advisers, advising on Swiss, French and English law issues and co-ordinating worldwide litigation and appearing before the French, Swiss and English courts and arbitral tribunals.

Our French, Swiss and English-qualified lawyers have a wealth of experience in resolving and litigating disputes, working closely as needed with our private client and family teams in our other offices to provide a seamless service to clients including individuals, corporations, family businesses, trustees and other fiduciaries, such as executors, protectors, deputies, curators and attorneys.

## Asia

From high net worth individuals to family offices in Hong Kong, Greater China and South East Asia, we advise you on all legal requirements in this region. With a significant proportion of Asian wealth being held via offshore trusts and structures, disputes are often litigated in court proceedings in BVI and/or the Cayman Islands. As one of very few onshore firms in Hong Kong having dual-admitted practitioners, we are uniquely positioned to undertake both the Hong Kong and offshore aspects of any such dispute.

Disputes can often arise where wealth creation has been prioritised at the expense of wealth protection. Moreover, even wealth-planning arrangements and structures that were robust at creation can become weakened and superseded by time and events. To identify and address such omissions, we conduct pre-emptive risk assessments and advise on structure upgrades and the implementation of dispute avoidance measures.

## Middle East

Working alongside some of the region's high-profile families and individuals as well as Family Offices and business interests, we work seamlessly across the Middle East and globally advising you on matters including succession planning and wealth management, as well handling any disputes that may arise. With both English and Arabic speaking lawyers, our experienced team are able to provide tailored advice on local, regional and international legal matters.

We have been working with clients in the GCC region for over 30 years and operating on the ground in the Middle East for over 15 years, this allows us to fully understand the challenges you face. We provide you with partner-led relationship management and we are dedicated to fully understanding your needs and objectives and responding accordingly.





## Our experience

- Acting for trustees of a large family trust structure across four jurisdictions. Our work has involved multiple strands of litigation (both hostile and administrative actions) and complex corporate issues.
- The litigation includes Channel Island, Caribbean, Swiss and UK elements, and our role involves coordinating and working with legal teams in the different jurisdictions.
- Acting for executors and individual clients in relation to a succession dispute in the Middle East, Jersey and in England concerning assets held in Jersey which were under attack from judgment creditors.
- Acting for an internationally wealthy family involved in a succession and company dispute involving assets located across the UK, Middle East and Asia. We act for the executors in litigation in



a number of jurisdictions across Asia. We also are working closely with the clients' local lawyers in relation to multiple sets of proceedings involving attacks on the estate's corporate assets which ultimately own valuable development land outside of the UK.

- Acting for family members in Court of Protection proceedings relating to a well-known individual with international assets, which are held by him or through trust structures.
- Acting for the Public Trustee of Guernsey who was appointed as trustee to five Guernsey based pension schemes in March 2017 to carry out an investigation into the schemes amid accusations against the former trustees inter alia of fraud and breach of trust. We continue to advise the Public Trustee in relation to these schemes in a number of jurisdictions and have conducted litigation globally.





## Our experience (cont)

- Acting in a cross-European claim to recover assets belonging to an individual resident outside of England who has lost capacity. Challenges have been made both in England in the jurisdiction of residence.
- Acting in Hong Kong and London for several family members in relation to the estate of a deceased entrepreneur who owned substantial assets in complex structures across several jurisdictions and who left a number of Wills.
- Acting in Hong Kong and London for a family member in relation to valuing and realising their minority interest in a family-owned Hong Kong company holding substantial real estate in Hong Kong.
- Acting for a PRC client in relation to realising their minority shareholding in a family-owned BVI company holding a substantial interest in a Hong Kong listco.







## Our experience (cont)

- Represented the eldest son of the late Taiwan plastics tycoon in proceedings initiated in the High Court of Hong Kong in his capacity as the administrator of his father's estate, as part of his attempt to recoup assets that have allegedly been held in off-shore purpose trusts in excess of USD 20 billion. The Hong Kong action was part of a series of high-profile proceedings initiated in multiple jurisdictions including Bermuda. The work involved aligning strategies and navigating highly complex cross-border issues concerning discovery, security for costs, res judicata / abuse of process / collateral attack, and the global settlement.
- Advised a Big Four accounting firm and its partners in their capacities as former court-appointed administrators pendente lite of the estate of a Hong Kong property tycoon, in relation to alleged breach-of-duty claims of around RMB 300 million asserted against them by the succeeding administrators. We advised on merits / exposure of the allegations (with consideration of issues concerning Bartlett duties and the reflective loss principle), and strategy with respect to a tolling agreement.
- Advised clients from across sectors on the tracing and recovery of proceeds of cyber frauds which involved, initiating proceedings against recipients, applying for Norwich Pharmacal disclosure orders, making garnishee order applications, assessing incidental AML issues, and advising on related settlements with competing victims and other concerned parties.
- Advised a high-net-worth widow based in the UK on strategies to protect her position with respect to her late husband's potential estate in Hong Kong, including the lodging of a caveat.







# The team

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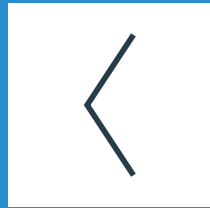
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