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Olivia is an Associate in the trust, estate and inheritance disputes team.

She acts for private clients, trustees/executors and charities in relation to a wide range of inheritance, will and trust disputes. Olivia has experience of issues relating to the validity of wills and trusts, including disputed capacity, claims of undue influence, the removal of executors and trustees, proprietary estoppel and the Inheritance (Provision for Family and Dependants) Act 1975. She has experience of both domestic and international estates and trusts.

Track record

Greek Cathedral Trust Fund

Olivia and Steven Kempster represented the claimant trustees of the Greek Cathedral Trust Fund established in the 1880s in seeking declaratory relief in connection with the funds. The High Court decided in *Fafalios & Ors v Apodiacos & Ors* [2020] EWHC 1189 (Ch) that our clients had the power to direct control of the funds and that, because our clients' application was important to clarifying the correct operation of the trusts, our clients' costs should be paid from the funds held by the defendants. Read the Judgment [here](#).(fafalios)

Prince Mukarram Jah's claim to frozen funds

Paul, Deborah Nicholls-Carr and Olivia Turner represented Prince Mukarram Jah, His Exalted Highness Nizam VIII of Hyderabad, in a dispute over funds frozen at Natwest Bank for over 70 years (the subject of a 1958 House of Lords decision *Rahimtoola v Nizam of Hyderabad*), involving the governments of India and Pakistan. Pakistan issued a new claim in 2013. The High Court decided in *Pakistan v Natwest and Ors* [2015] EWHC 55 (Ch) that the Nizam's claim to the funds should be allowed to proceed. The Judge upheld the Nizam's claim (along with those of his younger brother and India) to his grandfather's funds. Read the Judgment [here](#).(nizam) The case was one of The Lawyer's 'Top 20 Cases of 2019'.

Dismissal of disclosure of documents

In July 2020 we succeeded in ensuring applications to set aside the Judgment and seeking disclosure of various documents were dismissed. See the Times of India's report [here](#).

Isle of Man trust structure

Olivia and Stephen Richards, working with Isle of Man advocates, acted for two high net worth individuals in their application to set aside a previous transfer of shares into an Isle of Man trust structure, which mistakenly resulted in adverse tax consequences. We also advised on making the relevant arrangements for minor and unborn beneficiaries. Read the Judgment [here](#).

Jersey trust structure

Working with Jersey advocates, Olivia and Steven Kempster acted for an ultra-high net worth family in their application to reverse historic transfers of luxury London properties into a Jersey trust structure, which resulted in unintentional tax liabilities. We also advised on notifying HMRC. Read the Judgment [here](#).

External publications

'The benefits of setting up a trust' (14 July 2020) co-author, FT Adviser

'An unorthodox dispute' (6 April 2021) co-author, STEP Journal

'Trusts and ESG - fad or future?' (9 December 2021) co-author, eprivateclient

'Can we make our children sell the family home after we die?' (6 January 2022) Financial Times

'ESG and trusts' (11 February 2022) co-author, LexisPSL

Admissions

England and Wales, 2018

Education

University of Bristol, B.A (Hons) History

BPP, London, GDL, LPC and LLM

Languages

English

Memberships

Association of Contentious Trust and Probate Specialists

Key dates

Year joined: 2016

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