

Timothy Evans

Call 1979

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Tim's practice centres on insolvency, chancery and commercial litigation. As a senior junior, his considerable experience enables him to assimilate complex material and identify the key issues at speed. When working with a leader, he provides reliable and cost-efficient written work. He is also commonly instructed to work with another junior, providing experienced advice and advocacy skills.

Tim spent his first ten years of practice specialising in traditional Chancery fields, principally capital taxes, trusts and contentious probate, and charities. He joined what is now Maitland Chambers in the early 1990's, and his practice now includes insolvency, minority shareholder disputes and legal professional negligence (including disciplinary work).

Areas of practice

Insolvency: Acts and advises in personal as well as corporate insolvencies, including insolvent partnerships and insolvent deceased person's estates. All aspects of asset tracing and priorities.

Minority shareholders disputes: Tim has extensive experience in advising on practical solutions to shareholder disputes in private companies

Contentious probate: Acts and advises personal representatives, beneficiaries and disappointed family members, including Inheritance Act work

Contentious trusts: In particular, disputes with offshore trustees, involving disclosure, professional negligence, asset tracing and fraud

Charities: Wide experience in dealing with the Charity Commission at all levels. His extensive work with the Trustees of the Borough Market resulted in the Commission accepting that the Market is a charity and has contributed to the subsequent revitalisation of the Market in recent years

Professional negligence: Principally arising out of probate matters, including complaints about negligent inheritance tax advice

Disciplinary tribunals: Principally the SDT, although some work in other professional disciplinary tribunals

Some recent cases

Ahluwalia v Singh [2012] WTLR 1 [2013] WTLR 3 (CA) - a rare example of proof of a defective will execution

McCall v Keenan v HMRC [2011] WTLR 1823 (Northern Ireland Court of Appeal) - a case on the availability of Business Property Relief on land let for grazing

Hill v Spread Trustees [2007] 1WLR 2404; [2007] 1 AER 1106, CA - a leading case on s. 423 of the Insolvency Act 1986

Walbrook Trustees v Fattal [2008] EWHC 991 (Ch) - strike-out on Henderson v Henderson grounds

Walbrook Trustees v Fattal [2007] EWHC 2808 (Ch) - a case on the burden of proof in unusual circumstances

Kite v Rasini [2009] WTLR 969 - an interesting case on undue influence

Re Challinor [2009] WTLR 1823- a recent example of an Inheritance Act case actually going to trial

Popely v Ayton and Others [2012] (High Court in St Vincent) - a successful attack on offshore trustees attempt to hi-jack the trust fund

Julian Holy v The Law Society [2006] EWHC 1034 Admin - an appeal against an unduly harsh striking-off order against a solicitor

Carr v Isard [2006] EWHC 2095 (Ch) - a case on the limits of severance of joint tenancies of land by conduct

Recent lecture:

Charities and the Public Benefit Test. Click click **here** for link to lecture notes published on the Maitland website.

Qualifications

MA (Oxon)

Recommendations

UK Legal 500

Private client: personal tax, trusts and probate and Property litigation.

Legal Experts, 2012

Charities, Commercial litigation, Personal tax, trusts and probate, Property