

Andrew Willetts TEP

Call: 1997



PRACTICE OVERVIEW

Andrew is an established chancery practitioner specialising in contentious and non contentious trust and probate work and regularly provides advice to executors, trustees and beneficiaries under will trusts and other settlements. Andrew's expertise extends to a wide range of work in this area and includes drafting all trust documents, trust instruments, court applications and attending trustee meetings to give advice which can then be minuted.

Andrew has also written widely on the subject of trusts including for Westlaw, the Trust Quarterly Review, the STEP Journal and the New Law Journal. Andrew is a full member STEP (the Society of Trust and Estate Practitioners).

Andrew is also a fully qualified and accredited civil and commercial mediator and is available to mediate a wide range of disputes including personal injury, property disputes and chancery actions.

Andrew sits as a Recorder (in civil, family, care and crime) on both the Western and Midland Circuits.

Andrew successfully completed the STEP Advanced Certificate in Trust Disputes with Distinction (January 2017- 2018) and regularly hosts seminars on contentious trusts, estate law and tax for MBL Seminars.

Andrew is also Consultant Editor for Halsbury's Laws of England Vol 91 'Settlements' Fifth Edition

PRACTICE AREAS

Court of Protection

Andrew advises on all aspects of the Mental Capacity Act 2005 and the Court of Protection which in many ways are strikingly similar to the jurisdiction of the Chancery Division in respect of trusts, trustees and fiduciaries. In that way Andrew can bring to bear his considerable experience as a trust and estate practitioner in specialist Court of Protection work. Andrew can also, in his capacity as a fully accredited civil and commercial mediator, accept instructions to act as an independent mediator in Court of Protection disputes.

CONTACT

Tel: 01752 221551

e-mail: awilletts@kbgchambers.co.uk

Web: www.kbgchambers.co.uk

AREAS OF LAW

Personal Injury & Clinical Negligence

Court of Protection

Trusts, Wills & Estates

TOLATA

LEGAL 500 RECOMMENDATIONS

**Legal 500 Recommendation 2022 Edition
Leading Junior in Chancery, Probate &
Tax Tier 1**

'Andrew is incredibly thorough and well researched. He is also pragmatic, clear-headed, commercially clued up, and extremely knowledgeable - just what an instructing solicitor looks for.'

Trusts, Wills and Estates

Andrew undertakes the full range of Probate, Succession and Trust work , in particular:

- Contentious and non-contentious probate;
- Providing advice to executors, trustees and beneficiaries on estate matters and the execution of trusts generally;
- Will trusts;
- Applications under the Inheritance (Provision for Family and Dependents) Act 1975; and
- Applications under the Variation of Trusts Act 1958;
- Applications under section 50 of the Administration Act 1985 (to remove or substitute executors) and the Court's inherent jurisdiction to remove trustees under the principles established in *Letterstedt v Broers* (1884) 9 App Cas 371;
- Applications for Beddoe and Benjamin orders and all general applications under Part 64 CPR; and
- Applications under section 57 Trustee Act 1925 to authorise transactions in the management of trusts.

Andrew is a member of STEP (the Society of Trust and Estate Practitioners) and contributor to Westlaw's UK Insight on the variation of trusts, the doctrine of renvoi and the power of advancement. Andrew has also written for the Trust Quarterly Review, the STEP Journal and the New Law Journal on trust matters.

TOLATA

Andrew advises on all aspects of family, co-habitee or commercial property disputes concerning trusts of land which includes drafting all relevant applications under CPR Part 7 or Part 8 and accompanying witness statements. Andrew also advises trustees and beneficiaries of their respective rights and duties under a trust of land including under the Trustee Act 1925 and applications under the Variation of Trusts Act 1958.

Andrew has extensive knowledge of the equitable doctrine of proprietary estoppel and its overlap with constructive trusts particularly in the context of family and farming inheritance disputes. Andrew can advise on the doctrines likely application in any given case or the respective merits of bringing a claim on this basis. Andrew was Counsel for the Claimant in the High Court case of *Seward v Seward* [2014] All ER (D) 168 where the doctrine was successfully invoked in the context of an agricultural and inheritance dispute.

As a fully accredited STEP trust and estate practitioner Andrew can advise on all matters relating to the administration and execution of trusts including all applications relating to the sale of trust assets including land. Whether under section 14 TOLATA or applications to the Chancery Division to 'sanction' particular transactions under trust law. Andrew can draft all necessary court documents or trust instruments as required.

Personal Injury

Andrew has a wealth of experience in all aspects of personal injury litigation at fast track and multi track level including cost budgeting and case management hearings.



• K B G •
C H A M B E R S

CONTACT

P: 01752 221551

M: awilletts@kbgchambers.co.uk

W: www.kbgchambers.co.uk

AREAS OF LAW

Personal Injury & Clinical Negligence

Court of Protection

Trusts, Wills & Estates

TOLATA

LEGAL 500 RECOMMENDATIONS

**Legal 500 Recommendation 2022 Edition
Leading Junior in Chancery, Probate &
Tax Tier 1**

'Andrew is incredibly thorough and well researched. He is also pragmatic, clear-headed, commercially clued up, and extremely knowledgeable - just what an instructing solicitor looks for.'