

Timothy Hanson has acted in some of Jersey's most prominent trust and commercial litigation cases and has long been considered to be a leading litigator.

Independent legal directories have described Timothy as "easy to work with and has considerable legal acumen", "personable, professional and able" and "undoubtedly a talented lawyer".

Clients report that "Advocate Hanson's technical ability is excellent" and that he "has taken on the larger firms and succeeded." "He has the ability to think on his feet to unforeseen issues raised in Court." "He provides a personal service where the focus is on the interests of the client." They say that "The advice provided is both commercial and reasoned".

### **Cases Include:**

#### ***Regulatory***

**AG-v-Tantular** [2014] JRC 128– Timothy acted for the beneficiaries of the Jasmine Trust against Proceeds of Crime proceedings brought by the Attorney General and Indonesian Government that sought to seize the entire assets of a discretionary trust on the basis of the alleged wrongdoing of one beneficiary. After extensive argument and citation of authority, the Royal Court upheld Advocate Hanson's submission that despite such draconian legislation no individual discretionary beneficiary had an interest in the trust assets that was capable of being seized and, further, that to do so would be contrary to the ECHR. Further proceedings in this case on the nature of a "gift" under the Proceeds of Crime Law and as to abuse of process have also been handed down. The abuse judgment at [2015] JRC 251 provides an important analysis of the operation of *Henderson* estoppel in the context of the Proceeds of Crime Law and is understood to be the first analysis of its kind in Jersey or in England.

**Cameron, Christmas and others v AG** [2013] JLR 325 - Highly publicised appeal against conviction in respect of a misleading and complex investment scheme. The Court of Appeal's judgment deals with multiple issues, including, witness refreshing memories, the scope of the Investors (Prevention of Fraud) (Jersey) Law 1967; the nature of joint enterprise, unfair media reporting. Advocate Hanson's client was the only appellant to succeed on any part of the appeal. See also other aspects of this case: [2012] JRC 176 – proceedings in private or in public; [2013] JCA 122A – successful application for appellant's costs.

**McFeat v AG** [2013] JRC 233 - proceeds of crime appeal.

**JFSC - v - Anchor Trust and Ors** [2006] JRC181; 2007 JLR Note 6 - proceedings involving registration of a trust and directions given by the JFSC pursuant to the Financial Services (Jersey) Law 1998.

**Batonnier -v- Sinel and AG**[2005]JRC133 - disciplinary proceedings against a Jersey lawyer.

As President of the Law Society of Jersey between 2012-2014 Timothy adjudicated upon disciplinary matters involving the regulation of Jersey lawyers and also oversaw the process of their regulation.

### ***Trust***

Timothy regularly acts for beneficiaries in trust disputes including the well known Alhamrani proceedings involving JP Morgan that became Jersey's longest trial. Timothy also acts as Guardian for minors in trust disputes (for example the well known **In Re Fountain Trust** case 2005 JLR 428.)

Some of his more significant cases include:

**In the name of the G Family Trust** [2012] JRC 234A - Acted for a beneficiary in contested proceedings to bring a trust with significant assets to an end.

**In the matter of the RR Settlement** [2011] JRC 141A - Acted for a beneficiary against Trustee's decision to alienate trust assets.

**Alhamrani v. J.P. Morgan Trust Company (Jersey) Limited** [2007] JLR 527 - Leading Court of Appeal decision on the assessment of the costs and expenses of a trustee. Timothy successfully appealed against two previous Royal Court decisions that had sought to impose a high threshold before a challenge could be made to such expenditure and then required separate proceedings to be brought. The Court of Appeal confirmed that a higher threshold was not required and that the Court's taxation procedure could be utilised, although without the use of conventional fixed scales.

**Best v Caprea** [2007] JRC 100A – Acted for the Plaintiffs in a hostile action against trust assets.

### ***Commercial & Insolvency***

**Nautech v CSS Ltd** [2014] JRC 071; [2014]JRC102E - Acted in contested leave to serve out proceedings relating to alleged wrongful use of confidential information by former directors.

**In Re a Company** [2013] JRC (unreported) - Acted for creditors in contested proceedings to wind up a company on just and equitable grounds.

**Representation of Belgravia** [2010] JLR 247 - Acted for Plaintiffs in substantial, high value proceedings concerning the mis-selling of investments. This reported decision concerned a dispute as to whether permission should be granted to allow proceedings to be brought against a company who, along with two other related companies had been subject to a winding up order. This decision clarifies how such discretion should be exercised as a matter of Jersey law.

**SGL v Wijsmuller** [2007] JRC 100A - acted for liquidators in relation to winding up of a company before Royal Court and in appeal to Court of Appeal.

**Sinel v Dean** [2007] JRC 205 - action against UK solicitors.