

## Confidentiality, Anonymity and Non-Publication: Privacy Orders in the Context of Trustee Applications

Thursday 19 April 2018

**SPEAKERS:** James Gleeson (Dickinson Gleeson)  
Jessica Stafford  
(Charles Russell Speechlys)

**CHAIR:** Tim Cartwright (Baccata Trustees)

James and Jessica will explore the Court's approach to privacy orders in Jersey and England. Maintaining confidentiality of administrative proceedings relating to trusts is an important function of the Court's ability to supervise and intervene in their effective administration. But is that right to privacy unqualified? And how is it to be reconciled with the fundamental principle of open justice? This talk raises issues of topical importance and examines the differing judicial approaches in Jersey and in England.

### DETAILS

**VENUE:** Pomme d'Or Hotel

**CONTACT:**

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### PROGRAMME

08.00 Registration/buffet breakfast  
0810 Welcome from the Chair  
0815 Presentation  
0920 Q & A  
0925 Closing comments  
0930 Close

### CPD

1 hour

### COST

Members: £80  
Student Members: £60  
Non-members: £100

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## SPEAKERS

**James Gleeson** TEP is an Advocate of the Royal Court of Jersey and a non-practicing English qualified solicitor. James is a founding Partner of Dickinson Gleeson.

James's practice is in commercial litigation, with an emphasis on trusts and funds disputes and complex cross-border fraud and asset tracing matters. He also advises in relation to regulatory matters and insolvency. He acts for wealth providers, trustees, corporates, law firms, banks and government agencies.

Recent cases involving James include *O'Keefe v Caner and others* [2017] EWHC 1105 (CH) an English case determining issues of Jersey law relating to the prescription period for claims against directors. James gave evidence as one of three Jersey Advocates called to act as expert witnesses in the proceedings. James also acted for the defendants in unfair prejudice proceedings concerning interests in an Armenian gold mine. The case, which went up to the Privy Council, has produced several reported judgments, including regarding whether unfair prejudice claims are arbitrable (*CRA v Global Gold* [2015] JCA061) and overturning the original worldwide freezing order (*CRA v Global Gold* [2015] JRC233A).

James is consistently ranked as a leading lawyer in Chambers and Partners, The Legal 500 and the CityWealth Leaders List. These guides have variously described him as “*very intelligent and pragmatic*,” “*a very able trial advocate*” and “*an outstanding technician who is responsive, pragmatic and commercial*”.

James graduated with a Double First from Cambridge University and trained at Slaughter and May, before returning to Jersey where he was made partner in the Litigation Department at Bedell Cristin. He co-founded Dickinson Gleeson in 2010.

He is a member of STEP, ACTAPS, ARIES, and the Overseas Chancery Bar Association.



**Jessica Stafford** specialises in trust, probate and succession disputes, both domestic and those spanning multiple jurisdictions. Jessica has particular expertise in trust disputes involving Jersey, having worked there for two years prior to joining Charles Russell Speechlys in November 2015. Jessica's trust dispute experience includes claims involving hostile beneficiaries, applications to the Court for directions, and trustee removal applications. In relation to contested probate matters, Jessica's experience includes claims for provision under the Inheritance (Provision for Family and Dependents) Act 1975, will validity disputes, issues with estate administration, and applications for rectification and construction. She acts for a wide range of clients including beneficiaries, heirs, executors, trustees and other fiduciaries. Jessica also has experience in professional negligence disputes, with a particular focus on cases involving negligent Deputies. Jessica is admitted to practise in England and Wales.

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## CHAIR

**Tim Cartwright** joined the Baccata team as a fulltime consultant in early 2018 having been involved in the offshore financial services world for over 30 years. Tim has enjoyed looking after the affairs of private clients around the world latterly with a particular focus on the Middle East and South Africa. He has broad experience in the creation and management of a variety of structures designed to preserve and enhance the wealth of families through the generations. His previous roles have included being a director of a locally based international trust company and prior to that on the board of the trust arm of a UK Plc. This has ensured Tim gained a reputation as a respected adviser in the private client arena amongst his peer group both on and offshore. Tim is a member of STEP and sits on the local committee of STEP Jersey.



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We have a number of investment management teams with experience of working with trustees in the Bahamas, Bermuda, the Cayman Islands, Jersey, Guernsey, Isle of Man, and Switzerland. Our work with offshore trustees covers mandates ranging from lower risk all bond, to equity portfolios and fund of fund arrangements, and we place particular emphasis on building strong relationships with offshore trustees - building detailed knowledge of each individual mandate. Offshore mandates are typically more complex and we have wide-ranging experience in understanding the structures in place and the implications this may have on our investment strategy. In addition, we provide specialist investment management and tax advice from our Jersey office, assisting high-net-worth individuals and businesses with international tax planning and effective financial structuring.

The Jersey team is supported by the firm's broader business which includes the full range of services: investment management, business advisory service, banking, corporate finance, corporate recovery and forensic accountancy. We have a large and experienced tax investigations team in the UK, which operates from several offices. The team handles investment management as well as tax enquiries and investigations with UK and international issues, and is skilled in both civil and criminal investigations.

*\*according to Accountancy Age 2016*

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