

# Fraud, Trusts & Asset Recovery Conference 2024

**Wilberforce**  
CHAMBERS

3.5 CPD

Thursday 4<sup>th</sup> July 2024

The View at Royal College of Surgeons, 38-43 Lincoln's Inn Fields, London WC2A 3PE



## Timetable

**12.30pm Registration and lunch buffet**

**1.15pm Opening remarks from Nikki Singla KC and Jamie Holmes**

**1.20pm Demystifying the account and inquiry jurisdictions**  
**Zoë Barton KC, Andrew Mold KC and Theo Dixon**

- When is an inquiry or account available?
- What approach will the Court adopt?
- Practical tips on the taking of an account

**1.50pm Tracing through complex transactions**  
**Jonathan Hilliard KC, Michael Ashdown and Daniel Petrides**

- Mixed accounts, backward tracing, and the need for "co-ordination" in *Federal Republic of Brazil v Durant*
- Choosing the most valuable assets to trace into - can claimants still go "cherry picking" after *Lapome v Kemp*?
- Tracing through non-trust jurisdiction, conflict of laws problems, and third-party claims following *Byers v Saudi National Bank*

**2.20pm The arbitrability of fraud and asset recovery claims involving trusts?**  
**Fenner Moeran KC, Joseph Steadman and John Grocott-Barrett**

- The issues - parties, remedies and forgeries
- The statutory route - The Bahamas Trustee Act 1998 s.91A and *Volpi v Delanson Services Ltd*
- The (current) English approach - *Grosskopf v Grosskopf* [2024] EWHC 291 (Ch)
- And if you win - asset recovery

**2.50pm Break**

**3.20pm Revisiting the Proper Purpose doctrine**  
**Michael Tennet KC, Sebastian Allen and Samuel Cathro**

- What is the proper purpose doctrine and how does it operate?
- *Grand View v Wong* [2022] UKPC 47 - has the law changed?
- Applying the doctrine outside of the private trust context

**3.50pm Trust protectors in civil fraud claims**  
**Edward Sawyer, Francesca Mitchell and Benjamin Slings**

- What is a protector?
- Why should fraud practitioners care?
- The nature of a protector's powers: fiduciary or not?
- The scope of a protector's powers: just watchdogs or something more?
- Suing the protector

**4.20pm Ignorance is bliss? Use of Section 32 of the Limitation Act in fraud claims**  
**Daniel Lewis, Caspar Bartscherer and Ram Lakshman**

- What is "deliberate concealment"?
- When will the knowledge of wrongdoers be attributed to the claimant?
- What evidence is needed to run a Section 32 argument?

**4.50pm Five-minute pitch**  
**Francesca Mitchell, Ram Lakshman and Ernest Leung**

**5.20pm Closing remarks from Nikki Singla KC and Jamie Holmes**

**5.25pm Drinks Reception**

£135 + VAT for conference ticket  
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For further information, please email  
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