



Emily Campbell

Call: 1995

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“Really, really bright.”

Chambers & Partners, 2020

Publications

- Numerous articles
- Contributor to *Halsbury's Laws of England, Volume 35, Perpetuities and Accumulations (2013)*
- Contributor to the pension chapters in *Transaction Avoidance in Insolvencies (OUP, 2010)*
- Author of *Changing the Terms of Trusts (Butterworths, 2002)*
- Contributor to *International Trust Laws, ed Glasson and the International Trust (Jordans)*
- Author of [tax commentary](#) articles on the Chambers website
- Emily is on the editorial board of the Wills and Trusts Law Reports
- Emily is a LexisPSL Expert Panel Author.

Practice Overview

Emily's practice encompasses a broad range of chancery and commercial work. She is particularly experienced in both the litigation and advisory sides of the law relating to pension schemes, trusts, estates and taxation. Whilst her practice has an emphasis on matters involving complex technical issues, such as those with a significant actuarial or mathematical content, she has a reputation for giving clear, practical and commercial advice and being very user-friendly. Emily is a fluent German speaker.

In her spare time, Emily is in her fourth year of a part-time BSc course in Mathematics. She is a member of the Institute of Mathematics and its Applications.

On the pensions side, Emily has significant experience of pensions litigation (including regulatory work, professional negligence and rectification claims) and she regularly advises on issues including scheme funding, the scope of powers in pension schemes and the effect of mistakes in pension scheme documents. Complementing her pensions practice, Emily has a broad private client practice. She acts in a range of contentious and non-contentious trust and estate litigation, including cases with a foreign element. She advises on a wide range of issues with an emphasis on private wealth planning, tax and the drafting of trust documentation.

Emily is recommended in the legal directories in the following categories: Pensions, Private Client: Trusts and Probate, Trusts, and Chancery: Traditional.

Emily was ACTAPS Contentious Barrister of the Year 2014.

The 2021 edition of Chambers & Partners highlights Emily by saying, *"She always has eyes for the ultimate position for the client."* Furthermore, Emily is described as having *"a superb intellect and a highly impressive, logical manner. She is very sharp and tough, although courteous in court. She is very hard-working, and prepared to be intensely involved when necessary. A friendly and approachable counsel."* Additionally, Emily is a *"no-nonsense practitioner with a very fine mind, who cuts through any amount of idiocy. She is so terribly clever and has this ability to scythe through endless reams of paper and muddled thinking to get to clear and sensible solutions."* The guide also notes that *"she is very committed and will not back down."*

The Legal 500 2021 edition notes that Emily has *'excellent analytical skills and intellect.'* Emily is *'able to grasp a lot of information and assimilate it quickly.'* Clients say *'we very much value her ability to explain complex issues clearly, in a way that clients can understand.'*

Clerks' Details

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Qualifications and Appointments

- MA (Oxon), BCL
- First in Jurisprudence, Christ Church, Oxford
- Awarded the Leslie Walshaw prize by the Faculty of Science, Technology, Engineering and Mathematics at the Open University.

Memberships

- Association of Contentious Trust and Probate Specialists
- Society of Trusts and Estate Practitioners (STEP)
- Association of Pension Lawyers
- Revenue Bar Association
- Chancery Bar Association
- LexisPSL's Expert Pensions Panel



Practice Overview continued

The Chambers & Partners 2020 edition describes her as *"really, really bright", "she's highly regarded at the Bar and she has a very good theoretical grasp of the law"*. Furthermore, *"she has a sharp intellect and notable attention to detail while maintaining a strategic overview. She has an outstanding ability to grasp and argue technical financial and actuarial issues"*. The Legal 500 2020 edition says Emily is *"a simply brilliant junior", who is "very organised, highly intelligent, strategically sound and very accessible"*.

The Legal 500 2019 edition says *'she has a sharp intellect and provides silk-quality advice'*, also noting her as being *'insightful, wise and brilliant'*.

Trusts, Probate and Estates: Non-Contentious

Emily has been widely known as an expert in the private client field since the publication in her early practice of her book "Changing the Terms of Trusts". Private client advice is inextricably linked to tax planning considerations, and she has very extensive experience of advising on [all areas of personal taxation](#).

Emily is ranked in band 1 in the current editions of Chambers and Partners (Chancery: Traditional) and in The Legal 500 (Private Client: Trusts and Probate). Chambers and Partners describes her as a *"no-nonsense practitioner with a very fine mind, who cuts through any amount of idiocy. She is so terribly clever and has this ability to scythe through endless reams of paper and muddled thinking to get to clear and sensible solutions."* The Legal 500 says that Emily has *"Excellent analytical skills and intellect. Able to grasp a lot of information and assimilate it quickly"*.

Emily advises beneficiaries, trustees and personal representatives. Her client base, details of which are of course confidential, includes many traditional family trusts (including those bound up with titles), trusts created in relation to successful family businesses and the wealth they generate and offshore trusts in connected with UK-based individuals and those with international connections (such as non-domiciliaries).

Emily is committed to providing cost-effective advice in respect of Wills and trusts, however large or small, size of a fund being no necessary indicator of the complexity of a problem, the importance of finding a solution to the client or the client's need for experienced and reliable advice.

Emily is happy to advise in relation to trusts which are not governed by English law, giving her advice on the assumption that the governing law is materially the same as English law.

A few examples of areas in which Emily has extensive expertise are as follows:-

- The validity of the appointment of trustees;
- Perpetuities and accumulations;
- The scope of trustees' dispositive powers and the extent to which they can be exercised without affecting the inheritance tax status of the trust;
- Self-dealing and conflicts of interest; and
- The interpretation of accruer provisions.

Emily has wide experience of acting in applications under the Variation of Trusts Act 1958 and under section 57 of the Trustee Act 1925, as well as applications to Court governed by Part 64 of the CPR (e.g. applications for directions in relation to problems which have arisen in the administration of a trust, *Public Trustee v Cooper* applications to bless decisions or applications to surrender a discretion, *Beddoe* applications and applications to administer a fund on a particular factual or legal footing).

Emily has a particular expertise in the drafting of trust documents, which is a technical and specialist language. Examples are deeds of appointment and advancement, deeds of variation or disclaimer in relation to Wills, the drafting of arrangements under the Variation of Trusts Act 1958 and arrangements in relation to Court-approved compromises of disputes.