



## Fenner Moeran QC

Call: 1996

QC: 2014

fmoeran@wilberforce.co.uk

### Clerks' Details

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### Qualifications and Appointments

- Fenner Moeran read Politics and Philosophy at Bristol University, before reading for his C.P.E. at City University.
- He was a Hardwick Scholar and Walter Wigglesworth Scholar of Lincoln's Inn.

*“Incredibly smart and easy to work with. Extremely quick on his feet and impressive in hearings. A powerful cross-examiner.”*

The Legal 500, 2021

### Memberships

- Chancery Bar Association
- Commercial Bar Association
- Association of Pension Lawyers

### Publications

- Contributor to Palmer on Bailment.
- Contributor to Tolley's Pensions Law.

### Practice Overview

Fenner has a broad based chancery / commercial practice with an emphasis on litigation. Whilst he has particular specialities in pensions and civil fraud and asset recovery, he also regularly acts in general litigious chancery matters as well as insolvency, insurance, property and general commercial matters.

He is recommended in Chambers and Partners, The Legal 500 and Chambers Global as a leading practitioner in his fields, as well as being named in the Chambers 100: UK Bar list of the top 100 junior barristers in 2013, before he took silk in 2014.

Within the commercial chancery field his work in recent years has been focused on civil fraud and dishonesty disputes, with particular emphasis on breaches of fiduciary duties and money laundering / asset recovery work. With regard to asset recovery, Fenner has extensive experience of obtaining and defending freezing, search, disclosure (including third party disclosure) and gagging orders. His clients range from international financial institutions, through regulatory bodies to individual financial traders and customers.

Within the pensions field, he acts for trustees, employers, members and professionals in both litigation and advisory work. He also acts for the Pensions Regulator and various Government departments. His work has in recent years included litigation of pensions liberation and misselling claims, moral hazard claims (on both sides), professional negligence claims against actuaries and solicitors, advising on occupational pension scheme wind-ups and interpreting the statutory provisions of the PPF as well as various public sector pension schemes.

Fenner practices in the following areas: general commercial litigation, civil fraud and asset tracing/recovery (including interim relief), company law (in particular breach of fiduciary duty and shareholder disputes), regulatory (pensions, financial services and legal professions), contentious trust, insolvency (both personal and corporate), professional liability, pensions and general contract disputes.

The 2021 edition of Chambers & Partners describes Fenner as *"very efficient, very user-friendly, extremely reliable and has a consistently positive and enthusiastic attitude"*. *"Fenner has a great manner with clients and is particularly good at explaining complicated areas in simple ways."* *"He is good on his feet and is a delight to work with."* *"He has great strategic instincts and is very outcome-focused and pragmatic."*



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## Practice Overview continued

The Legal 500 2021 edition notes he is "*incredibly smart and easy to work with, extremely quick on his feet and impressive in hearings. A powerful cross-examiner. Always has the ear of the Court, knowing precisely when to push a point and judging the mood perfectly.*" He is "*very clever, knows the law well, strategically savvy and a pleasure to work with.*"

## Trusts, Tax, Probate and Estates

Fenner has a leading reputation in the field of Traditional Chancery and Private Client litigation.

*"So strategic" and "brilliant at pulling the strings." "He gave very clear advice which was consistent throughout. He was rock-solid from the outset."* (Chambers & Partners, 2021: Traditional Chancery)

*"Fantastic - he's very bright and a real all-rounder when it comes to traditional chancery law."* (Chambers & Partners, 2021: Trusts)

Earlier editions have described Fenner as "*a renowned trusts expert*" who is "*very bright and very diligent, he has a mind that is incredibly lucid and he can recall every detail.*" He is "*an excellent advocate, [who] comes up with creative solutions.*" "*He is able to distil complex issues into understandable terms for lay clients.*" In this area Fenner again specialises in the more litigious areas, including in particular property disputes arising out of or parallel to matrimonial proceedings ("*He is especially well regarded for his expertise in cases arising from divorce proceedings*"), and misfeasance of trustees, directors and other fiduciaries.

### Notable cases include:

- *Wynne-Finch v Natural Resources Body for Wales* [2020] EWHC 1924 (Ch): Manorial mineral rights, construction of reservations in conveyances and adverse possession of mineral rights.
- *Re 8th Earl Bathurst* [2018] EWHC 21 (Ch). Construction of statutory wills, executor's duty to assent assets.
- *Baker v Dunne* [2016] WTLR 1489. Abuse of process and Beddoe proceedings.
- *Preedy v Dunne* [2016] EWCA Civ 805. Proprietary estoppel, estoppel by convention and trustees.
- *Morley-Clarke v Brooks* [2011] WTLR 297. Court's discretion to capitalise life interest of widow on intestacy. Impact of non-consummation of marriage and lack of capacity to marry.
- *MCP Pension Trustees Ltd v Aon Pension Trustees Ltd* [2009] EWHC 1351 (Ch). Notice, knowledge and forgetfulness for Trustee Act 1925 s.27 advertisements.