



## Sebastian Allen

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### Clerks' Details

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### Qualifications and Appointments

- Law scholar at Christ Church College, Oxford, where he was awarded the Lovell's Prize for his undergraduate degree and the Hugh Pilkington scholarship for his bachelor of civil law degree.
- Awarded the main Lincoln's Inn Scholarship, the Lord Mansfield scholarship, as well as the Hardwicke scholarship and the Buchanan Prize for obtaining a distinction in his bar school exams.

**"First rate."**

The Legal 500 2019

## Memberships

- Chancery Bar Association
- Bar Pro Bono Panel
- Commercial Bar Association

## Publications

- *Safeway v Newton: a limited lifeline for defeasible benefits?* (2018) Practical Law Company
- *White v Jones: what if the claimant was not the client?* (2012) Trusts and Trustees
- *Transaction Avoidance in Insolvencies* (2011) OUP Contributing Editor
- *'The construction of pension scheme documents'* (2009) Practical Law Company

## Practice Overview

Sebastian is ranked as a **"leading junior"** with a substantial litigation practice in commercial and chancery law.

The legal directories have described him as being **"technically very able"**, with a **"massive brain"** and a **"sharp intellect"**, as well as being **"very personable, client-friendly and hard-working"**, with **"strong advocacy skills"** and a **"fantastic manner with clients"**. He is a **"highly popular choice of junior"** who is not only **"always approachable"**, **"clear-headed"** and **"very practical"**, but who also **"instills complete confidence in clients"**.

Sebastian is a particularly strong advocate who specialises in company, commercial, fraud, insolvency, pensions, professional negligence and trusts law.

He has considerable experience acting across a wide range of matters both on his own (including against Leading Counsel) and as part of a wider team led by Leading Counsel within and outside Chambers. He appears regularly in the High Court and the Court of Appeal, representing clients in interim and final applications, as well as at trial and on appeal.

Sebastian is frequently instructed on large and complex multi-party litigation, often with an international element, and has experience acting with multi-jurisdictional teams. He also has extensive experience advising and acting in relation to large regulatory investigations, including cases involving the Financial Conduct Authority, the Pensions Regulator, the Financial Reporting Council and the Institute and Faculty of Actuaries.

Sebastian has been ranked as **"highly-commended"** in Legal Week's **"Future Stars of the Bar"**.



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## Trusts, Tax, Probate and Estates

Sebastian is a leading commercial chancery junior specialising in all aspects of trusts and private client work.

He has significant experience of trust-related matters both offshore and onshore and he regularly advises on both contentious and non-contentious matters.

Sebastian has acted for a number of very high-profile private clients on a variety of trusts and probate related issues.

Sebastian is also frequently instructed on trust-related issues that arise in commercial contexts, in particular commercial disputes involving allegations of breaches of duty, cases involving collective investment vehicles and in corporate transactions.

### **Notable cases (most of which are confidential) include the following:**

- acting for trustees against Leading Counsel in proceedings brought under the Variation of Trusts Act 1958 for the variation of a high-profile family settlement;
- acting for a high-profile individual in relation to multi-jurisdictional estate planning;
- ***Star Poland Limited (in liquidation) v Mr Felice and others***: acting for the former directors of a Gibraltar trust company brought by its liquidators in relation to various alleged breaches of duty;
- ***Airways Pension Scheme Trustees v Fielder***: acting for British Airways in Beddoe proceedings brought by the Trustee of the Airways Pension Scheme;
- ***Confederation of Shipbuilding and Engineering Unions – Re 35 Hour Week Support Fund***: acting for the trustees of a charitable fund that had been established to support a campaign in the shipping and engineering sector for a 35 hour week where the campaign had ceased but the funds had not been fully exhausted and there were no winding-up provisions in the trust deed;
- ***Radley Yeldar v HGT***: acting for the Claimants in proceedings which concern the private pensions and tax positions of the Claimants;
- ***Lord Lloyd-Webber and the Andrew Lloyd Webber Art Foundation v HMRC***: Representing HMRC on a case that concerned the tax positions of the claimants in the context of their entitlement to Gift Aid Relief which involved issues of the valuation of licences for works of art of substantial value.
- advising on the tax consequences of a pension scheme making unauthorised payments;
- acting in respect of a high-profile estate and advising in relation to a claim for rectification of a will under s.20 of the Administration of Justice Act 1982;
- advising on international aspects of estates, including where property bequeathed under a will is located outside the jurisdiction and where there are competing wills in different jurisdictions;
- acting and advising in respect of cases under the Inheritance (Provision for Family and Dependents) Act 1975;
- advising in respect of the beneficial ownership of shares in a company listed on the London Stock Exchange belonging to a Belgium national who died intestate where all the relevant documents were in French;
- placement with a firm of solicitors in order to assist with the complex administration of a particular high-value estate;
- advising in relation to the construction of wills, the validity of wills, the potential claims against the administrators of an estate and the appropriate steps to take in the administration of estates;
- advising a beneficiary under a will in relation to the ability to require the administrators of an estate to make a distribution under the terms of the will and in relation to any potential claims against the administrators for incurring unnecessary capital gains tax for the estate;
- advising in relation to solicitors' conflicts of interest in acting for more than one beneficiary under a will.