

# Wilberforce Cayman Conference & Dinner 2025

Monday 15<sup>th</sup> September 2025

Kimpton Seafire Resort, Seven Mile Beach, Grand Cayman

**Wilberforce**  
CHAMBERS

2.0 CPD



## Timetable

3.30pm **Registration and refreshments**

3.55pm **Opening remarks**

4pm **Deconstructing constructive trusts**  
**Gilead Cooper KC and Fenner Moeran KC**  
When is a recipient of proceeds of a breach of trust liable – in knowing receipt, and for money laundering offences?

- *FS Capital Ltd v Adams* [2025] EWCA Civ 53, and *R (ex parte World Uyghur Congress) v NCA* [2024] EWCA Civ 715
- Knowing receipt and bona fide purchasers, versus money laundering and 'adequate consideration' defences

Is a constructive trustee the same as any other type of trustee?

- *Stevens v Hotel Portfolio II UK Ltd* [2025] UKSC 28 and *Frenkel v LA Micro Group (UK) Ltd and others* [2024] UKSC 42
- Is *Central Bank of Nigeria v Williams* [2014] UKSC 10 wrongly decided?

4.30pm **Reflective loss 5 years after *Marex*: is it still legal Japanese knotweed?**  
**Graeme Halkerston and Philippe Kuhn**  
A review of the live issues in reflective loss post-*Marex*

- What did *Marex* decide?
- Timing: When does the rule kick in?
- Foreign companies: What is the proper law?
- Indirect shareholders: What of Russian dolls?

4.55pm **There is no accounting for taste... or is there?**  
**Jonathan Hilliard KC and James Bailey KC**

- Understanding fiduciary liability to account
- The Supreme Court decisions in *Rukhadze v Recovery Partners*, *Stevens v Hotel Portfolio II* and the car finance cases
- Where to from here?

5.20pm **Break**

5.50pm **Improper purpose**  
**Clare Stanley KC**

- Common cases: poison pills, share issues, voting arrangements
- Legal uncertainties
- Direct or derivative claims
- Potential relevance in valuation disputes

6.15pm **Illegality defences – how to be legal when facing the illegal**  
**Fenner Moeran KC and Theo Dixon**

- Developments in the illegality defence since *Patel v Mirza*
- Foreign law illegality – different considerations?
- Possibilities and pitfalls – strategic considerations when running or facing an illegality defence

6.40pm **Closing remarks**

6.45pm **Drinks reception and dinner buffet**