

Wilberforce Guernsey Conference 2026

Wilberforce
CHAMBERS

Wednesday 13th May 2026

2.0 CPD

Old Government House Hotel & Spa, St Peter Port



Timetable

3pm	Registration	4.50pm	Break
3.25pm	Opening remarks	5.20pm	Insolvent trusts – liabilities of office holders and ability to recoup out of a trust fund Philippe Kuhn and Benjamin Slingo <ul style="list-style-type: none">• What is an ‘insolvent trust’?• Status of other creditors• Priorities• Possessory lien – current and former trustees
3.30pm	The Court’s inherent jurisdiction and getting information out of trustees Elizabeth Houghton and Jamie Holmes <ul style="list-style-type: none">• The starting point for requests for information: <i>Schmidt v Rosewood</i>• Seeking information in the Court’s inherent jurisdiction vs statutory provisions (<i>BX v T</i>)• Beneficiaries vs. third parties seeking trust documents• Other uses of the Court’s inherent jurisdiction	5.45pm	Case management stays in cross-border trust disputes Jennifer Seaman and Andreas Giannakopoulos <ul style="list-style-type: none">• Forum (non) conveniens stays vs Case management stays – When to deploy certain arguments?• Relevant legal principles for case management stays pending resolution of foreign proceedings• Some issues on recognition and enforcement of foreign judgments – Firewalls and Hague 2019• Procedural considerations across jurisdictions
3.55pm	Fiduciary duties, conflicts, commissions and profits Tiffany Scott KC and Edward Sawyer <ul style="list-style-type: none">• Protectors, banks, directors, financial services providers• Recent appellate decisions on fiduciary duties and equitable remedies• Unauthorised profits and diverting opportunities	6.10pm	Anti-Bartlett clauses Jonathan Davey KC and Lemuel Lucan-Wilson <ul style="list-style-type: none">• Interference, monitoring or supervision – which obligation (s) do you need to exclude for your clause to be effective?• Notice v knowledge – the sliding scale of awareness requirements• Complex structures and professional trustee providers – how do the clauses operate where the underlying companies include trustee personnel?
4.20pm	Trustee decision-making after <i>Dawson-Damer</i> Simon Atkinson, Michael Ashdown and Roxane Reiser <ul style="list-style-type: none">• Settlor’s wishes – how can trustees ascertain what they are, and what should they do with them?• Relevant and irrelevant considerations – should decisions be set aside for any error of deliberation?• Would or might – does the Privy Council’s judgment vindicate the statutory test in Jersey, Cayman and elsewhere?• Setting aside trustees’ decisions – when will the court refashion a previous transaction, or refuse relief entirely?	6.35pm	Closing remarks
		6.40pm	Drinks reception

