

Practice Areas
Overview
Charities
Banking and Financial
Services
Court of Protection
Insolvency
Property
Tax

Trusts

Wills and Estates
International

Joshua Winfield

| Call 2001

Profile: Trusts

Experience and Expertise

Joshua has wide experience of litigation, advice and drafting relating to trusts, including applications for the construction of trusts, removal of trustees and variations. Joshua acquired considerable expertise in trusts drafting during his year at Charles Russell and in offshore work on his secondments at the Jersey advocates Bailhache Labesse and Hanson Renouf, which he has built on subsequently. He is a member of the Society of Trust and Estate Practitioners.

Cases and Work of Note

- *Widd v Widd* [2011] EWHC 1420 (Ch): application to set aside a trust made under a mistake.
- *Dean v Burne* [2009] EWHC 1250 (Ch): construction of trust deeds relating to the assets of the Russian Orthodox community in London. Joshua acted as junior counsel to the representative defendant in this high-profile charitable trust dispute in the Chancery Division.
- *Singla v Brown* [2007] EWHC 405 (Ch); [2008] Ch 357: resisting the setting aside of a transfer of the beneficial interest in a house by a bankrupt as a transaction at an undervalue.
- *Moscow v Brown and others* [2005] EWHC 2243 (Ch): resisting an order for sale of a house under a charging order, and establishing a co-owner's 99% beneficial interest.

In August 2012 Joshua assisted in a discovery exercise in a complex and high-value tracing claim by a divorcing wife against a Jersey trust, holding shares of companies in several offshore jurisdictions, that was alleged to have been settled by the husband out of assets subject to community of property laws.