



## Emma Loizou

Call: 2018

### Barrister

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Emma has a commercial chancery practice with a focus on private client and insolvency litigation. Emma is ranked as a rising star for insolvency in the latest edition of The Legal 500. She is described as being “*very bright, diligent and commercially astute*”. Her advocacy skills are “*excellent for her level of call*”.

Emma has a particular interest in cases with an international element. In 2023, Emma was awarded an Inner Temple Pegasus Scholarship. She spent 6 weeks in Bermuda working on a range of offshore disputes.

#### PRIVATE CLIENT

Emma's private client practice covers wills, trusts and estates disputes. She is currently instructed on a number of cases involving will challenges on various grounds including forgery, lack of testamentary capacity and want of knowledge and approval. Emma also has experience of claims under the Inheritance (Provision for Family and Dependents) Act 1975, claims concerning the administration of estates and removal of trustees and personal representatives.

Emma's recent work includes:

- Successfully representing independent administrators in securing the court's “blessing” of their decisions.
- Advising beneficiaries on the enforcement of a foreign judgment relating to the distribution of estate assets.
- Advising and drafting pleadings in respect of a claim by a deputy for an account of the financial dealings of previous attorneys.
- Advising and representing parties challenging the formal and substantial validity of wills.
- Advising a beneficiary in relation to a claim against will drafters for professional negligence.
- Advising the personal representative of an estate in relation to avoiding a contract on grounds of unconscionable bargaining and undue influence.
- Advising beneficiaries on the revocation of a will in circumstances where there were issues of domicile and conflicts of law.
- Advising in relation to disputes involving co-ownership following a relationship breakdown including claims relating to constructive and resulting trusts and proprietary estoppel.
- Successfully representing the trustee in bankruptcy before the First-tier

Tribunal in securing a restriction at the Land Registry over a property held in the names of the bankrupt and a relative where there were arguments concerning sham trusts.

## **INSOLVENCY AND COMPANY**

Emma is listed as a rising star for insolvency in The Legal 500.

Emma regularly appears as sole advocate in the High Court and County Court in personal and corporate insolvency matters, in particular in contested winding up and bankruptcy petitions. She acts for debtors, petitioners and insolvency practitioners. Emma is also a contributor to *Insolvency Litigation: A Practical Guide*, 3<sup>rd</sup> Ed.

Emma's recent work includes:

- Acting for the trustee in bankruptcy in advising, drafting proceedings and appearing at hearings in relation to the trustee's claims for relief in connection with several properties (ongoing). The claims include transactions at an undervalue and transactions defrauding creditors.
- Acting for the applicant company in its application to restrain respondents from presenting a winding up petition (ongoing).
- Successfully representing an interested party in obtaining an order to defer the date of a company's dissolution following CVL.
- Advising and representing administrators in applications to extend the administration, including advising on the validity of an initial extension by creditor consent.
- Successfully representing the successful trustee in bankruptcy before the First-tier Tribunal in securing a restriction at the Land Registry over a property held in the names of the bankrupt and a relative.
- Successfully representing the petitioner, the personal representative of a deceased's estate, in securing an insolvency administration order, where there were issues of jurisdiction and domicile.
- Successfully representing the petitioning creditor in *Re A Company* [2022] EWHC 943 (Ch). The case concerned whether the coronavirus test under the Corporate Insolvency and Governance Act 2020 was satisfied and whether the petition debt was bona fide disputed or subject to genuine and serious cross-claims.
- Acting for the debtor in a contested bankruptcy petition which involved arguments over lack of consideration, duress and regulated agreements under the Consumer Credit Act 1974.

Emma has experience of a range of insolvency applications including:

- Setting aside statutory demands.
- Annulment of bankruptcy orders.
- Possession and sale of a bankrupt's former home.
- Validation orders.
- Winding up petitions on the just and equitable ground.
- Administration orders.
- Extensions of administration.
- Income payment orders.
- Re-use of a company name.
- Office-holders' remuneration.
- Challenging antecedent transactions.
- Postponing the dissolution of a Company.

Emma is also developing a broad company law practice. She is familiar with applications to extend time to register a charge with Companies House, applications to rectify the register as a result of a mis-statement, applications to restore dissolved companies to the register and applications to the court to convene a company meeting.

## **COMMERCIAL**

Emma has experience advising and settling proceedings in a variety of commercial matters including contractual disputes and the sale and supply of goods and services.

Emma has recently advised on issues concerning jurisdiction and governing law in a contractual dispute concerning parties based in different jurisdictions.

Emma is regularly instructed to represent clients in commercial disputes at trial or at interim hearings. She is familiar with applications for extensions of time, default judgment, strike out, summary judgment and relief from sanctions.

## **INTERNATIONAL**

In 2023, Emma spent six weeks working in Bermuda. She assisted with a broad range of offshore disputes covering trusts, insolvency, commercial and regulatory matters. Her work included:

- Amending pleadings in respect of a claim for dishonest assistance.
- Drafting pleadings for the appointment of receivers in respect of a debt worth \$2.7m.
- Assisting in the preparation of an appeal against the Bermuda Monetary Authority.
- Advising on the interpretation of a sale and purchase agreement in respect of property worth over \$1m.
- Preparing a skeleton argument in support of a letter of request to an international court compelling the production of documentary evidence.

## **RECOGNITION**

- *“Emma is very bright, diligent and commercially astute. Emma’s advocacy skills are excellent for her level of call.”* (Insolvency, *Legal 500 UK Bar 2024*)

## **QUALIFICATIONS**

- BPTC at the University of Law (2017-2018)
- BCL at Wadham College, University of Oxford (2016-2017)
- Law with Study in Continental Europe at the University of Bristol (2010-2014)

Emma graduated from the University of Bristol with a First. She was awarded the prize for coming top of her year in the trusts exam. During her undergraduate degree, Emma spent a year studying law at Università degli Studi di Siena, Italy.

Before coming to the Bar, Emma worked as a research assistant at the Law Commission on the charity law reform project.

## **PRIZES AND SCHOLARSHIPS**

- Pegasus Scholarship, Inner Temple (2023)
- 4 Stone Buildings Prize for joint best performance in Civil Litigation, Evidence and Remedies, The University of Law (2018)
- Lord Denning Scholarship, Lincoln’s Inn (2017)
- Hardwicke Entrance Award, Lincoln’s Inn (2017)
- South Square Chambers Scholarship to study the BCL, University of Oxford (2016)
- Herbert Smith Freehills Prize for best performance in trusts, University of Bristol (2014)
- Winner of the Herbert Smith Mooting Competition, University of Bristol (2011)
- Winner of the Field Shield Mock Trial, University of Bristol (2011)

## **MEMBERSHIPS**

The Honourable Society of Lincoln's Inn.

The Chancery Bar Association.

## **POLICIES AND OTHER DETAILS**

Read Emma's [Privacy Notice](#), [Data Protection Policy](#) and [Disposal Policy](#).