



James Anson-Holland

Call: 2024 (England and Wales); 2022 (Cayman Islands);
2017 (New Zealand)

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James joined Radcliffe Chambers as a tenant in October 2024 and is developing a broad traditional and commercial chancery practice. He welcomes instructions across Chambers' core practice areas.

Before transferring to the English Bar, James practiced law in New Zealand and the Cayman Islands. He has particular experience with private client, insolvency, and commercial disputes that often have a cross-border element. As a result, he has undertaken extensive trial and appellate work beyond his year of call and has acted (both led and unled) in cases at various levels, including being led in the Judicial Committee of the Privy Council.

James received an LLB with First Class Honours from the University of Canterbury. He more recently received an LLM from New York University, where he attended with the assistance of a Starr Foundation Global Law School Scholarship and served as a graduate editor of the New York University Journal of Law and Business.

James authors several chapters in *Law of Trusts* and *Wills and Succession*, two leading LexisNexis New Zealand publications. He is also the general editor of *Practical Guidance (Trust Law)*, a LexisNexis New Zealand publication focused on the practical administration of trusts more generally. In addition, James regularly publishes a broad range of articles in leading peer-reviewed journals, including the *New Zealand Law Review*, *New Zealand Universities Law Review*, *International Arbitration Law Review*, and *Trusts and Trustees*. His academic work has been cited in decisions of the High Court and Court of Appeal of New Zealand and several New Zealand Law Commission reports.

PRIVATE CLIENT

James has experience in dealing with a variety of trust, wills, and estate disputes. His experience includes breach of trust claims against trustees and executors, applications to remove and replace trustees and executors, blessing applications, mutual wills, lost wills, and various challenges to wills.

Some highlights are:

- Successfully acted as junior counsel before the Grand Court of the Cayman Islands in relation to a blessing application involving several trusts worth in excess of USD5 billion (*In re A Trust, B Trust, & C Trust* (20 December 2022) (FSD 213 of 2022)).

- Advised beneficiaries in relation to an application before the Grand Court of the Cayman Islands concerning a c.USD15 million estate seeking to revoke an earlier will and prove a copy of a subsequent will and codicil.
- Successfully acted as junior counsel before the High Court of New Zealand in a trial concerning mutual wills, resulting in a leading first instance decision on the topic (*McNeish v McArthur* [2019] NZHC 3281, [2020] 2 NZLR 287).
- Successfully acted as junior counsel before the High Court of New Zealand in a trial concerning novel arguments about the distribution of property held in several family trusts following the breakdown of a relationship (*Wylie v Wylie* [2019] NZHC 2638).

INSOLVENCY

James has experience with both domestic and cross-border insolvency. His experience includes breach of director duties, antecedent transactions, blessing applications, *Norwich Pharmacal* relief, and other urgent and ancillary applications and enforcement action.

Some highlights are:

- Reviewing a large tranche of documents and advising the creditors and joint trustees in bankruptcy of a (previously) HNWI on the lawfulness of certain transactions and the validity of several trusts based in Jersey and the Isle of Man.
- Advising the Cayman Islands based joint provisional liquidators of an NYSE listed company following an alleged USD700 million fraud.

COMMERCIAL

James has experience with a variety of commercial chancery disputes, having previously worked for a leading commercial law firm based in New Zealand and a leading offshore law firm based in the Cayman Islands.

Some highlights are:

- Successfully acted as junior counsel before the Judicial Committee of the Privy Council in an appeal involving two commercial property transactions and the novel application of the law of restitution (*HEB Enterprises Ltd v Richards* [2023] UKPC 7).
- Successfully acted as junior counsel before the High Court of New Zealand in a commercial debt recovery trial involving complex issues of agency, contract, property, and equity (*Powell v K 2 Investment Group Ltd* [2021] NZHC 2253).

QUALIFICATIONS

- New York University, School of Law, New York, United States
Master of Laws, May 2022
- University of Canterbury, School of Law, Christchurch, New Zealand
Bachelor of Laws with First Class Honors, February 2017

PUBLICATIONS AND SPEAKING

Selected texts:

- Practical Guidance (Trusts) (online loose leaf ed, LexisNexis New Zealand)
- Law of Trusts (online loose leaf ed, LexisNexis New Zealand), Pts 1, 2, and 7
- Wills and Succession (online loose leaf ed, LexisNexis New Zealand), Ch 9, Ch 12, and Ch 14

Selected articles:

- “Interests in possession: a critique of *Hall v HMRC*” (2023) 29(10) *Trusts & Trustees* 839
- “Inherent powers and their existence in adjudicatory tribunals in New Zealand and abroad” (2023) 26(3) *Int ALR* 161
- “The limits of settlement privilege in New Zealand: Distilling the guiding principles” [2022] 30 *NZULR* 79
- “Arbitration of trust disputes in New Zealand – A new frontier?” (2022) 28(5) *Trusts & Trustees* 376
- “Once Privileged, Always Privileged?” (2021) 9 *JCivLP* 161
- “Powers and jurisdiction of the Family Court clarified: The decision in *Wihongi v Broad* reverses a concerning trend” (2020) 10 *NZFLJ* 76
- “Locked down but not detained” [2020] *NZLJ* 166
- “Who should pay, and when?” [2019] *NZLJ* 360
- “The Amenability of Private School Decisions to Judicial Review” (2019) 30(2) *PLR* 106
- “The corporate trustee safety net? [2019] *NZLJ* 211
- “The enforceability of arbitration clauses involving actions in rem: a critical analysis of the rationale in *Lawson v Gawith*” (2019) 38(1) *The Arbitrator & Mediator* 74
- “Fan Fiction: A New Zealand Copyright Perspective” [2018] *NZ L Rev* 1

Selected online notes:

- “A Trustee’s Fiduciary Duty to Meet Discretionary Beneficiary Needs?” *New York University Journal of Law & Business Online* (18 October 2022)
- “Confidentiality in Mediations and Settlements – The Second Circuit’s Perspective” *New York University Journal of Law & Business Online* (1 April 2022)
- “In Brief: Supreme Court to Determine Conflict of Laws Approach under the FSIA” *New York University Journal of Law & Business Online* (19 November 2021)

Selected speaking engagements:

- Presenter, Arbitrators’ and Mediators’ Institute of New Zealand (‘AMINZ’) Arbitration Day 2019
- Guest Lecturer, University of Canterbury, School of Law, August 2019

POLICIES AND OTHER DETAILS

Read James’ [Privacy Notice](#), [Data Protection Policy](#) and [Disposal Policy](#).