



## Sophia Rogers

Call: 2013

### Barrister

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**Sophia** has a busy chancery practice and is an experienced advocate in the High Court, County Court and at appellate hearings. She is regularly instructed in contentious and non-contentious private client, insolvency, commercial, professional negligence and property cases. Having spent time on secondment in the Channel Islands and the Cayman Islands focusing on private client, Sophia is also experienced in offshore trust matters.

#### PRIVATE CLIENT

Sophia has extensive experience of private client matters and is recognised as a leading barrister in Chambers HNW. Following secondments in the Channel Islands and the Caribbean, she is also experienced in offshore private client work.

She handles a wide variety of trust cases, advising trustees and beneficiaries, including claims concerning variations, anonymity applications, removal and breach of trust claims, Public Trustee v Cooper applications, construction claims and issues concerning the invalid appointment of trustees, indemnities, amendments, changes of proper law and dealing with offshore firewalls.

She is regularly instructed in cases involving wills and estates including cases regarding testamentary capacity, knowledge and approval, undue influence, forgery, formal validity, construction and rectification of wills, foreign property, proprietary estoppel, approval of settlements, will variations and claims under the Inheritance (Provision for Family and Dependents) Act 1975.

Her recent work includes:

- *Hirachand v Hirachand* [2021] EWCA Civ 1498 – Having acted for the claimant in a successful adult child claim under the Inheritance (Provision for Family and Dependents) Act 1975 at first instance (*Re H (Deceased)* [2020] EWHC 1134 (Fam)), Sophia successfully represented the claimant in the Court of Appeal (led by Constance McDonnell KC) upon the defendant's appeal. The case is of legal and practical significance for Inheritance Act claims. The Court of Appeal clarified the law regarding recoverability of CFA success fees as part of awards under the Inheritance Act and issues concerning adjustments for debarred parties.
- *Re Brunt (Deceased)* [2021] EWHC 368 (Ch) – Represented the successful appellants on an appeal in this probate claim. Sophia acts for the

defendants in this high value probate dispute wherein her clients challenge the validity of duplicate wills on grounds of forgery, lack of due execution and want of knowledge and approval. On appeal, they successfully set aside the trial decision (*Re Brunt (Deceased)* [2020] EWHC 1784 (Ch)) and secured a retrial. The case continues.

- *Burns v Bean and others* [2021] EWHC 838 (Ch) – Represented the second defendant in this claim concerning the construction of a will and the application of section 33 of the Wills Act 1837.
- *MN v OP* [2019] EWCA Civ 679 – Represented the appellant (led by Robert Pearce KC) in a successful appeal to the Court of Appeal of a first instance decision refusing an anonymity order in a high-value application under the Variation of Trusts Act 1958.
- *Stephens v Heng & Ors* (2018) – Represented a minor and unborn beneficiaries in a construction and rectification claim to include the deceased's sisters as beneficiaries under a will and include the deceased's step-children in the definition of the term "issue".
- *Sinden v Sinden* (2018) – Acted for the defendants to an Inheritance Act 1975 claim brought by their sibling. Adult child claim in respect of a high-value estate.
- *Jabin v Iqbal* (2016) – Acted for the claimant in a three-day trial of a TOLATA and 1975 Act claim brought by an adult daughter, with issues including interests in foreign property in Pakistan.
- *Mahoney v Andrews* (2015) – Represented the claimant in this probate claim raising issues of knowledge and approval and domicile where the deceased lived in France and, upon settlement, appeared at the application for approval of the settlement on behalf of a minor involving a will variation.
- *Re Smith (Deceased)* [2014] EWHC 3926 (Ch) – Assisted during pupillage with the trial of a presumed undue influence case which considered the test for capacity to make an inter vivos gift.
- *Re Walker Deceased* [2014] EWHC 71 – Assisted during pupillage with a probate case concerning testamentary capacity and knowledge and approval in circumstances where the deceased had suffered a fatal brain tumour and psychosis, and established that the correct test for testamentary capacity is the test set out in *Banks v Goodfellow*.
- *Loring v The Woodland Trust* [2013] EWHC 4400 (Ch) and [2014] EWCA Civ 1314 – Assisted during pupillage with the trial and appeal of a will construction claim addressing the impact of section 8A of the Inheritance Tax Act 1984 on the passing of nil rate bands under a will.

## **INSOLVENCY AND COMPANY**

Sophia has significant experience in insolvency and company law disputes, including claims regarding insolvent estates, bankruptcy, company and partnership insolvency and shareholder disputes.

Her recent work includes:

- *Durkan v Patel* [2018] EWHC 3231 (Ch) – Acted for the trustee in bankruptcy in an application to impugn transactions under sections 423, 339 and 284 of the Insolvency Act 1986
- *Wastell v Bailey-Flitter* (2018) – Acted for the respondents in an unfair prejudice petition between shareholders and directors of a prep school
- *Re Renwick Haddow* (2016-2018) – Acted for the supervisor of an IVA to obtain a bankruptcy order in respect of this high profile individual, then later appearing for the trustee in bankruptcy in obtaining a suspension of discharge and in proceedings brought by the FCA against the bankrupt
- *In the Matter of Mekobia Ltd* (2015 – 2016) – Represented the petitioning creditor in successfully opposing an application by the company for an injunction restraining advertisement of a winding up petition ([2015] EWHC 1380 (Ch)) and obtaining a winding up order, before successfully opposing the company's appeal of the winding up order
- *Hurd v TPL Holdings* [2014] All ER (D) 266 – Assisted during pupillage with

defending an application to strike out a section 994 petition.

## **COMMERCIAL LITIGATION AND CONTRACTUAL DISPUTES**

Sophia has a busy commercial practice and is instructed in a variety of disputes including claims involving the construction and breach of contracts, bonds and guarantees.

Her recent cases include:

- *Guri v Krasniqi and Neziraj* (2016) – Represented the defendants in successfully striking out the claimant’s breach of contract claim in relation to the sale of a business during a fast-track trial and then successfully opposing the appeal
- *Mekobia Ltd v Brandmovers Ltd* [2015] EWHC 969 (Ch) – Successfully opposing an appeal in a multi-million pound breach of contract claim concerning the provision of website development services
- *Re an Investment Dispute* (2015) – Acted for the claimant in a high value claim against an investment company by its clients in relation to beneficial interest in certain investments
- *Re a Football Club* (2015) – Defended a football club in a contractual claim in relation to coaching services
- *Re an Airline* (2014) – Acted for an airline in a breach of contract claim concerning issues under UCTA and the Unfair Terms in Consumer Contracts Regulations 1999.

## **PROFESSIONAL LIABILITY**

Sophia has developed an expertise in professional liability claims arising in the private client sector, where she has considerable expertise in trusts, wills and estates.

Her recent cases include:

- *Re Negligence in Estate Administration* (2018) – Represented the claimant/executor in a claim against solicitors for negligent advice in the administration of an estate
- *Re Solicitor’s Negligence in Probate Claim* (2016) – Acted for the claimant in a claim against a solicitor in respect of representation in probate proceedings
- *Re a Will* (2015) – Advised on a claim against a will drafter in relation to drafting a will.

## **REAL ESTATE**

Sophia has experience in a wide range of property law matters, including claims under TOLATA, possession actions against residential and business tenants, licensees and mortgage possession actions.

## **INTERNATIONAL**

Sophia developed experience in offshore litigation and trust disputes whilst working at leading firms in the Channel Islands and Cayman Islands.

Between August – September 2014, Sophia worked with the Ogier Litigation Team in Jersey on an extensive disclosure exercise in a complex trust dispute.

Between April – September 2015, Sophia worked on secondment as a Private Client and Trusts Consultant for Appleby in Guernsey. Whilst at Appleby, Sophia:

- Drafted trusts, foundations and a broad range of supplemental trust instruments including instruments of termination, release, indemnities, appointments, resignations, removals, changes of proper law, amendments and confirmations

- Advised trustees on the administration of trusts and provided advice on other trust related matters
- Conducted an in-depth legal review for a client trust company, which consisted of analysing trust documents, advising on liability and practical remedial steps the trustee could take to resolve the issues

Between October - December 2019, Sophia worked on secondment as a Consultant for Ogier in the Cayman Islands Litigation Team. Sophia assisted with:

- International trust disputes concerning issues of firewalls, exclusive jurisdiction of the Cayman Islands courts, beddoe relief, applications for directions, surrender of discretion to the Cayman Court and breach of trust
- High value probate matters including removal of personal representatives and construction of wills
- Company winding up proceedings.

## RECOGNITION

- *“Sophia is a determined and effective advocate. She advises clearly and fully and works as hard as is required.”* (Private Client: Trusts and Probate, Legal 500 UK Bar 2024)
- *“Sophia is impressive all round and her advocacy is persuasive. She strongly fights for her client’s position.”* (Chancery: Traditional, Chambers UK Bar 2024)
- *“Methodical and someone who leaves no stone unturned, she provides deeply thoughtful advice.”* (Chancery: Traditional, Chambers UK Bar 2024)
- *“Sophia is impressive all round and her advocacy is persuasive and she strongly fights for her client’s position.”* (Chancery: Traditional, Chambers HNW London Bar 2023)
- *“She is methodical and leaves no stone unturned. Sophia provides deeply thoughtful advice.”* (Chancery: Traditional, Chambers HNW London Bar 2023)
- *“Sophia is one of the leading juniors when it comes to trusts and probate cases. She is utterly rigorous, works on the biggest and most important cases, and is a fierce and determined advocate. She gives clear merits advice.”* (Private Client: Trusts and Probate, Legal 500 UK Bar 2023)
- *“Her advocacy is incredible and she achieves results which seem impossible. She is also very approachable.”* (Chancery: Traditional, Chambers UK Bar 2022)
- *“Sophia is brilliant with clients and thorough in her written advice. Sophia is wise beyond her years and fights hard for her clients.”* (Private Client: Trusts and Probate, Legal 500 UK Bar 2022)
- *“Sophia Rogers is ‘building an amazing name for herself’, according to a barrister, and a silk observes that ‘she’s been involved with such fascinating cases’”. “Another barrister describes Rogers as ‘absolutely top class’ and a solicitor notes her ‘incredible advocacy.’”* (Chancery: Traditional, Chambers HNW 2021)
- *“She’s very helpful, very sensible and always so thorough.”* (Chancery: Traditional, Chambers UK Bar 2021)
- *“Very approachable and easy to come to with questions.”* (Chancery: Traditional, Chambers HNW 2020)
- *“Excellent attention to detail. She provides pragmatic advice and is very good at dealing with clients at conference. A very good advocate too.”* (Chancery: Traditional, Chambers UK Bar 2020)

## QUALIFICATIONS

- Lincoln’s Inn Cassel Scholarship
- Lincoln’s Inn Hardwicke Award
- 2013: Bar Professional Training Course (City Law School)
- 2012: Harvard Law School - LLM
- 2011: Durham University - LLB (First Class Honours)

Prior to joining chambers, Sophia taught Contract Law to undergraduate law

students at Kings College London. Whilst at Harvard Law School, Sophia served as a Submissions Editor for the Harvard International Law Journal.

### **MEMBERSHIPS**

- Chancery Bar Association
- COMBAR.

### **POLICIES AND OTHER DETAILS**

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