



# ELIZABETH ATKINSON

Call: 2021

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Elizabeth Atkinson has a busy chancery practice which spans Chambers' core practice areas, including: contentious and non-contentious Private Client, Property, Tax, Court of Protection, Partnership and LLPs, and Commercial Chancery.

She is regularly instructed to appear in the County Court and High Court, as well as the Court of Protection and First-tier Tribunal (Tax chamber). Her practice includes offshore litigation, and she enjoys both led and unled work.

Elizabeth is an editor of *Mellows: Taxation of Executors and Trustees*, and frequently writes for *Practical Law*. She is an accredited mediator and welcomes instructions to mediate.

Before coming to the Bar, Elizabeth began her career as a Senior Analyst at Goldman Sachs and subsequently worked as a Senior Executive Officer at both the Department of Business, Energy and Industrial Strategy and at the Serious Fraud Office. She currently sits on the Chancery Bar Association Committee.

Recent reported highlights include:

- **Barclays Bank PLC v HMRC** – [2024] UKFTT 246 (TC) (21 March 2024) acted successfully for HMRC. The First-tier Tribunal considered the accounting treatment of debt instruments 2008 financial crisis and the true nature of the transaction.

Elizabeth also does a significant amount of pro bono work, and has been recognised on the national Pro Bono Recognition List for completing over 25 hours of pro bono work annually.

## EXPERTISE

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### CONTENTIOUS TRUSTS & ESTATES

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Elizabeth acts in and advises on all aspects of trusts and estates disputes, including those with a foreign or offshore element.

Her experience includes:



- Disputes over the existence, nature, and validity of trusts including, inter alia, common intention constructive trusts of land, express trusts, resulting and constructive trusts.
- Disputes over wills and probate claims, including contesting the validity of wills and Inheritance (Provision for Family and Dependants) Act 1975.
- Claims between beneficiaries and trustees or personal representatives, including applications for directions by trustees or personal representatives, removal applications, possession of property, rectification, breaches of trust and claims for accounts.
- Claims between third parties and trustees or personal representatives.
- Beddoe applications and applications to pay funds into court.
- Trusts of Land and Appointment of Trustees Act 1996 claims, and disputes concerning trusts of land including occupation of property.
- Advising on disclosure and privilege, including Larke v Nugus requests and claims under the Access to Health Records Act 1990.

## PRIVATE CLIENT (NON-CONTENTIOUS)

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Her parallel work in contentious trusts and estates places Elizabeth well to advise on non-contentious matters. She is a joint editor of *Mellows: Taxation for Executors & Trustees*, and regularly provides in-house training sessions to private client solicitors.

Her experience includes:

- Issues of construction, interpretation, and validity of wills and trust instruments.
- Variations of wills and trusts, including under the Variations of Trusts Act 1958.
- Questions of the administration of trusts and estates such as the exercise of powers, and the appointment and retirement of trustees.
- Applications and claims under Part 64 CPR.
- Drafting and advising on special trusts such as trusts for disabled beneficiaries and minors.
- Issues of constitution and collapsing of trusts.

## PARTNERSHIP & LLP

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Elizabeth has a strong partnership practice. Her experience includes:

- Actions between partners, including claims for an account and breach of fiduciary duty.
- Claims involving a deceased partner.
- Claims involving partnership land, including leasehold property.
- Expulsion, retirement, team moves and restrictive covenants.

## COURT OF PROTECTION

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Elizabeth has strong experience of Court of Protection matters, and regularly gives training sessions on the topic. She is able to deal with all Court of Protection applications and disputes.

## DIRECTORIES & AWARDS



## ASSOCIATIONS & MEMBERSHIPS

- Chancery Bar Association (Committee Member)
- Contentious Trusts Association
- Court of Protection Bar Association
- Association of Partnership Practitioners ('Up and Coming' Committee Member)

## EDUCATION & QUALIFICATIONS

- The Honourable Society of the Middle Temple – Harmsworth Scholarship
- The Inns of Court College of Advocacy – Bar Course
- BPP Law School, London – Graduate Diploma in Law
- The University of Edinburgh – School of Divinity Postgraduate Master's Scholarship
- The University of Edinburgh – MTh (Research)
- The University of Edinburgh – MA Divinity

## PUBLICATIONS

- Joint editor of Mellows: Taxation for Executors & Trustees
- Regular contributor to Practical Law and Private Client Business