serle court

Emma Hargreaves

Call: 2012

Emma is highly respected; she's instructed by everyone, really. If you think about who the top firms are for private client, they will have either made an enquiry to instruct her or will have instructed her.

CHAMBERS HIGH NET WORTH 2026

ehargreaves@serlecourt.co.uk +44 (0)20 7242 6105

Emma Hargreaves has a broad commercial chancery practice, with particular expertise in domestic and offshore trust / probate litigation, civil fraud, and company disputes. She also regularly advises and appears as specialist chancery counsel in matrimonial proceedings.

Emma acts both as sole counsel, often against more senior practitioners and silks, and as junior counsel as part of a team in large-scale commercial and chancery litigation. She also has substantial offshore experience, having previously appeared (ad hoc) as junior counsel in the Supreme Court of Bermuda and assisted with cases in jurisdictions such as Jersey, Guernsey, the Bahamas and the British Virgin Islands.

Emma is ranked in Legal 500, Lexology Index, Chambers UK Bar, Chambers Global and Chambers High Net Worth, including four 'Band 1' rankings in Chambers UK Bar in which she has been described as "*a silk in junior's clothing*" and "*phenomenal in every way*". She was named Chancery Junior of the Year at the Chambers UK Bar Awards 2020 at only eight years' call. She also appeared in Legal Week's Stars at the Bar and in The Lawyer's Hot 100, which described her reputation as "*superb*".

Expertise

Trusts & Probate

Emma regularly advises and acts in trusts litigation, both in England and in offshore jurisdictions, including Bermuda, the Caribbean and the Channel Islands. Emma also has experience of a range of probate matters, including contentious probate proceedings and applications for grants of administration, including discretionary grants under section 116 of the Administration of Estates Act 1925 and grants of administration where the deceased died domiciled abroad.

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Recent Cases

- *Wong v Grand View Private Trust Co & Ors (ongoing)* – Acting (with Elspeth Talbot Rice KC, Dakis Hagen KC, Stephanie Thompson and Richard Hine) for the Plaintiff in Bermudian proceedings concerning the validity of very substantial purpose trusts and equitable assignments of BVI shares. Following numerous interlocutory judgments, the trial and costs judgments ([2022] SC (Bda) 44 Com & [2022] SC (Bda) 60 Com) are currently on appeal to the Bermuda Court of Appeal.
- *Hamersmith-Stewart v Cromwell Trust Company Ltd & Ors (ongoing)* – Assisting local Bahamian counsel on behalf of the guardian of minor/unborn beneficiaries in trustee removal proceedings relating to a trust holding the Sandals Hotel group. Decisions to date include landmark judgments as to the meaning and effect of a "no contest" clause (2021/CLE/gen/01043, 22 June 2023), the application of privacy restrictions (SCCivApp. Nos 108 of 2022 and 132 of 2022) and appointment of a judicial trustee (2021/CLE/gen/01043, 17 October 2025).
- *Wong & Anor v Grand View Private Trust Co* [2023] WTLR 149 – Acted (with Elspeth Talbot Rice KC, Dakis Hagen KC and Stephanie Thompson) for the successful appellants in the landmark Privy Council decision on the proper purpose doctrine in the context of powers to add and remove beneficiaries of a discretionary family trust.
- *Re the estate of Scherbakov (Deceased)* – Acted (with Dakis Hagen KC) for certain beneficiaries in complex high-value probate litigation. Emma appeared unled at a number of hearings in 2022-2023, including (1) Re Scherbakov (Deceased) [2023] EWHC 440 in which Emma successfully opposed an appeal concerning the proper approach to disclosure of non-contemporaneous documents under PD57AD; and (2) Morina v McAleavey [2023] BPIR 1420 concerning the proper interpretation of s.423 of the Insolvency Act 1986.
- *Representation of SG Kleinwort Hambros Trust Company (CI) Ltd* – Assisted local advocates with parallel proceedings before the Royal Court of Jersey and the Royal Court of Guernsey (and on appeals therefrom) concerning the potential restructuring of a series of trusts. Decisions included [2023] JRC 134 (collateral use of documents in private proceedings), [2023] (1) JLR 167 (co-operation between foreign courts), [2023] JCA 088 (non-intervention principle), and [2023] (2) JLR 267 ("non-binding" guidance to trustees).
- *Re XYZ Trusts* [2022] SC (Bda) 10 Civ – Assisted Dakis Hagen KC in respect of proceedings concerning a very complex restructuring of a series of Bermuda law trusts.
- *Trustee L and Others v Attorney General & Others* [2016] Bda LR 35 – Appeared (with Elspeth Talbot Rice KC) at the costs hearing of this long running Beddoe application in Bermuda, the first to consider the proper stance of trustees of very substantial non-charitable purpose trusts faced with an adverse proprietary claim to the whole of their funds.

Commercial Litigation

Emma acts and advises, both led and unled, on a wide range of commercial disputes. She has experience of a range of interim applications, including freezing injunctions and search orders.

Recent Cases

- *Invest Bank PSC v El-Husseini* [2024] EWHC 2976 (Comm) & [2024] EWHC 1235 (Comm) – Appeared (with Tiffany Scott KC at trial and unled at other hearings) for the successful seventh respondent to proceedings under s.423 of the Insolvency Act 1986, giving rise to issues including pleading requirements, adverse inferences against an absent debtor, and possible defences such as change of position and (novelly) s.97 of the BVI Trustee Act.
- *Morina v McAleavey* [2023] BPIR 1420 – Appeared unled at the combined hearing of a strike out application, application for permission to appeal and amendment application (arising in the context of a dispute as to beneficial ownership of BVI

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shares), each of which concerned the proper interpretation of s.423 of the Insolvency Act 1986, including the meaning of "claim" in s.423(3).

- *Kuwait Ports Authority & Anor v Port Link GP Ltd,* Cayman Islands Court of Appeal No.2 & 3 of 2022, 20 January 2023 – Assisted Clare Stanley KC and Kobre & Kim in proceedings alleging fraudulent breaches of duty in relation to the management of the assets of an Exempted Partnership.
- *St John's Trust Company (Pvt) Ltd v Tamine* [2018] EWHC 3629 (Ch) – Appeared (with Dakis Hagen KC) for the corporate applicant in successful injunction proceedings against a former director which sought to freeze property subject to proprietary claims and the summary delivery up of company documents. The applicant was granted costs in most part on the indemnity basis.
- *Superior Composite Structures LLC v Parrish* [2015] EWHC 3688 (QB) – Appeared unled for the defendant in a claim for the enforcement of a US$2 million judgment obtained in South Dakota.

Civil Fraud

Emma acts on a range of fraud disputes, including cases giving rise to issues of dishonest assistance, unconscionable receipt and conspiracy. She has experience of a range of interim applications commonly arising in fraud claims, including freezing injunctions and search orders.

Recent Cases

- *Invest Bank PSC v El-Husseini* [2024] EWHC 2976 (Comm) & [2024] EWHC 1235 (Comm) – Appeared (with Tiffany Scott KC at trial and unled at other hearings) for the successful seventh respondent to proceedings under s.423 of the Insolvency Act 1986, giving rise to issues including pleading requirements, adverse inferences against an absent debtor, and possible defences such as change of position and (novelly) s.97 of the BVI Trustee Act.
- *Morina v McAleavey* [2023] BPIR 1420 – Appeared unled at the hearing of a strike out application, application for permission to appeal and amendment application (arising in the context of a dispute as to beneficial ownership of BVI shares), each of which concerned the proper interpretation of s.423 of the Insolvency Act 1986, including whether the "claim" within the meaning of s.423(3) has to have a realistic prospect of success.
- *Kuwait Ports Authority & Anor v Port Link GP Ltd,* Cayman Islands Court of Appeal No.2 & 3 of 2022, 20 January 2023 – Assisted Clare Stanley KC and Kobre & Kim in proceedings alleging fraudulent breaches of duty in relation to the management of the assets of an Exempted Partnership.
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Company

Emma has experience of a range of company disputes, including petitions under section 994-996 of the Companies Act 2006 and claims for breach of director duties.

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Recent Cases

- *Re G&G Properties Ltd / Re Bankside Hotels Ltd* [2020] 1 BCLC 1 – Acted (with Daniel Lightman KC and Adil Mohamedbhai) for the respondents to three unfair prejudice petitions relating to substantial property development companies and a related proposed derivative claim.
- *Re Edwardian Group Limited* [2019] 1 BCLC 171, [2019] EWHC 873 (Ch) & [2019] STC 1814 – Acted (with Ian Croxford KC and Daniel Lightman KC) for the first respondent to a substantial unfair prejudice petition raising issues over two trials of quasi partnership, breach of fiduciary duty, minority discount and date of valuation.
- *Re Fi Call Ltd* [2014] EWHC 779 (Ch) – Acted (with Daniel Lightman KC) in this hotly contested shareholder dispute, successfully opposing an application for security for costs before Newey J on the basis that the costs associated with a section 994 petition and a cross-petition could not satisfactorily be disentangled.

Insolvency & Restructuring

Emma has notable expertise in cases concerning s.423 of the Insolvency Act 1986 and insolvent trusts and estates.

Recent Cases

- *Invest Bank PSC v El-Husseini* [2024] EWHC 2976 (Comm) & [2024] EWHC 1235 (Comm) – Appeared (with Tiffany Scott KC at trial and unled at other hearings) for the successful seventh respondent to proceedings under s.423 of the Insolvency Act 1986, giving rise to issues including pleading requirements, adverse inferences against an absent debtor, and possible defences such as change of position and (novelly) s.97 of the BVI Trustee Act.
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- *Re Z Trusts* – Instructed on behalf of Equity Trust (Jersey) Limited in novel proceedings relating to an "insolvent" Jersey trust.
- *S P Holding Tractor Hire Limited v CVS (Commercial Valuers & Surveyors) Limited* [2015] EWHC 3838 (Ch) – Successfully opposed an application for an injunction to restrain presentation of a winding up petition and obtained an indemnity costs order against the applicant.

International

Emma is regularly instructed in international / offshore litigation, including in Bermuda, the Caribbean and the Channel Islands. She has previously appeared as junior counsel (ad hoc) in the Supreme Court of Bermuda.

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- *Hamersmith-Stewart v Cromwell Trust Company Ltd & Ors* – Assisting local Bahamian counsel on behalf of the guardian of minor/unborn beneficiaries in trustee removal proceedings relating to a trust holding the Sandals Hotel group. Decisions to date include landmark judgments as to the meaning and effect of a "no contest" clause (2021/CLE/gen/01043, 22 June 2023), the application of privacy restrictions (SCCivApp. Nos 108 of 2022 and 132 of 2022) and appointment of a judicial trustee (2021/CLE/gen/01043, 17 October 2025).
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Matrimonial Finance: Trusts & Company Law

Emma regularly advises and acts in financial remedy proceedings involving trust and company law issues.

Recent Cases

- *HRH Louis Prince of Luxembourg v HRH Tessy Princess of Luxembourg* [2018] 2 FLR 480 – Acted as Chancery counsel for the wife in respect of financial remedy proceedings raising issues including reporting restrictions and the right to respect for private life.
- *ND v SD & Ors* [2018] 1 FLR 1489 – Acted as Chancery counsel for the husband in respect of preliminary issues arising in the context of financial remedy proceedings, including whether a foreign trust was a sham, whether shares had been validly transferred into the trust and whether the transfers should be set aside under section 37 MCA 1973.
- *Hagen v Hagen* – Appeared unled for a respondent in the substantial and much publicised divorce involving the family behind Viking River Cruises (settled confidentially).
- *AF v MF & Ors* [2016] EWFC 65 – Acted as Chancery counsel for the husband in financial remedy proceedings, involving an offshore foundation and issues of "nuptial settlements", in which the wife alleged the husband was worth over £95 million but was awarded around £2 million following trial.

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Court of Protection

Emma has experience in Court of Protection matters and appeared in Re Z [2019] EWCOP 55 (an application for access to court documents in Court of Protection proceedings).

Testimonials

"Emma is highly respected; she's instructed by everyone, really. If you think about who the top firms are for private client, they will have either made an enquiry to instruct her or will have instructed her."

Chambers High Net Worth 2026

"Emma is so fast, clever and commercial."

Chambers High Net Worth 2026

"Emma is absolutely at silk level and is the best chancery junior out there. She is brilliant to work with, gets on top of client objectives and thinks laterally to achieve their aims. "

Chambers UK & HNW

"Emma is an incredibly fierce advocate who's calm and measured even under stressful conditions. She can adapt herself well when she runs into stormy weather on a case."

Chambers UK 2026

"Emma is extremely hard-working, very responsive and always available. She's able to produce a massive amount of work in a short period of time, and nothing fazes her."

Chambers UK 2026

"Emma is at the top of her game and is one of the only names that comes to mind when you're in need of a brilliant counsel for complex, cross-border trust issues in matrimonial proceedings."

Chambers UK 2026

"Utterly amazing - she has the Family Division judges eating out of her hand. She is phenomenal in every way."

Chambers UK 2026

"Emma is a hugely important asset to any team, particularly with her wealth of experience of offshore disputes."

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Legal 500 2026

“Emma has unrivalled knowledge of black letter law and commercial acumen, combined with an inexhaustible work-ethic and brilliant attention to detail.”

Legal 500 2026

“Emma is strategic, a big picture thinker, and extremely commercial. A first-choice barrister for complex, multi-jurisdictional company law issues.”

Legal 500 2026

“Emma is brilliant with clients, extremely clever and responsive and a hard worker. That's an unbeatable combination.”

Chambers UK 2025

Recommendations

- English Bar Offshore (Chambers UK & Chambers Global)
- Trusts (Chambers UK)
- Chancery: Traditional (Chambers UK & Chambers High Net Worth)
- Family/Matrimonial: Trusts/Tax Experts (Chambers UK)
- Chancery: Commercial (Chambers UK)
- Commercial Dispute Resolution (Chambers UK)
- Private Wealth: Trusts (Chambers Global)
- Company (Legal 500)
- Commercial Litigation (Legal 500)
- Private Wealth and Probate (Legal 500)
- English Bar Offshore: Trusts and private Wealth (Legal 500)
- English Bar Offshore: Commercial Disputes (Legal 500)
- Private Client (Lexology Index)
- Civil Fraud (Lexology Index)
- Private Client Global Elite Directory (2023)

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Publications

- Contributor to Whittaker & Machell, The Law of Limited Liability Partnerships

Memberships

- Chancery Bar Association
- COMBAR

Education, Qualifications and Awards

- Award for Overall Best Student in the BPTC, Kaplan Law School (2012)
- Award for Outstanding Achievement in the BPTC, Major Scholarship, and Duke of Edinburgh Entrance award, Inner Temple (2011 – 2012)
- Scholarship, Selwyn College, University of Cambridge (2009 – 2010)
- Fairest Prize for Law (for best performance in the Law Tripos), Selwyn College, University of Cambridge (2010)
- Former visiting tutor and examiner in the Law of Trusts at King's College London
- BPTC (Outstanding; ranked top in the law school), Kaplan Law School
- LLM in International Commercial Law (Distinction), University College London
- MA in Law (First class), Selwyn College, University of Cambridge, including a year at Regensburg University, Germany

BSB Registration

Emma Claire Hargreaves

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