



## Jennifer Seaman

---

Year of call  
2007

Email  
[jennifer.seaman@outertemple.com](mailto:jennifer.seaman@outertemple.com)

---

Jennifer Seaman's practice in chancery and commercial litigation has an emphasis on pensions, trusts and probate disputes, civil fraud, professional negligence, property and insolvency.

Jennifer is appointed to the Attorney General's B Panel. Through this appointment, she has advised a number of government departments and agencies (including the Ministry of Justice, the Home Office, Criminal Injuries Compensation Authority and the Department for Business, Energy & Industrial Strategy) on issues concerning trusts, trustee powers and pensions law.

She is recommended as a Leading Junior in the field of Pensions in *Chambers & Partners* and in *The Legal 500*.

Jennifer was instructed on two high-profile Supreme Court cases: *Futter v HMRC* [2013] UKSC 26 (trustee powers and mistaken dispositions) and *Benedetti v Sawiris* [2013] UKSC 50 (restitution and quantum meruit awards).

### Publications

---

Jennifer is the author of numerous articles on trusts and pension litigation including:

*Guernsey's recent controversial decision on the so-called 'rule in Hastings-Bass': M v St Anne's Trustees Limited* for *Trusts & Trustees* (2018) (link available [here](#))

*Shannan & Others v Viavi Solutions UK Limited & Others* [2016] EWHC 1530 (Ch), [2016] Pens LR 193, for *Trusts & Trustees* (2017) (link available [here](#))

---

### London

Outer Temple Chambers  
The Outer Temple  
222 Strand  
London  
WC2R 1BA

T: +44 (0)20 7353 6381  
F: +44 (0)20 7583 1786  
E Fax: +44 (0)870 220 3256  
DX: LDE 351 (Chancery Lane)

### Abu Dhabi

24th Floor, Al Sila Tower,  
Abu Dhabi Global Market Square,  
Al Maryah Island  
Abu Dhabi, UAE

T: +971 2694 8596

### Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584

*The 'best interests' principle and seeking the Court's blessing: Merchant Navy Ratings Pension Fund Trustees Ltd v. Stena Line Ltd, Trusts & Trustees (2016)*

*Commonplace mistakes in drafting wills and trusts and what can be done to resolve them (Trusts & Trustees 2015 21 (4): 438-448)*

*An Exercise in Good Citizenship? on the Pitt v Holt and Futter v Futter decisions in TQR Oct 2013 (Co-author)*

She is also the author of Tolley's Pension Law chapter on *Dispute Resolution and Pension Scheme Litigation*.

---

## London

Outer Temple Chambers  
The Outer Temple  
222 Strand  
London  
WC2R 1BA

T: +44 (0)20 7353 6381  
F: +44 (0)20 7583 1786  
E Fax: +44 (0)870 220 3256  
DX: LDE 351 (Chancery Lane)

---

## Abu Dhabi

24th Floor, Al Sila Tower,  
Abu Dhabi Global Market Square,  
Al Maryah Island  
Abu Dhabi, UAE

T: +971 2694 8596

---

## Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584

## Pensions & Trusts

---

### Pensions and Trusts

---

Jennifer is an established junior in the field of pensions and trusts and has been involved in a number of important cases in these fields.

Her recent cases in this area have included wide-ranging issues such as: the professional negligence of actuaries and solicitors; the interpretation/construction of pension schemes and trusts; the rectification of pension schemes and trusts; probate disputes; inheritance act claims; breach of trust and the nature and exercise of trustee powers. She has also acted for the Pensions Regulator.

Jennifer was in the landmark Supreme Court case of *Futter v HMRC*, the leading case on trustee powers and the equitable jurisdiction to provide relief for a mistake.

She has also acted in the highly publicised probate claim of *Sharp v Hutchins* [2015] EWHC 1240 (Ch).

Jennifer is recommended as a Leading Junior in the field of Pensions in *Chambers & Partners* and *The Legal 500*.

## Cases

---

### **Re Salvus Master Trust (Oct 2019)**

Jennifer acted on behalf of The Pensions Regulator in an oral hearing before the Determinations Panel, on whether the Salvus Master Trust pension scheme should be authorised under the Pensions Schemes Act 2017.

### **Caribonum Pension Trustee Ltd v Pelikan Hardcopy Production AG [2019] 6 WLUK 362**

Jennifer was instructed with Richard Hitchcock QC to act for Pelikan (a Swiss company) on the question of whether a pension trustee was entitled to summary judgment on a deed of guarantee given by Pelikan. The matter involved issues of construction and questions of Swiss law.

### **Cross-Border Merger Project (May 2018)**

---

#### London

Outer Temple Chambers  
The Outer Temple  
222 Strand  
London  
WC2R 1BA

T: +44 (0)20 7353 6381  
F: +44 (0)20 7583 1786  
E Fax: +44 (0)870 220 3256  
DX: LDE 351 (Chancery Lane)

#### Abu Dhabi

24th Floor, Al Sila Tower,  
Abu Dhabi Global Market Square,  
Al Maryah Island  
Abu Dhabi, UAE

T: +971 2694 8596

#### Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584

Jennifer was instructed by Eversheds Sutherland to act for the trustees of a pension scheme alongside **Andrew Spink QC** and Ceri Bryant QC in a matter involving the Companies (Cross-Border Mergers) Regulations 2007.

Various Part-Time Judges v Ministry of Justice (From September 2017 onwards)

Jennifer acts on behalf of the Ministry of Justice in various claims made by part-time judges, who claim an entitlement to a pension under the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Judicial Pensions (Fee Paid) Judges Regulations 2017. This litigation includes:

**Dowokpor v MoJ [2018] 3 WLUK 596 (EAT)** [on whether it is just and equitable to extend time for bringing a claim under the PTWR 2000]

**Engel v MoJ [2019] 6 WLUK 242 (EAT)** [on the remedy for less favourable treatment as a part-time worker under the PTWR 2000].

#### **The Coats Pension Plan / Guinness Peat Group [2015]**

Jennifer was instructed by The Pensions Regulator in investigations under the Pensions Act 2004 into matters connected with the Coats Pension Plan.

#### **Re Butcher; Sharp v. Hutchins [2015] EWHC 1240 (Ch)**

Jennifer acted for the successful claimant, Mr Sharp, in upholding a Will challenged on the grounds of want of knowledge and approval.

#### **Ballinger & Anor v Mercer Ltd & Anor [2014] EWHC 372 (Ch) & [2014] EWCA Civ 996**

Jennifer acted as a junior on behalf of the defendant companies who provided actuarial services to the pension scheme in a claim brought by the trustees of the scheme. The case raised important questions around the limitation defence. Instructed by Maurice Turnor Gardner LLP.

#### **GE v. KE [2014] EWHC 1938 (Fam); [2014] Fam. Law 1113**

Jennifer successfully appeared on behalf of the administrators of the deceased's estate and his widow in a dispute as to whether the widow was legally married to the deceased at the date of his death.

#### **Futter v. HMRC [2013] UKSC 26**

Jennifer was instructed, with Robert Ham QC and Richard Wilson, to act as junior counsel for the

---

#### London

Outer Temple Chambers  
The Outer Temple  
222 Strand  
London  
WC2R 1BA

T: +44 (0)20 7353 6381  
F: +44 (0)20 7583 1786  
E Fax: +44 (0)870 220 3256  
DX: LDE 351 (Chancery Lane)

#### Abu Dhabi

24th Floor, Al Sila Tower,  
Abu Dhabi Global Market Square,  
Al Maryah Island  
Abu Dhabi, UAE

T: +971 2694 8596

#### Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584

Appellant trustees in their appeal to the Supreme Court, which concerned the existence and limits of the principle known as the rule in *Re Hastings Bass*. Instructed by Withers LLP.

**Konica Minolta Business Solutions (UK) Ltd v Applegate [2012] EWHC 3741 (Ch) & [2013] EWHC 2536 (Ch)**

Jennifer acted on behalf of the trustees of the Konica Minolta pension scheme in proceedings commenced by the employer for rectification of the scheme rules.

**Entrust Pension Ltd v (1) Prospect Hospice Ltd and (2) Yvonne Hunter [2012] EWHC 1666 (Ch) & [2012] EWHC 3640 (Ch)**

Jennifer acted as a junior on behalf of the Second Defendant, a representative member of the 'Flexiplan' pension scheme, in a two stage trial regarding the level of benefits due to scheme members. Instructed by Eversheds LLP.

**McCall v ITN & Baker**

In 2012, Jennifer acted with Sarah Asplin QC on behalf of ITN in a claim concerning the construction of the ITN pension scheme. Instructed by Addleshaw Goddard LLP and Burness LLP.

**Hallett v. Hallett**

In July 2012, Jennifer successfully appeared on behalf of the Claimant widow, who was awarded 50% of the deceased's net estate under the 1975 Inheritance Act.

**Re Hampel Discretionary Trust 1999 [2012] EWHC 2395 (Ch)**

Jennifer successfully appeared on behalf of the applicants to rectify an inter vivos trust deed, which did not represent the applicants' intentions.

**Keith Maxwell Tamlin & Ors v. Holly Holbrook Samuel Edgar & Ors (Times, February 23, 2012)**

Jennifer acted (as sole counsel) for the third defendant, a beneficiary under two related family trusts. The case concerned the claimant trustees' application for the Court's approval of advancements to wind-up the two trusts. Instructed by Trowers & Hamblins LLP.

**Re Great Lakes (UK) Limited Pension Plan (2011); Chemtura Manufacturing UK Ltd**

In 2011, Jennifer acted with Sarah Asplin QC on behalf of the Trustees of the Plan in response to a

---

London

Outer Temple Chambers  
The Outer Temple  
222 Strand  
London  
WC2R 1BA

T: +44 (0)20 7353 6381  
F: +44 (0)20 7583 1786  
E Fax: +44 (0)870 220 3256  
DX: LDE 351 (Chancery Lane)

Abu Dhabi

24th Floor, Al Sila Tower,  
Abu Dhabi Global Market Square,  
Al Maryah Island  
Abu Dhabi, UAE

T: +971 2694 8596

Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584

Warning Notice issued by The Pensions Regulator, in connection with an alleged shortfall. Instructed by Burges Salmon LLP.

### **Beddoe application**

Jennifer acted as junior counsel on behalf of a professional trustee, in relation to a substantial application for Beddoe relief. The proceedings were heard in private in the Chancery Division by Lindsay J in May and June 2010. Instructed by Boodle Hatfield LLP.

## Court of Protection

---

Jennifer's practice includes Court of Protection matters in relation to property and financial affairs. Her recent work in this area includes: deputyship applications; applications relating to Powers of Attorney, and directions regarding property and financial affairs.

---

### London

Outer Temple Chambers  
The Outer Temple  
222 Strand  
London  
WC2R 1BA

T: +44 (0)20 7353 6381  
F: +44 (0)20 7583 1786  
E Fax: +44 (0)870 220 3256  
DX: LDE 351 (Chancery Lane)

### Abu Dhabi

24th Floor, Al Sila Tower,  
Abu Dhabi Global Market Square,  
Al Maryah Island  
Abu Dhabi, UAE

T: +971 2694 8596

### Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584

## Commercial Chancery

---

Jennifer's practice includes areas of general commercial and commercial chancery litigation, such as contractual disputes; commercial fraud; professional negligence; company insolvency and insurance.

Jennifer has a particular interest in cases involving restitution / unjust enrichment. She was in the landmark Supreme Court case of *Benedetti v Sawiris* [2013] UKSC 50, which concerned issues of restitution and the valuation of a quantum meruit award.

## Cases

---

### **Nortel Networks UK (in administration) & Other European Nortel Companies (2014)**

Jennifer assisted Herbert Smith Freehills acting for the EMEA Claimants in relation to evidential matters in the global insolvency and sale of the Nortel group and related proceedings in the English, US and Canadian courts.

### **Benedetti v Sawiris [2013] UKSC 50**

Jennifer was instructed, with Mark Howard QC and Andrew Twigger QC, to act as junior counsel for Mr Benedetti in his appeal to the Supreme Court, which concerned issues of restitution and the valuation of a quantum meruit award.

### **Trade Air Airline Support Ltd v Kingdom Holdings Company**

In 2012, Jennifer acted on behalf of Kingdom Holding Company in a commercial dispute concerning the Kingdom's private 747 aircraft. Instructed by Hogan Lovells LLP.

### **Arab Banking Corporation & ABC Islamic Bank v Ahmad Hamad Algozaibi & Brothers (AHAB) (2011)**

Jennifer was instructed as a junior with Andrew Twigger QC, to act on behalf of ABC and ABCIB banks to recover a sum in excess of US\$100 million from AHAB, a partnership based in Saudi Arabia. The case was set to be one of the largest cases before the Commercial Court in 2011, but ended on the 4th day of trial after AHAB admitted contractual liability. Instructed by Herbert Smith LLP.

---

#### London

Outer Temple Chambers  
The Outer Temple  
222 Strand  
London  
WC2R 1BA

T: +44 (0)20 7353 6381  
F: +44 (0)20 7583 1786  
E Fax: +44 (0)870 220 3256  
DX: LDE 351 (Chancery Lane)

---

#### Abu Dhabi

24th Floor, Al Sila Tower,  
Abu Dhabi Global Market Square,  
Al Maryah Island  
Abu Dhabi, UAE

T: +971 2694 8596

---

#### Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584

## Professional Negligence

---

Drawing on Jennifer's expertise in pensions, trust and probate claims and commercial litigation, Jennifer's practice includes professional negligence litigation in these related fields. In particular, professional negligence claims against solicitors, accountants, auditors, actuaries and financial practitioners.

Jennifer has experience in acting for both for the claimant bringing professional negligence proceedings, and on behalf of the defendant resisting such proceedings.

## Cases

---

Jennifer is currently involved in a number of on-going cases relating to professional negligence claims brought against solicitors in the context of drafting wills and trusts.

### **Ballinger & Anor v Mercer Ltd & Anor [2014] EWHC 372 (Ch) & [2014] EWCA Civ 996**

Jennifer was instructed as a junior to act on behalf of the Defendants who provided actuarial services to the pension scheme in a claim brought by the trustees. In the Court of Appeal, the Defendants successfully argued that Claimants should not have permission to amend their claim when there was, prima facie, a limitation defence.

---

### London

Outer Temple Chambers  
The Outer Temple  
222 Strand  
London  
WC2R 1BA

T: +44 (0)20 7353 6381  
F: +44 (0)20 7583 1786  
E Fax: +44 (0)870 220 3256  
DX: LDE 351 (Chancery Lane)

### Abu Dhabi

24th Floor, Al Sila Tower,  
Abu Dhabi Global Market Square,  
Al Maryah Island  
Abu Dhabi, UAE

T: +971 2694 8596

### Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584



## Appointments & Memberships

---

- Attorney General's B Panel
- Association of Pension Lawyers
- Chancery Bar Association
- COMBAR
- STEP Affiliate Member
- Association of Contentious Trust and Probate Specialists

---

### London

Outer Temple Chambers  
The Outer Temple  
222 Strand  
London  
WC2R 1BA

T: +44 (0)20 7353 6381  
F: +44 (0)20 7583 1786  
E Fax: +44 (0)870 220 3256  
DX: LDE 351 (Chancery Lane)

### Abu Dhabi

24th Floor, Al Sila Tower,  
Abu Dhabi Global Market Square,  
Al Maryah Island  
Abu Dhabi, UAE

T: +971 2694 8596

### Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584

## Recommendations



### London

Outer Temple Chambers  
The Outer Temple  
222 Strand  
London  
WC2R 1BA

T: +44 (0)20 7353 6381  
F: +44 (0)20 7583 1786  
E Fax: +44 (0)870 220 3256  
DX: LDE 351 (Chancery Lane)

### Abu Dhabi

24th Floor, Al Sila Tower,  
Abu Dhabi Global Market Square,  
Al Maryah Island  
Abu Dhabi, UAE

T: +971 2694 8596

### Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584

## Testimonials

---

"Bright, responsive and human." "Very experienced and a delight to work with." **Pensions, Chambers & Partners 2019**

"She is a well-balanced junior who forms a clear opinion and communicates it clearly." **Pensions, Chambers & Partners 2018**

"She an absolute pleasure to deal with, extremely intelligent, self-assured, quietly confident and firm in her views." **Pensions, Chambers & Partners 2018**

"Highly regarded by clients and opponents alike." **Pensions, Legal 500 2017**

"She is absolutely fabulous. She has the ear of the judge when she speaks." **Pensions, Chambers & Partners 2017**

"She's a good advocate; she has a very calm understated manner." **Pensions, Chambers & Partners 2017**

"A junior of real talent and ability." **Pensions, Legal 500 2016**

"A highly sought-after junior in the pensions industry... Her practice is supported by her related expertise in trusts and probate law." "She gives us quick turnarounds when necessary and she is good on her feet too." **Chambers & Partners 2016**

"A junior rising in prominence who receives acclaim from peers." **Chambers & Partners 2015**

"An able advocate in her own right." **Legal 500 2015**

---

### London

Outer Temple Chambers  
The Outer Temple  
222 Strand  
London  
WC2R 1BA

T: +44 (0)20 7353 6381  
F: +44 (0)20 7583 1786  
E Fax: +44 (0)870 220 3256  
DX: LDE 351 (Chancery Lane)

### Abu Dhabi

24th Floor, Al Sila Tower,  
Abu Dhabi Global Market Square,  
Al Maryah Island  
Abu Dhabi, UAE

T: +971 2694 8596

### Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584