

OLLIE MURRELL

Call 2022

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Ollie is a barrister who works predominantly in the [Property, Trusts & Estates](#) team. As part of his practice, he also handles [Commercial](#) and [Insolvency](#) matters, and work in the [Court of Protection](#) relating to property and financial affairs.

Ollie appears in the High Court and County Court at all stages of proceedings, from interim relief and pre-action advice through to trials and appeals.

Alongside his court practice, Ollie is developing a strong advisory practice. He has particular experience of advising on property co-ownership disputes, claims under the Trusts of Land and Appointment of Trustees Act 1996, and contentious probate and inheritance claims. Ollie is currently acting and advising in a number of matters involving allegations of fraud, and in particular, forgery.

Expertise

Real Property

Ollie has experience in a broad range of real property and real estate matters, which includes:

- Acting in a High Court claim regarding the Party Wall etc Act 1996, breach of covenant and nuisance (ongoing).
- Acted and advised in an appeal from a surveyors award under the Party Wall etc Act 1996 challenged on jurisdiction grounds.
- Advised a commercial property developer on the termination of an agreement to lease valued at £1.65m and the effect on reserved covenants.
- Acted at trial in a claim which regarded the right of a licensee to bring a claim in private nuisance and the recoverability of voluntary licence payments.
- Advised on a dispute in which land was developed and sold through a holding company. The parties' engagement created some interplay with matrimonial law.
- Advised on a neighbour dispute which involved drainage and rights of way easements, trespass, and harassment.

- Advised a landlord on service of a claim form on absentee tenants and routes of appeal.
- Ollie regularly advises on and acts in residential landlord and tenant disputes. Ollie is currently acting in claims which variously involve Equality Act defences, harassment and discrimination.

Trusts and Estates

Ollie's recent experience includes:

- Acting and advising in a High Court claim regarding the formal validity of wills and fraud allegations (ongoing).
- Acting in probate and TOLATA dispute, set for a three day trial in April 2024 (ongoing).
- Advised on a claim which involved the removal of an executor and potential forfeiture implications for a specific legatee.
- Advised on a dispute between family members which involved properties purchased for investment and residential purposes, lifetime gifts and resulting trusts.
- Advised and acted in a High Court claim which involved rescission of a lifetime transfer for undue influence, TOLATA and a claim under the Inheritance Act (Provision for Family and Dependants) 1975 brought six years post-grant.
- Successfully represented estate executors in a Re Benjamin application sought in novel circumstances.
- Acted at trial for a personal representative in a claim for devastavit and maladministration brought by estate creditors.

Ollie has already developed particular experience in matters involving trusts of land and proprietary estoppel. He often speaks on these topics and has published articles on property co-ownership.

Commercial Dispute Resolution

Ollie has experience in a broad range of commercial disputes. He advises and acts in relation to disputes involving pension schemes, contracts, sale of goods and services, mortgages and consumer rights, and unfair terms.

His recent experience includes:

- Acted as sole counsel in the High Court in a fraudulent misrepresentation dispute brought against a construction company and director, valued between £500k-£1m.
- Advised on and drafted a fraudulent misrepresentation claim brought against former legal representatives.
- Acted for a Right to Manage company in a claim against a former director for fraudulent activity and breach of fiduciary duties.
- Advised a SIPP provider on an unjust enrichment claim.
- Successfully struck out a defence by a personal guarantor which alleged forgery and involved jurisdictional issues.
- Acted at trial for a pension scheme, in which a beneficiary sought to challenge the appointment of the scheme's trustees and the validity of policies.
- Ollie regularly acts in and advises on professional negligence claims brought against insurers,

engineers, and solicitors.

Insolvency

Ollie acts in personal and corporate insolvency applications. Recent experience includes:

- Obtained an urgent injunction to restrain the presentation of a winding up petition.
- Acted for a Right to Manage company in a claim under ss.212 and 214, Insolvency Act 1986.
- Resisted a winding-up petition against a Northern Irish company on jurisdictional grounds
- Acted for an IVA supervisor seeking a bankruptcy order three years after the IVA's expiry.

Awards

- Lincoln's Inn Droop Scholarship
- Lincoln's Inn Law Journal Prize
- Newcastle Business & Property Court Forum Prize
- Clyde & Co Prize for Maritime Law
- John Theodore Hoyle Prize for Inquests
- Equity & Trusts Prize

Education

- LLB: 1st Class (Honours)
- LLM: Distinction
- Bar Vocational Course (Distinction)

Memberships

- Chancery Bar Association
- Contentious Trusts Association