

Deborah Nicholls-Carr

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Deborah is a senior associate in the trust, estate and inheritance disputes team.

Deborah has over 10 years' experience advising clients on trust and estate litigation. Her experience encompasses challenges to the validity of wills and trusts (particularly where mental capacity is an issue), the removal of trustees and protectors, Inheritance (Provision for Family and Dependants) Act 1975 claims and proprietary estoppel claims.

Deborah is a member of the firm's Elder Law Team and advises on contentious Court of Protection matters, including statutory wills, lifetime gifts and applications concerning attorneys and deputies (such as investigations into the conduct of attorneys and applications for their removal/replacement).

Deborah regularly advises charity clients on some of their most challenging and high value legacy disputes.

With a proven track record of handling significant and complex cases, including *Bond v Webster & Others* (successfully overturning a professionally drafted will) and *High Commissioner for Pakistan in the United Kingdom v Prince Muffakham Jah and Others* (acting for His Exalted Highness Nizam VIII of Hyderabad in a dispute with India and Pakistan over £35 million frozen at NatWest Bank for over 70 years) Deborah brings a wealth of experience and a nuanced understanding of both domestic and international estates. Her work frequently has an international, multi-jurisdictional element and she has recently advised clients in matters involving England, Singapore, California, Florida, France, Jersey, Guernsey and the Isle of Man.

Deborah also has specific expertise in advising on estates involving the application of the forfeiture rule.

Deborah co-authors (with Dawn Goodman) the chapter on 'Authority to Trustees to Incur Costs of Litigation' in

Tolley's Administration of Trusts. She is also a member of ConTra (the Contentious Trusts Association), ACTAPS (the Association of Contentious Trusts Professionals) and London Solicitors Litigation Association.

Track record

Court of Appeal requires Defendant to give evidence about Secret Trust

In *Lorenz v Caruana* [2025], Deborah, Paul Hewitt and Rosalind Russell act for Robert Lorenz in seeking a declaration that the Defendant holds half of the late Alan Lorenz's estate on a secret trust for Alan's siblings. In June 2024 a High Court Judge had overturned an earlier decision that Robert's claim should proceed to trial.

The Court of Appeal has reinstated the original decision holding that there is a real prospect of further evidence being available to support the contention that there is a secret trust, thus enabling Robert to ensure the Defendant is cross-examined. See the Court of Appeal's decision [here](#).

£17m gifting application in the Court of Protection

In *FL v MJL*, Deborah, Julia Abrey, Stephen Richards and Richard Walker acted for the Deputy in an application to the Court of Protection to make gifts totalling £17 million to family members and charities from the funds of an incapacitated person. This was a significant and novel case which clarified the law on the authorisation of gifts for tax planning. Click [here](#) to read the judgment.

Court of Protection

Deborah and Stephen Richards acted for the applicant in a Court of Protection matter, successfully securing the removal of a joint attorney for property and financial affairs of an elderly person where there were concerns were raised over his suitability by neighbours and friends.

Inheritance Act claim

Deborah and Steven Kempster brought the highest value Inheritance Act claim to date in *Wooldridge v Wooldridge* (2016). We were acting for a widow who sought to increase provision under her husband's will after his death in a tragic helicopter accident.

Racehorse owner's suspicious Will overturned

In *Bond v Webster and others* [2024], Debbie, Paul Hewitt, Olivia Turner and Alexandra Dix acted for Lindsay and Mike Bond, the successful parties in a will dispute that led to one of the longest probate trials to take place in the High Court.

Their father, Reg Bond, a self-made multimillionaire who built up one of the UK's most valuable tyre wholesale businesses, had a longstanding intention to treat all four children equally. However, the Judge found (after hearing 12 days of evidence from 22 witnesses) that not long before Reg passed away, a secret plan had been hatched by those around him to exclude Lindsay and Mike at a time by which he no longer had the necessary capacity (and the suspicious circumstances meant in any event that he could not be satisfied that Reg had the necessary knowledge and approval) to make a will. Click [here](#) to read our summary and [here](#) to read the judgment.

Removal of executors

In *Griffin v Higgs and Others*, Deborah and Steve Kempster acted for the beneficiaries of an estate in proceedings that went to the Court of Appeal in England on the issue of removing executors of a Will and on the costs of the dispute; reported as (2018)

Urgent contested statutory will application

Deborah and Paul Hewitt acted for the respondent in an urgent contested statutory will application in the Court of Protection in relation to an estate of approximately £3.5 million. The application was made on 4 April 2019 and the statutory will was approved by the Court on 30 May 2019.

Frozen funds dispute

Deborah and [Paul Hewitt](#) represented *Prince Mukarram Jah, His Exalted Highness Nizam VIII of Hyderabad*, in a dispute over funds frozen at Natwest Bank for over 70 years (the subject of a 1958 House of Lords decision *Rahimtoola v Nizam of Hyderabad*), involving the governments of India and Pakistan. Pakistan issued a new claim in 2013. The High Court decided in *Pakistan v Natwest and Ors* [2015] EWHC 55 (Ch) that the Nizam's claim to the funds should be allowed to proceed. The Judge upheld the Nizam's claim (along with those of his younger brother and India) to his grandfather's funds. Read the Judgment of The High Commissioner for Pakistan in the UK v Prince Muffakham Jah & Others [2019] EWHC 2551 [here](#). The case was one of *The Lawyer's 'Top 20 Cases of 2019'*.

Court of Protection

Named associate by Legal 500 in 2019 and 2018 for Court of Protection work.

Talks

- Withers' Trust Litigation Academy – Tangled web of wishes: when do you need the Court's help with difficult dispositive decisions - 2023
- Contentious Trusts Association (ConTra) - Would you advise your client to set up a trust? Feuding families, fee-hungry fiduciaries and other fearsome fiends... - 2022
- 'Why everyone should have a creative outlet: creativity is good for you and good for business' - Women in Law Summit - 2019
- 'Update of gifting following Re JMA and Re MJL' - Simon Gore Court of Protection conference - October 2019
- 'Recent developments in statutory wills and lifetime gift applications', Simon Gore Elderly Client Conference - April 2019
- 'Lasting Powers of Attorney', Law Society webinar - April 2019
- 'Why everyone should have a creative outlet: creativity is good for you and good for business' - Women in Law Summit 2019
- 'Update of gifting following Re JMA and Re MJL' - Simon Gore Court of Protection conference - October 2019

- 'Recent developments in statutory wills and lifetime gift applications', Simon Gore Elderly Client Conference - April 2019
- 'Lasting Powers of Attorney', Law Society webinar - April 2019

External publications

Leaving it all to the dog: pet inheritance and disputes, Today's Wills and Probate - June 2023
'Gifts by Attorneys and Deputies', November 2017 'Looking After Those who Look After P', February 2019 'Degrees of change: making the conversion to law', Lawyer 2B - December 2013

Admissions

England and Wales, 2014

Education

University of Manchester, BA (Hons) History of Art

Languages

English

Memberships

Association of Contentious Trusts and Probate Specialists
Junior Lawyers Division of the Law Society
Women in Law London network
ConTra, the Contentious Trusts Association
London Solicitors Litigation Association

Key dates

Year joined: 2012

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