

April Plant

Barrister (Call Date: 2002)



April practises exclusively in the areas of probate, trusts (including ToLATA), charities and Court of Protection.

Before being called to the Bar April worked in charities as a “professional beneficiary” and was one of the founder members of the Institute of Legacy Management, which is now the nationally recognised body for legacy officers.

She regularly advises on all aspects of non-contentious probate and trusts, whether it be to the executors or beneficiaries. She has an expert working knowledge of probate procedure and practice.

On the contentious side she appears in all levels of Court and regularly advises clients – whether they be the personal representatives, trustees, beneficiaries, or claimants – and represents them in the following areas:

- Validity of Wills – whether because of failure to comply with the provisions of the Wills Act 1837 or for lack of testamentary capacity, lack of knowledge and approval, fraud, forgery and undue influence
- Construction of Wills and Trust Deeds
- Rectification
- Claims under the Inheritance (Provision for Family and Dependants) Act 1975 – she is

particularly experienced in the trickier issues such as late applications or the avoidance provisions

- Actions for inventories and accounts
- Removal of executors both before and after the Grant of Probate
- Proprietary estoppel claims
- Claims for breach of Trust and defences of acquiescence, laches and/or limitation defences
- Actions under the Forfeiture Act 1982
- Insolvent estates
- Claims by creditors against an estate
- Beddoes Orders
- Directions under CPR Part 64



Court and tribunal experience

Probate Registry (local and Principal)
County Court
High Court
Court of Appeal
Court of Protection

Qualifications/Education

2000 - LLB (Hons) - First Class

2002 - Bar Finals (Very Competent) Top of the part-time cohort for that year

Publications/Articles

- *Charities as Beneficiaries* (The Law Society) 1st Edition - 2003 (contributing author)

Cases

Davis v Smith [2011] EWCA 1603 - represented the appellant in a case where severance of a joint tenancy was the issue

Hays v Hays [2015] EWHC 825 (Ch) - represented the minor beneficiary in appointing a trustee to deal with French property
