



# Ashley Blood-Halvorsen

**Year of Call:** 2017

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## Overview

Ashley Blood-Halvorsen (TEP) specialises in property and chancery disputes with particular emphasis in contentious probate, TOLATA and insolvency.

She is down to earth, approachable and connects well with lay clients who are often appearing in court for the first time. Part of her customer service offering is being responsive and providing advice that is straight to the point.

Ashley is a prize winning barrister, having been awarded both the Nicholas Pumfrey Memorial Scholarship and the Blackstone Entrance Scholarship by Middle Temple, and the Dean's Bar Professional Training Course (BPTC) Scholarship. In addition, she won the Baron Dr Ver Heyden de Lancey Prize as the best Middle Temple student on the BPTC at her centre.

Ashley is also a Deputy District Judge on the Midlands Circuit.

## Publications

### **Clawing Back the Cash – The Test for Permission to Challenge a Trustee in Bankruptcy's Remuneration – A Look at Singh v Hicken**

Article published on Feb 11, 2019 in the Corporate Rescue and Insolvency Journal - Citation: (2019) 1 CRI 8. Authors: James Davies and Ashley Blood-Halvorsen

### **Cannabis: A look at sweeping global change**

Published in June 2019 as a paper for the working party of the Society of Conservative Lawyers. Forward written by Victoria Prentis MP.

Ashley is a guest editor of the Surveyors chapter of the **Encyclopaedia of Professional Partnerships** by Sweet & Maxwell.

## Academia

Ashley read history at the University of Toronto, where she specialised in the history of religion. She relocated to England in 2011 to study law and graduated top of her class, winning the Sweet & Maxwell Law Prize as the top performing final year student. During her law degree she spent a summer studying civil law in France at Paris II-Panthéon Assas University (Sorbonne). She was awarded a scholarship from the Fondation pour le Droit Continental to attend.

## Interests

Outside work, Ashley's varied interests include Jewish apocalyptic literature, Freddie Mercury and day trading stocks on

listed exchanges.

## Recommendations

"It has been great to co work with Ashley on a very complex and contentious case. I cannot recommend her enough for her technical knowledge and skill. I was even more impressed with Ashley's attitude to the case and that she was just as passionate, as I am, in order to get the best result for my client. My client and I felt the case was safe in her hands and I will definitely be briefing her again in the near future."

**Richard Port MBE, □George Green LLP**

"Thanks very much for the advice. Please pass on my thanks to counsel – prompt, straight to the point, clear and professionally done."

**Oxfordshire Solicitor**

"I do not have Ashley's contact details, but could you express my thanks to her? I did so after the court hearing, but she did so well and was so friendly beforehand when we discussed the relevant details that I would like again to express my appreciation of her work."

**Client**

"A quick message to say thank you again for your thorough preparation and representation today. Count on getting instructions again. I find you listen to explanations, take on board background information, and good to get along with."

**Bruce Turner, Chapman & Chubb**

"I really enjoyed working with you last week – you are clearly skilled in achieving that necessary balance between legal argument and pragmatism. I hope we'll have another opportunity before too long."

**Senior Mediator**

## Academic qualifications

- Law (LLB) 1st Class, University of Derby
- BA (Hons) History (Religion), University of Toronto, Canada
- BPTC (BPP University) Very Competent 2017
- Certificate in Civil Law, Paris II-Panthéon Assas University 2012

## Scholarships

- Baron Dr Ver Heyden de Lancey Prize, Middle Temple 2018
- Leeds Medico-Legal Society Personal Injury & Clinical Negligence Prize 2017
- Dean's BPTC Scholarship 2015
- Sweet & Maxwell Law Prize 2014
- Nicholas Pumfrey Memorial Scholarship, Middle Temple 2014
- Blackstone Entrance Scholarship, Middle Temple 2014
- Land Law Prize, UoD 2013
- Scholarship, Fondation pour le Droit Continental 2012

## **Professional bodies**

- Deputy District Judge, Midlands Circuit
- ADR Group Accredited Civil and Commercial Mediator
- Chancery Bar Association
- STEP (Full Member)
- Property Bar Association (associate member)
- Midland Chancery and Commercial Bar Association
- CMC Associate Mediator

## **Direct Access**

Ashley Blood-Halvorsen is qualified to accept instructions directly from members of the public and professional clients under the Direct Access (or Public Access) scheme.

# Expertise

## Property and Estates

Ashley Blood-Halvorsen specialises in business and property disputes with particular emphasis in property & estates and contentious probate.

Read more about Ashley's expertise in her specialist profiles below.

## Probate and Estates

Ashley Blood-Halvorsen TEP is a specialist in Private client, Wills, Trusts and Probate with a well-established and growing practice focused on contentious probate and estates disputes. She is regularly instructed by both leading and boutique firms to advise and appear in matters concerning the administration of estates, will validity and construction, and trust-related disputes.

Ashley is known for her rigorous approach and strong advocacy, with clients and instructing solicitors commenting that their "case was safe in her hands" and praising her as "just as passionate in securing the best possible outcome"

Ashley has experience acting in cases involving all sizes, including those with international elements. Her work encompasses all issues relating to the validity of wills and testamentary dispositions, including compliance with formal requirements, testamentary capacity, knowledge and approval, undue influence, and fraud. She also regularly advises on the interpretation and construction of wills, trusts, and related instruments.

Ashley is a full member of STEP and achieved a merit in the Taxation of Trusts and Estates examination.

Prior to qualifying as a barrister, Ashley worked in beneficiary tracing, providing her with a strong practical understanding of estate administration and entitlement issues.

## Wills & Probate

Ashley practices in contentious probate, undertaking both litigation and advisory work in relation to disputes concerning estates. Her experience includes matters regarding wills, and constructive trust claims relating to property disposed of under wills, mutual wills, and issues arising in the administration of estates.

She regularly acts for executors, beneficiaries, and other interested parties in contested will and probate disputes, advising on the validity of wills and issues of succession and estate administration. Ashley is frequently instructed from providing the initial advice and pre-action strategy through to mediation and contested hearings

- Advising on the concerned the construction of a handwritten will and distribution of shares
- Advising on challenge to the validity of mirror wills
- Advising the personal representatives regarding a legacy which had left £250k intended for the care of deceased's horse but there was a risk of ademption
- Advising on complex cross-border probate dispute following death of a testator
- Challenging a will executed shortly before death on failures in relation to the Section 9 of the Wills Act 1837
- Advising on contentious probate concerning whether a will had been revoked before death
- Advising on the production of the will through a subpoena under section 123 of the Senior Courts Act 1981
- Drafting citations and other actions under the Non-Contentious Probate Rules 1987

- High Court Probate dispute for management of a substantial estate comprising multiple properties
- Succeeding in a claim for pronouncement in solemn form of two homemade wills one of which did not have a revocation clause and a declaration by the court of the residuary beneficiary
- Defending probate dispute on allegations of probate undue influence, equitable undue influence, financial abuse and substantial lifetime transfers
- Advised the successful claimants and drafted the particulars of claim for *Ginger v Mickleburgh* [2026] EWHC 100 (Ch) which concerned a lack of testamentary capacity by reason of insane delusions and a claim of fraudulent calumny.

## Trusts

- Advising on whether the court should remove and replace trustees under section 41 of the Trustee Act 1925
- Drafting particulars of claim in breach of trust proceedings
- Advising on and appearing in applications for the removal of executors and trustees
- Obtaining freezing injunctions over proceeds of sale of trust property
- Advising on the validity and tax consequences of a lifetime interest trust settled over a residential property
- Bringing a High Court breach of trust and devastavit claim against an executor who had failed to distribute the residue of an estate.
- Advising on intestacy and trust dispute concerning whether substantial sums held in joint building society accounts passed by survivorship
- *Phippen -v- Pereira* - Acted for the defendant in a complex TOLATA claim concerning alleged beneficial ownership of a London property purchased in 1961 where a sibling alleged it was held on trust for eight family members
- High Court trust and probate dispute concerning assurances to stepchildren following a deed of variation, advancing claims in contract, proprietary estoppel, unjust enrichment and constructive trust
- Brought High Court breach of trust and devastavit claim against an executor who failed to distribute the estate in accordance with the will

## Family Provisions - Inheritance Act 1975

- Advising executors on potential Inheritance Act claims, historic devastavit, and limitation issues
- Acting for claimants in Inheritance Act claims brought by adult children, dependants, cohabitants, and spouses to polygamous marriages entered outside England and Wales
- *Hulya Kars v Brown & Ors* [2026] EWHC 31 (Fam)- Acted in a High Court administration and breach of trust claim, challenging executor maladministration, excessive fees, improper compromise of an IA 1975 claim, accounting and tax failures, and seeking restitution and equitable compensation.
- Advised on a claim by a surviving husband left without reasonable financial provision, involving parallel possession proceedings and assessment of financial needs, health issues
- Advice on claim by a long-term cohabitant after her partner died intestate, addressing standing, financial need, pension benefits, and an alternative unjust enrichment claim
- Advised on entitlement of children born outside marriage under a will leaving the residue to "my children," assessing Inheritance Act 1975 prospects.
- Advised on claim brought through a litigation friend by a protected party with significant mental health and care needs, seeking reasonable financial provision from her late father's estate

## Administration of Estates

- Advising beneficiary on a matter concerned an application to remove an executor under section 50 of the Administration of Justice Act 1985
- Advising on High Court contentious probate and trust dispute involving allegations of attorney and carer restitutionary claims and declarations as to beneficial ownership.
- Advising on succession and probate issues arising from a transatlantic copyright dispute over the UK rights in a catalogue of songs written and American an American record label executive, songwriter, and record producer, following his death under a US will
- Bringing a concerned an application under section 50 of the Administration of Justice Act 1985
- Advising on behalf of a Court of Protection deputy in relation to an elderly incapacitated individual
- Advising joint trustees in bankruptcy on probate and insolvency issues, including estate administration failures, inheritance tax claims, replacement of the personal representative
- Advising an executor on an unregistered, apparently lost solar panel roof-space lease affecting the property's sale and mortgage ability
- Advising on an application to remove an obstructive executor under section 50 of the Administration of Justice Act 1985
- Bringing High Court breach of trust claim against executors for maladministration, excessive fees, and improper handling of estate

## TOLATA

- Advising on pre-action correspondence in dispute over beneficial interests, addressing promissory estoppel, trust purpose, and opposing a sale order.
- Advising the registered proprietor in a land registration dispute, rebutting constructive trust claims and resisting restrictions, showing properties were parental gifts and addressing misuse
- Bringing claim where the court recognised sole beneficial ownership under a separation agreement, granting declaratory relief and addressing mortgage and title transfer issues.
- Advising a life tenant and residuary beneficiary on disputed farming estate administration, addressing inheritance tax, repairs, income, alleged executor breaches, and remedies under TOLATA and CPR Part 64
- Bringing a complex dispute over beneficial ownership, sale, and accounting of six jointly owned UK investment properties acquired after a significant lottery win.

## Coownership and Trusts of Land

Ashley regularly advises on and appears in Trusts of Land and Appointment of Trustees Act 1996 (TOLATA) claims. She has experience of occupation rent claims and where there has been a failure to pay the mortgage by one party. She also has experience of where on party alleges that they were engaged so to rely on the Matrimonial Proceedings and Property Act 1970 this can involve issues around non-qualifying ceremonies.

She acts for parties in mediation and alternative dispute resolution.

### Cases include:

#### **M v M**

Dispute between a father and son regarding various properties, promissory estoppel, and constructive trusts with an

international element. The matter started as a small claim and was transferred to the multi-track. Proceedings were settled after Ashley drafted a Reply to the Amended Defence.

#### **DH v PP**

Dispute between former cohabiting couple and whether or not there was a common intention constructive trust.

#### **SH v ZM**

Dispute between a former couple which included significant analysis of financial statements, taking of an account and occupation rent.

#### **DY v MH**

Dispute between former cohabiting couple where it was alleged that there was an engagement which was denied. There was an argument about whether a 'garden office' constituted a substantial improvement to the property. The matter was settled in a mediation in which Ashley appeared.

#### **JF v MR and KR**

A matter which concerned express declaration of trust between a mother and son with the former girlfriend. Arguments surrounding running an equitable account before the relationship breakdown to take into account significant unmet contributions made by one party.

#### **RM v PB**

A dispute about jointly held property and whether an unsigned declaration of trust constituted a 'settled agreement' between the parties. Satellite arguments over estoppel and whether there has been detriment. The property was in negative equity the majority of time since purchase.

## **Land and Boundaries**

Ashley acts for businesses and individuals in respects of, right of access, rights of way, and boundary disputes. Recent work includes:

- Interference with a right of way involving cross-examination of a claimant who accepted that the alleged interference was not substantial.
- Advising a charity regarding interference with an easement and derogation from grant.
- Drafting statement of cases for boundary disputes and advising on Part 36 offers.
- Interpreting rights of way within title deeds and TR1s.
- Advising regarding an easement for the supply of where the servient tenement freeholder threatened to interrupt the supply for which an injunction was obtained.
- Advising regarding a 'property hijack' fraud and the right to an indemnity under the Land Registration indemnity scheme.

She also acts in matters regarding conveyancing disputes including third party claims of overreaching rights. She has a particular interest in easements including the construction thereof.

## **Commercial Landlord and Tenant**

Ashley Blood-Halvorsen accepts instructions on behalf of both landlords and tenants and has experience in dealing with

possession and forfeiture claims, and injunctive relief. Recent work includes:

- Advising on lease extensions pursuant to the Landlord and Tenant Act 1954 including what is meant by in occupation for the purpose of its business.
- Relief from forfeiture hearings.
- Proceedings where there has been unauthorised Airbnb use.
- Obtaining an emergency injunction in a commercial landlord and tenant dispute involving the CRAR procedure.
- Advising on lease extensions pursuant to the Landlord and Tenant Act 1954.
- Advising whether leases have been forfeited or surrendered and the enforceability of a deed of guarantee where it is irregular.
- Successfully resisted a claim for loss of bargain related to guaranteed rental income and the repudiation of a lease.
- Interpreting leases and classifying whether business, residential or common law in relation to holiday lets.

## **Residential Landlord and Tenant and Housing**

Ashley acts on behalf of landlords and tenants in respect of the following areas:

- Possessions by personal representatives in the context of a death estate.
- Defending counterclaims arising out of disrepair claims.
- Appearing in injunction hearings to permit a gas safety inspection.
- Defending deposit protection claims pursuant to the Housing Act 2004 including where there are multiple tenants and successive tenancies.
- Matters which involve subletting of properties and which engage section 18 of the Housing Act 1988.
- Advising landlords in respect of HMOs and the mandatory licensing regime including Rent Repayment Orders.
- Ashley also regularly appears in mortgage possession hearings on behalf of the lender.

She has experience in the First-tier Tribunal (Property Chamber) for breach of covenant proceedings and service charge disputes including the interpretation of long leases.

### **Cases include:**

#### **GB v AP, NS and EH**

Currently advising pre-issue a long leaseholder in relation to repairing covenants and enforcement covenants with the freeholder. Interesting point of law in relation to direct enforcement of the repairing covenants against another long leaseholder within the same building who recently died.

#### **LS v MC**

Advising on the interpretation of a lease and supplemental lease for an application to the FTT. Dispute over the reasonableness of service charges and whether the property constitutes a 'dwelling' for the purposes of the 1985 Act.

## **Insolvency and bankruptcy**

Ashley Blood-Halvorsen regularly appears in insolvency hearings such as the winders, bankruptcy hearings, costs arising out

of those hearing and application to set aside statutory demands.

Her insolvency experience includes applications to annul bankruptcy orders in the context of matrimonial financial remedies.

She worked on the reported case of *Singh v Hicken* [2018] EWHC 3277 (Ch) who represented Mr Hicken. *Singh v Hicken* concerned a challenge to trustee's remuneration. Mr Justice Nugee (as he was then) considered the approach to be adopted to such applications, including the applicability of the provisions in the Insolvency Practice Direction dealing with remuneration applications.

## Family

Much of Ashley's practice overlaps family matters and probate disputes. She regularly advises on TOLATA matters and has appeared in applications to annul bankruptcy order in the context of marital breakdowns.

## Co-ownership and Trusts of Land

Ashley appears in Trusts of Land and Appointment of Trustees Act 1996 (TOLATA) claims. She has experience of occupation rent claims and where there has been a failure to pay the mortgage by one party. She also has experience of where one party alleges that they were engaged so to rely on the Matrimonial Proceedings and Property Act 1970 this can involve issues around non-qualifying ceremonies.

She acts for parties in mediation and alternative dispute resolution.

## Cases include:

### **M v M**

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### **DH v PP**

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### **DY v MH**

Dispute between former cohabiting couple where it was alleged that there was an engagement which was denied. There was an argument about whether a 'garden office' constituted a substantial improvement to the property.

### **JF v MR and KR**

An ongoing case involving an express declaration of trust between a mother and son with the former girlfriend. Arguments surrounding running an equitable account before the relationship breakdown to take into account significant unmet contributions made by one party.

## Matrimonial Finance

Ashley accepts instructions for FDAs and FDRs. She has a particular interest in proceedings involving inherited wealth upon divorce. Her insolvency experience includes applications to annul bankruptcy orders in the context of financial remedies.

She is particularly instructed by Intervenor when there is a dispute about the beneficial interest in real property and or trusts.

### Cases include:

#### **ML v CL and The Official Receiver**

Represented the Husband in an application made by Wife to annul Husband's bankruptcy. The Wife alleged the Husband made himself bankrupt to frustrate matrimonial finance proceedings. Arguments over whether the Husband was cash flow insolvent and the significance of a Capital Gains Tax liability.

#### **RV v KV**

Represented the Husband at interim hearings regarding an application by a third party to intervene in the matrimonial finance proceedings who was resident in Zimbabwe. Successfully represented Husband at the final hearing. Issues concerning the authenticity of a purported deed of trust, beneficial interest in the former matrimonial home and sharing of the other matrimonial property. Matter was settled on the first day of the final hearing.

#### **SD v KD and SN**

Represented the proposed intervener at a Financial Dispute Resolution hearing. Husband claims he has a beneficial interest in the Intervenor's property based on claiming monies used for the purchase were not a gift. Ashley continues to represent the Intervenor.

#### **SN v PN and SK**

Represented the Husband at a First Directions Appointment. Identified that there was an arguable case for the Husband's mother to intervene in the matrimonial finance proceedings on the basis she has a beneficial interest in real property obtained by the couple before they were married. Ashley continues to represent the Husband.

## Direct Access

Ashley Blood-Halvorsen is qualified to accept instructions directly from members of the public and professional clients under the Direct Access (or Public Access) scheme.

## Articles

[Ashley Blood-Halvorsen](#) discusses the case of *Reed v Boswell* (2022), a recent case involving a dispute between landlords over a common tenant, in which she represented the Defendant. Ashley's article explores the proceedings of the case, offering advice to potential parties who are bringing or defending cases based on dishonesty, and legal representatives who are dealing with a difficult litigant in person.

[View Article](#)

## **Articles**

Ashley Blood-Halvorsen writes an article on 'In Kars v Brown and others' which explains how once a spouse dies the other can still receive financial provision after divorce.

[View Article](#)