

Charles Sorensen

Call Date: 2011 (England & Wales) 2015 (Jersey)



Charles Sorensen practises as both an English Barrister and Jersey Advocate.

His practice covers a broad range of commercial and chancery work with a focus on contentious trusts and estates, civil fraud and contractual disputes.

He has particular expertise in cross border disputes involving offshore structures and has acted in cases involving Jersey, Guernsey, Cyprus, Isle of Man, Switzerland, BVI, Cayman, Bahamas, Turks & Caicos, Singapore, Hong Kong, Dubai, Brazil, China, India, Japan and the United States.

Charles is among a small number of London based practitioners who are dual qualified in England and Jersey and appear in the courts of both jurisdictions. Before joining chambers he practised with a leading offshore firm and has extensive experience appearing before the Jersey courts, both as sole counsel and led by senior members of the Jersey Bar. In May 2023 he was appointed to the Attorney General's panel of Independent Monitors for the purpose of The Criminal Justice (Deferred Prosecution Agreements) Law 2023.

Charles has been ranked as both a Next Generation Lawyer and a Leading Junior by the Legal 500. He has published extensively on offshore dispute resolution, spoken on a wide range of subjects at international legal conferences and taught English contract law on the LLB course at the Jersey Institute of Law.

Legal Services

Commercial and Civil Fraud

Charles has been instructed in a broad range of commercial and civil fraud proceedings.

Notable Commercial and Civil Fraud cases

HSRE CI Holdco Limited v Crosslane Property Group UK Limited and Ors

Acted for the successful respondent to an application for an injunction in the form of an order for rectification under Article 47(1) of the Companies (Jersey) Law 1991 ("Art 47"). It was the first time the issue had been considered in Jersey. The Court refused the application on the basis that, in order for Art 47 relief to be available, HSRE had to establish legal title to the shares in question – and that was a question to be

3 HARE COURT

determined at trial.

Sheyko v Consolidated Minerals Limited

Acted for the claimant in a c\$15m breach of contract claim against his former employer – a Jersey company controlled by its Chinese parent and UBO. These proceedings included a \$10m freezing order and successful application to have the defendant struck out for discovery failings. That decision was upheld on appeal and in November 2022 leave to bring a petition of doléance was refused by the Privy Council.

Emirates NBD Bank P.J.S.C v Almkhawi and Ors

Acted for the claimant bank to obtain a series of freezing and disclosure orders and draft proceedings to enforce a judgment of the Dubai Court of Cassation and unwind a c\$21m disposition into a Jersey trust as a fraud on creditors (Pauline Action).

Satfinance Investments Limited v Valla Limited

Acted for the victim of a substantial art fraud to obtain Norwich Pharmacal disclosure from a Jersey corporate service provider. In a subsequent application the claimant sought to use the disclosed information for a collateral purpose. In the absence of an equivalent to CPR 31.22, the Royal Court held that the principles set out in the English case law applied in Jersey and granted the application pursuant to its inherent jurisdiction.

Fletcher-Wilson v Higuchi and Others

Acted for the claimant in multi jurisdictional proceedings across Jersey, Japan, Isle of Man, Cayman, and the Turks and Caicos Islands to recover the proceeds of a fraud perpetrated in Japan. Proceedings included injunctive relief, substantive claims and the enforcement of foreign judgments.

Dalemont Ltd v Senatorov and Others

Acted for the claimant to freeze the assets of a Jersey foundation and enforce Russian judgments for c\$44m on the grounds that transfers into the foundation were intended to defraud creditors.

Trusts, Estates and Insolvency

Charles has extensive experience in cases involving trusts, estates and insolvency, particularly applications under Art 51 of the Trusts (Jersey) Law 1984, public law trusts proceedings and the recognition of foreign insolvency office holders.

Notable Trusts, Estates and Insolvency cases

In the matter of the representation of Z as Trustee of The A Family Settlement

Charles was appointed by the Royal Court of Jersey as a delegate for an incapacitated beneficiary in contentious trust proceedings. The Royal Court refined its approach to blessing applications under Art 51 of the Trusts (Jersey) Law 1984 in circumstances where trustees seek approval for decisions regarding the conduct of litigation.

Mauger v Mauger

Acted for the successful appellant before the Jersey Court of Appeal. Reversing the decision at first instance, it was held that as a matter of customary law an heir cannot elect to “rester sur ses avances” where the value of the inter vivos gifts received exceeds the disposable third of the deceased’s movable estate.

In the Matter of the I Trust, the J Trust, the K Trust and the L Trust

Acted for the beneficiaries of four substantial family trusts to obtain disclosure from the trustee and successfully argued that the trustee’s indemnity did not apply in respect of its costs.

Prospective Applicant v Chief Officer of the States of Jersey Police

Acted for the applicant in judicial review proceedings pertaining to the decision of the States of Jersey Police to withdraw consent to transact (under the Proceeds of Crime (Jersey) Law 1999) in respect of two Jersey trusts.

Robert Tantular v Her Majesty’s Attorney General

Acted for the Viscount of Jersey (Executive Officer of the Royal Court) in proceedings to restrain trust assets in support of an application by the Attorney General to enforce confiscation orders made in Indonesia. In June 2023 the Privy Council handed down an important judgment in respect of the extra territoriality of the saisie judiciaire regime in Jersey and the costs liability of foreign states in proceedings commenced by the Attorney General.

Hellard and Richardson v Young and Young

Acted for the liquidators of three BVI companies used by the former Mayor of São Paulo to perpetrate a substantial fraud against the Federal Republic of Brazil and the Municipality of São Paulo. Appeared in the recognition proceedings and the first reported case in Jersey of Norwich Pharmacal relief being granted against a law firm.

3 HARE COURT

Margaret Smith (as the Chapter 7 trustee in bankruptcy of the estate of Joseph M DeMauro) v Nedbank Private Wealth Limited, Jersey Branch

Appointed by the United States Bankruptcy Court (Southern District of Florida) as Special Counsel to the Trustee in Bankruptcy. Appeared for the trustee in a successful application for recognition in Jersey and disclosure against Nedbank.

International Arbitration

Charles also undertakes international arbitration work and is currently acting in two parallel arbitrations arising from the purchase of a large oil concession in Africa.

Direct Access

Charles is able to accept instructions directly from members of the public, companies and other entities through the public access scheme (also known as direct access). He is happy to accept instructions on a direct basis in appropriate cases. If you wish to instruct Charles on a direct basis, please speak to the practice managers.

For more information on public access, please see the Bar Council [website](#).

Accreditations



Publications

- 'Developments in third party disclosure'. *3 Hare Court Briefing Note*, February 2023.
- 'Pauline actions and claims under s423 of the Insolvency Act 1986'. *3 Hare Court Briefing Note*, January 2023.
- Same but different – asset recovery litigation in Jersey'. Fraud Intelligence, May 2022.
- 'Cryptocurrency fraud destined to increase'. Reuters, April 2022.
- The War on Fraud'. Reports Legal, March 2022.
- Norwich Pharmacal developments Offshore'. Fraud Intelligence, November 2021.
- Cat and mouse?: The law and cryptocurrencies' Solicitors Journal, September 2021.
- Do offshore banks need to revisit their Quincecare duty?' eprivateclient, December 2020.
- Jersey Court of Appeal confirms power to freeze assets outside Jersey' (Robert Tantular v Her Majesty's Attorney General). Lexis PSL, November 2020.
- Beneficial registries aren't the best solution to win the asset-seizing race'. Bloomberg Tax, August 2019

Memberships

- Commercial Bar Association
- Chancery Bar Association
- Law Society of Jersey
- The Contentious Trusts Association

Education

- Advocate of the Royal Court of Jersey
- LLM (Distinction) City Law School
- Bar Professional Training Course (Very Competent) City Law School
- MPhil (High Pass) St Edmund's College Cambridge
- CPE/Graduate Diploma in Law (Commendation) Northumbria University Law School
- BA (Hons) History (2:1) University of Newcastle upon Tyne

Languages

- French (Basic)

Awards

- Roger Cox Scholarship (Gray's Inn)
- Gray's Inn Internship Scholarship