

Adult children lose challenge for money from late father's estate [Miles & Shearer v Shearer]



The High Court has today delivered its verdict in a high profile case concerning two adult sisters who brought a claim against their late father's high value estate (Tony Shearer). The case garnered a lot of newspaper interest during the trial itself, not least given the history between the children and their father.

We act for the Defendant, the widow of Mr Shearer.

Sir Julian Flaux, the Chancellor of the High Court who heard the case last month, has provided a detailed judgment today. He has comprehensively found against the two daughters (from a previous marriage). They had sought to argue that their father's Will, failed to make reasonable financial provision for them. Mr Shearer instead gave his estate to his surviving wife, our client Pamela Shearer.

He found that Mr Shearer had clearly made it known that he was not going to provide financially for them having given them both significant funds in 2008. That together with the fact that he found the lifestyle choices the daughters had subsequently made were not dependent upon any expectation of financial assistance proved to be conclusive in his judgment.

The judgment contains some very helpful guidance on how to deal with such claims in the future and has some interesting analysis that will be poured over in the months to come.

The Claimants have indicated that they will be seeking permission to appeal the decision. The Chancellor will consider their application (if made) at a future date.



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