

Nicola Heslop

Associate



📞 0345 030 5800 ✉️ nicola.heslop@freeths.co.uk

Nicola Heslop joined Freeths in February 2016. Following completion of her training contract with Freeths, Nicola qualified into the Private Litigation team.

Nicola has worked as part of the wider dispute management team for over 5 years, and has extensive experience in representing clients in civil disputes, including working with clients through mediation and other forms of Alternative Dispute Resolution. Nicola has a calm manner, and is passionate about representing her clients' best interests in finding a solution for them.

Nicola works with clients going through difficult, personal times and ensures that she supports her clients in a sympathetic, compassionate and professional manner.

Legal Services

Contentious Trusts & Probate

Nicola deals with resolving a range of different disputes, specialising in contentious trusts and probate work. Some key areas include:

- Will validity challenges (including lack of testamentary capacity and undue influence)
- Claims under the Inheritance (Provision for Family and Dependents) Act 1975
- Executor Disputes

- Trustee Disputes
- Disputes concerning the final resting place of the deceased's body
- Dispute regarding administration under the Intestacy Rules.

Selected Cases

- Representing a defendant trustee in a case in which serious allegations were made against him, including failure to preserve Trust property, forging signatures, and unlawful charge of rent. Nicola, and the team, were able to reach a creative settlement, using mediation that allowed the parties to move forward.
- Representing a client in an Inheritance (Provision for Family and Dependents) Act 1975 claim, who would otherwise be left homeless and completely disinherited from her late husband's estate. The client was reliant on her husband to provide housing and fund day to day living expenses, and would find it difficult to obtain employment in the UK.
- Successfully recovering funds on behalf of a charity that had been incorrectly paid out by the executor. Nicola successfully resolved this matter, in which funds were paid to a different entity than that stipulated in the terms of the Will. This case involved breach of executor duties, which is a serious offence, however, was dealt with swiftly.

Court of Protection Disputes

The Court of Protection makes decisions about financial and welfare matters for those who lack mental capacity to look after their own affairs. However, sometimes people can disagree over a particular course of action in relation to a decision made on behalf of the protected person.

Nicola deals with resolving a number of disputes that arise through Court of Protection work, including:

- Objection to the registration of an Enduring Power of Attorney / Lasting Power of Attorney
- Removal of Attorney / Deputy
- Disputes of how a protected party's finances should be managed
- Abuse of power by an Attorney.

Selected Cases

- Assisting a client in objecting to the registration of a Lasting Power of Attorney and the appointment of a panel deputy. This case involved allegations of misconduct on behalf of the proposed deputy.
- Assisting a Deputy client to work with the court and the family in deciding whether a protected party had regained capacity and could manage his own property and affairs. The team were able to ensure that the Deputy followed the right steps in order for a careful decision to be reached.

Sectors