



IN THE HIGH COURT OF JUSTICE

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES

PROPERTY TRUSTS AND PROBATE LIST (ChD)

PT-2025-000077

**IN THE MATTER OF THE ESTATE OF DAVID WALTER PEACE,
DECEASED**

MASTER BOWLES (SITTING IN RETIREMENT)

16TH JUNE 2025

B E T W E E N :

PAUL GRANT

Claimant

and

(1) TIMOTHY JOHN WEBSTER MURPHY
(2) NICHOLAS COLIN COOK
(3) GARRIT JAN TERWEL
(4) HADASSAH JETJE ISRAËLS

Defendants

ORDER

UPON the Part 8 claim dated 21 January 2025 issued by the Claimant

AND UPON the Defendants all having acknowledged service indicating that they do not intend to defend the claim

AND UPON HEARING Justin Holmes, counsel for the Claimant, Alexander Learmonth KC, counsel for the First Defendant, Edward Hewitt, counsel for the Second Defendant, and John Critchley, counsel for the Third and Fourth Defendants

WHEREAS

(1) The Claimant is the executor of the late David Walter Peace ("Mr Peace");

- (2) Mr Peace ended his life at the Dignitas clinic in Switzerland on 8 December 2021;
- (3) By a deed of gift dated 26 November 2021 (“the Deed of Gift”) Mr Peace gave the benefit of a Scottish Widows insurance policy (“the Policy”) to the First Defendant Mr Murphy;
- (4) By his will dated 26 November 2021 (“the Will”) Mr Peace left Flat 9, 14-15 Molyneux Street, London W1H to the First Defendant Mr Murphy and he left the residue of his estate to the Third Defendant Mr Terwel;
- (5) Questions have arisen as to whether these gifts or any of them might be rendered invalid by the rule of law described in section 1 of the Forfeiture Act 1982 (“the Forfeiture Rule”), but no application either for a declaration that the gifts are not subject to the Forfeiture Rule or for relief from forfeiture under the 1982 Act has been made; and
- (6) The four Defendants are together the people who will inherit the entirety of Mr Peace’s estate whether or not any gift contained in the Will or the Deed of Gift stands forfeit.

IT IS ORDERED THAT:

1. The Claimant as executor of the estate (“the Estate”) of the late David Walter Peace may lawfully distribute the Estate in the manner requested by Mr Peace in the Will and by the Defendants, that is to say on the footing that the Forfeiture Rule does not apply to any gift made under the Will or in the Deed of Gift or to the proceeds of the Policy (whether or not the Forfeiture Rule is engaged) or alternatively on the footing that relief against forfeiture has been granted in respect of any gift included in the Will or the Deed of Gift, or in respect of the proceeds of the Policy, to which the Forfeiture Rule does apply (even though no application has been made).
2. The costs of all parties shall be paid out of the Estate, to be assessed on the indemnity basis if not agreed by the Third Defendant and, if and insofar as they may affect his legacy, by the Second Defendant.
3. This order shall be served by the Claimant on the Defendants.

Service of the order

The Court has provided a sealed copy of this order to the serving party: Osbornes Law, Livery House, 7-9 Pratt Street, London, NW1 0AE.