



# Hayley Gaffney

Associate

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Hayley Gaffney's clients are the key to everything she does. Hayley is client-focused and exceptionally efficient. Hayley is the epitome of efficiency, drive, determination, passion, compassion and ability.

Hayley was promoted to Associate at Coodes in 2022 due to her ability and contribution.

Hayley's success in [Fennessy v Turner & Anr \[2022\] WTLR 1295](#) is just one example of how she changes her clients lives and the love and appreciation they have for her because of it.

Clients go out of their way to instruct Hayley from all over the country. She is recommended time and again. The feedback received for her says it all.

Hayley has been singled out by the Legal 500 as a key lawyer in the area of Contentious Trusts and Probate.

## Expertise

### Disputes

Hayley is known for her wide-ranging knowledge and expertise in her specialist areas of contentious Trust and Probate matters including those relating to: the validity of Wills, claims under the Inheritance (Provision for Family and Dependants) Act 1975, breach of fiduciary duty disputes, executor and trustee disputes, negligently administered estates, undue influence and capacity concerns, execution of wills disputes, negligently drafted Wills, associated claims against Solicitors, difficulties arising out of the sale of property within an estate, equitable claims including proprietary estoppel and all manner of contentious issues surrounding estate administration.

A career highlight for Hayley is the case of [Fennessy v Turner & Anr \[2022\] WTLR 1295](#).

#### Notable Disputes cases

##### Disputed Wills

Hayley recently acted for beneficiaries of an estate in successfully bringing an action where the Will had not been properly executed and was found to be invalid

#### Falmouth

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leading to proving of an earlier Will.

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#### Inheritance Claims

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Assisting a client in bringing an Inheritance (Provision for Family and Dependents) Act 1975 claim against his late Mother's estate for whom he was a carer for many years. His mother's Will left little provision for him having been drafted decades before a later family dispute and change of circumstances. The claim was successfully negotiated at mediation with the client receiving a substantive settlement far exceeding the sum due to him under the Will.

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#### Inheritance Claims

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Acting for a client who received little provision for him in his wife's estate meaning he was to become homeless if settlement could not be reached for him to receive a much more substantial provision. Despite being left only £20,000 of his late wife's circa £500,000 estate, following negotiation and discussions, settlement was achieved of the client receiving over £300,000 from his late wife's estate.

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#### Proprietary Estoppel / Life Interest Claim

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Acting for Trustees to an estate which left a life interest to a life tenant. Upon the death of the life tenant, another occupier refused to vacate the property stating that they too had a life interest and/or proprietary estoppel and/or constructive trust claims. Following issue of proceedings to remove him, negotiations ensued, and agreement was reached so that the Trustees were able to deliver up possession of the property to the ultimate Beneficiary as per the Will.

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#### Adult Child Inheritance Act Claim

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Acting for a client in an unusual and notoriously rarely successful type of claim against the estate of his deceased mother, who had instead left her estate to her friend. Due to our client's straitened financial position, we were successful in achieving receipt for him of a life changing sum by way of reasonable financial provision from the estate.

## Awards & Scholarships

- Shortlisted for the Rising Star Award at the Devon & Somerset Law Society Awards (2023)

## Memberships

- Chartered Institute of Legal Executives (2021 – )
- Alzheimer's Society's Dementia Friends Program
- Court of Protection Practitioners Association (CoPPA)
- Contentious Trusts Association (ConTrA)
- Cornwall Law Society

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