

# Law Report Q1 | 2026

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This report highlights key proposals introduced in the States Assembly, legislation that has been recently passed, and important decisions made by courts and tribunals in Q1 2026.

The law reports from 2025 can be found [here](#).



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# Legislation adopted (but not yet in force)

## Companies (Jersey) Amendment No.2 Law 202-

This law was adopted on 27<sup>th</sup> March 2026. When enacted, it will insert new provisions into the Companies (Jersey) Law 1991 to enable a distressed company to apply to the Royal Court for an Administration Order and the appointment of an 'Administrator' where there is a likelihood that the company can be rescued or that there could be a more advantageous realisation of the company's assets than would be achieved in a winding up.

This will be a welcomed addition to the corporate insolvency regime that already exists in Jersey.

A copy of the proposition, together with the proposed process can be accessed [here](#).

## Wills and Successions and Probate (Jersey) Amendment Law 202-

This law was adopted on 26<sup>th</sup> March 2026. When enacted it will make amendments to the Wills and Successions (Jersey) Law 1993 and the Probate (Jersey) Law 1998, in particular it intends to:

- Provide that a spouse or civil partner should have the legal right to life enjoyment of the family home if their spouse or civil partner dies and does not leave it to them in their will.
- Make further provision for the making of the legal concept of 'principal heir' gender neutral.
- Broaden the scope of the discretion of the Judicial Greffier or the Inferior Number of the Royal Court to grant probate to other individuals beyond those entitled to the grant.

A copy of the proposition can be accessed [here](#).

## Cyber Security (Jersey) Law 202-

We referred to this in our Quarter 4 of 2025 briefing. For further information on this please refer to our [Q4, 2025 briefing](#). This was adopted on 22<sup>nd</sup> January 2026.

# Royal Court Judgements of Interest

## Re Rhino Settlement, Buffalo Trust, and the Giraffe Trust[2026] JRC 025

Keywords: *Blessing applications; momentous decision; trustee duties; conflict of interest; partition of trusts; Article 51 Trusts (Jersey) Law 1984; procedural fairness; beneficiary consultation; loans; art assets; unborn beneficiaries; family investment company (FIC); reasonable trustee test; decision-making process; Royal Court refusal.*

In this case the Royal Court refused to bless a trustee's momentous decision to partition three interconnected family trusts worth approximately £19 million. Although the trustee acted in good faith, the Court held that its decision-making process was insufficiently rigorous. Critical enquiries had not been undertaken, key beneficiaries were not properly consulted, and several aspects of the proposed partition, particularly the equality of division, the distribution of valuable art assets, and the writing-off of multi-million-dollar loans, were unsupported by a rational and fully informed evaluation.

The Court found multiple procedural shortcomings: inadequate investigation of the elderly beneficiary C's needs; reliance on untested assertions from beneficiary A; failure to analyse historic benefits and comparative future needs; overlooking the interests of unborn beneficiaries; and insufficient exploration of alternative structures for B, including a proposed family investment company. The trustee also failed to recognise a potential conflict of interest arising from its own continued role.

The judgment serves as a strong reminder that trustees seeking court blessing must demonstrate a transparent, evidence-based process. Even where the proposed outcome appears reasonable, the Court will not approve it unless the trustee can show that all relevant considerations have been properly weighed. The decision is an important restatement of the standards expected of trustees facing complex family dynamics and significant wealth restructurings.

A copy of the judgment can be accessed [here](#) and a copy of our analysis can be found [here](#).

Keywords: *Unfair Prejudice; Valuations; Companies (Jersey) Law 1991;*

This appeal concerned the valuation of an 18% minority shareholding in GGH (Jersey) Limited following findings of unfair prejudice in earlier proceedings. The Royal Court had applied a venture-capital valuation methodology, ultimately valuing the company at £237 million and ordering Punter Southall Group Limited (PSG) to buy out Daniel Pender's shares for £42.7 million. PSG appealed the valuation on multiple grounds, alleging methodological errors, failure to consider updated performance data, inadequate reasoning, and a refusal to apply "sense checks". Mr Pender cross-appealed one discrete aspect of the Court's adjustments concerning the Scottish Friendly Association (SFA) funding facility.

The Court of Appeal dismissed all but one of PSG's grounds and rejected the cross-appeal. The only error found related to the Royal Court's treatment of the SFA facility, where the Court had deducted £11 million from the company's enterprise value on a flawed basis. That issue was remitted for reconsideration. Otherwise, the Court held that the Royal Court had acted within the broad evaluative discretion inherent in unfair-prejudice valuations, and had been entitled not to reopen findings or adopt hindsight based on subsequent trading data.

A copy of the judgment can be accessed [here](#) and a copy of our analysis can be found [here](#).



## Carroo Construction Limited v Peroh [2026] JRC 020

Keywords: *Expert Evidence; Duties of Expert*

In this case, the Master of the Royal Court delivered a clear and forceful restatement of the duties of expert witnesses and the consequences of failing to comply with them. The Master in this case, refused permission for the plaintiff to rely on its quantity surveyor's evidence, finding that the expert had aligned himself with the plaintiff's case to such an extent that both his actual and perceived independence were irretrievably compromised. The ruling providing important guidance on expert conduct and case management, particularly in litigation involving litigants in person.

A copy of the judgment can be accessed [here](#) and a copy of our analysis can be found [here](#).

## Larsen Limited v Taylor [2026] JRC 052

Keywords: *Security for costs; Impecunious company; Construction dispute; Counterclaim and set off*

In this case, the principles governing security for costs applications against an impecunious corporate plaintiff were considered in the context of a substantial and technically complex construction dispute. Balancing the competing risks of stifling a potentially genuine claim against exposing individual defendants to irrecoverable costs, the Court ordered a staged security in a limited but meaningful sum. The judgment provides a careful restatement of the modern Jersey approach to security for costs and offers valuable guidance on evidential expectations, proportionality, and the treatment of interlocking claims and counterclaims in construction litigation.

A copy of the judgment can be accessed [here](#) and a copy of our analysis can be found [here](#).

## Dandara Limited v Clancy [2026] JRC 064

*Keywords: Civil Procedure; Discovery and Inspection; Original document inspection; Employment dispute*

In this case, the Royal Court provides authoritative guidance on the scope and timing of applications for production of original documents and for further information under the Royal Court Rules. The case centres on a disputed employment statement said to underpin a multimillion-pound bonus claim by a former managing director. Faced with a prolonged inability to obtain sight of the original document, the Court orders wide-ranging relief to ensure equality of information, clarity of the issues, and procedural fairness. The judgment is significant for its robust application of RCR 6/17 and 6/15, its insistence on early transparency where authenticity is in issue, and its emphasis on advancing the overriding objective in complex, high-value litigation.

A copy of the judgment can be accessed [here](#) and a copy of our analysis can be found [here](#).



# State House Trust Company Limited and others v Friend Media Technology Systems Limited and others [2026] JRC 084

*Keywords: Expert evidence; admissibility of expert evidence; English law expert opinion; foreign law as evidence; Summary judgment; Appeal from Master of Royal Court; Unfair prejudice; No partnership clause; Entire Agreement clause*

In this case, the Court clarified the limits of expert evidence on foreign law in interlocutory proceedings and delivers an important ruling on the admissibility of English law opinions in Jersey litigation. Allowing an appeal from the Master of the Royal Court, the Court held that while leave is not required to adduce expert evidence under the Royal Court Rules, such evidence is admissible only where it is necessary to assist the Court in reaching a sound judgment. Where English law principles mirror those of Jersey law, formal expert opinion is neither required nor admissible. The judgment provides authoritative guidance on expert evidence, summary judgment applications, case management and contains a notable call for reform of the Royal Court Rules.

A copy of the judgment can be accessed [here](#) and a copy of our analysis can be found [here](#).



# Employment Tribunal Judgements of Interest

## Bruce v Chapter One (Jersey) Limited [2025] TRE 81

Keywords: *Unfair Dismissal; Wrongful Dismissal; Gross Misconduct; Insubordination*

In this case, the claimant, challenged her summary dismissal by Chapter One (Jersey) Limited, alleging unfair dismissal and unlawful (wrongful) dismissal. She denied misconduct, alleged that management had orchestrated her removal, and claimed procedural improprieties. The company asserted that she had shared confidential information with a third party, acted in serious insubordination, and behaved dishonestly during the investigation; further, after dismissal it discovered she had covertly recorded meetings in breach of explicit instructions.

The Tribunal held that the employer had a genuine and reasonably-grounded belief in her misconduct, that it had conducted a procedurally fair investigation and disciplinary process, and that dismissal fell well within the range of reasonable responses. It also found that her conduct amounted to a repudiatory breach of contract, defeating her wrongful-dismissal (notice-pay) claim. Both claims therefore failed.

A copy of the judgment can be found [here](#) and our analysis can be found [here](#).



## Thompson v Beaulieu Convent School Limited [2025] TRE 223

Keywords: *Unfair dismissal; Sex discrimination; Age discrimination; Strike out; Abuse of process; Flexible working*

In this case, the Tribunal reaffirmed the strict application of the abuse of process doctrine in employment proceedings, striking out a second claim that sought to re-characterise an existing unfair dismissal dispute as one of discrimination. The Tribunal held that where allegations arise from the same factual matrix and were reasonably capable of being pursued by amendment in existing proceedings, the issue of fresh claims will amount to impermissible procedural fragmentation. The decision provides clear guidance on the limits of serial litigation in the Tribunal and underscores the importance of advancing all viable claims within a single procedural framework.

A copy of the judgment can be found [here](#) and our analysis can be found [here](#).

## Pestana v Angora Besco Limited [2024] TRE 194

Keywords: *Constructive Unfair Dismissal; Pay statements; Mutual trust and confidence; Affirmation; Workplace comments; Excessive workload; Stress at work*

In this case the Tribunal provides a careful and fact-sensitive analysis of a claim for constructive unfair dismissal based on alleged inappropriate comments, excessive workload and lack of managerial support. While the Tribunal accepted that the employer had breached its statutory obligation to provide pay statements on time, it rejected the claim that the claimant had been constructively dismissed. The judgment illustrates the high threshold required to establish a fundamental breach of contract and offers practical guidance on how tribunals will assess alleged courses of conduct, delay and affirmation in constructive dismissal claims.

A copy of the judgment can be found [here](#) and our analysis can be found [here](#).

Keywords: *Constructive unfair dismissal; Non-payment of wages; Late written contract of employment; Payslips; Mitigation of loss; Small employer payroll obligations*

In this case, the Tribunal found that persistent non-payment of wages constituted a fundamental breach of contract, entitling the claimant to resign and claim constructive dismissal. Although the claimant lacked sufficient service to pursue an unfair dismissal claim, the Tribunal awarded substantial compensation for unpaid wages, notice pay, and breaches of statutory obligations relating to written terms and pay slips. The judgment provides a clear illustration of how failures in basic payroll compliance can give rise to constructive dismissal and significant financial liability, even for small employers.

A copy of the judgment can be found [here](#) and our analysis can be found [here](#).



## Aubert v Jersey Village Vets Limited and Baker [2025] TRE 193

Keywords: *Constructive unfair dismissal; Disability discrimination; Reasonable adjustments; Indirect discrimination; Mutual trust and confidence; Last straw doctrine; Affirmation*

In this case the Tribunal dismissed claims for constructive unfair dismissal and disability discrimination brought by a student veterinary nurse who resigned following prolonged workplace stress and disputes over night-shift duties. Despite accepting that the claimant was disabled for the purposes of the Discrimination (Jersey) Law, the Tribunal found that the employer had made reasonable adjustments, acted responsibly in response to medical advice, and had not breached the implied term of mutual trust and confidence. The judgment provides important guidance on the limits of employers' duties in managing disabled employees in safety-critical and resource-constrained workplaces, and highlights the significance of timely communication, grievances, and objective evidence in constructive dismissal and reasonable adjustment claims.

A copy of the judgment can be found [here](#) and our analysis can be found [here](#).

## Dos Santos v GMK Construction Limited [2025] TRE 215

Keywords: *Deduction of wages; employer payroll obligations*

In this case, the Tribunal considered claims arising from the termination of employment in the construction sector, focusing on contractual pay entitlements and the evidential threshold required to establish unlawful deductions and associated statutory breaches. While the Tribunal accepted parts of the claimant's account regarding deficiencies in payroll compliance, it rejected broader allegations unsupported by contemporaneous evidence. The decision offers practical guidance on the burden of proof in wage disputes, the importance of accurate records, and the limits of Tribunal intervention where contractual and statutory requirements intersect.

A copy of the judgment can be found [here](#) and our analysis can be found [here](#).