

Alex Troup
Head of Wills & Trusts



YEAR OF CALL: 1998

INN: GRAY'S INN

“ He marries technical excellence and courtroom experience with a great human touch and the ability to speak to lay clients. He is very robust with his advice and has gravitas.”

CHAMBERS UK, 2022
CHANCERY

Practice Overview

Alex is ranked as the only 'star individual' on the Western Circuit in chancery matters by Chambers UK and is Head of our Wills & Trusts team. He has recently been identified as the only 'star ranked' leading professional adviser to the Private Wealth market (outside London), where he is featured in the High Net Worth Guide 2021. Alex was also shortlisted for 'Junior of the Year' in the regional category of The Legal 500 UK Awards 2020.

He has a thriving chancery practice with a particular emphasis on the following areas:

- ▶ Contentious probate and administration of estates
- ▶ Trusts
- ▶ Property litigation
- ▶ Court of Protection
- ▶ Associated professional negligence claims
- ▶ Mediation

Alex has been consistently recommended as a leading junior in Chambers UK, Legal 500 and Legal Experts.

In previous editions Alex has been described as "highly skilled and approachable, and has good legal and people skills", a "formidable advocate", a "star of probates", "among the most skilful barristers" and as having "a real commercial brain". Further quotations are set out under the relevant practice areas.

Alex has been trained as a mediator with the London School of Mediation and works both as a mediator and as a representative at mediations. He is one of the panel mediators for the Court of Protection pilot mediation scheme. He is described by peers as a "phenomenal mediator."

Alex lectures extensively in his areas of expertise, mainly to firms of solicitors, law societies and specialist organisations.

Areas of Expertise

Agriculture & Rural Affairs

Alex frequently acts for farming clients and is experienced in dealing with a wide range of cases involving agriculture and rural affairs, including in particular property disputes, agricultural tenancies, partnership issues, proprietary estoppel claims, contested wills and probate, and claims under the Inheritance (Provision for Family and Dependents) Act 1975.

Court of Protection

Alex has been described by peers as an exceptional chancery barrister who is adept at handling Court of Protection work. He has been instructed in a wide variety of Court of Protection cases, for the most part involving property and affairs disputes, including in particular contested LPA and deputyship applications, applications for authorisation of inter vivos gifts, statutory wills, and cases involving allegations of financial abuse.

Professional Negligence

Alex deals with professional negligence cases relating to his specialist areas of practice, typically involving claims against solicitors, surveyors, architects, executors and trustees. He has spoken at the Professional Negligence Lawyers Association seminars in both London and Bristol.

Real Estate

Alex is a chancery barrister who is often instructed in property litigation cases. Some of his property cases overlap with his trust and contentious probate practice, such as proprietary estoppel claims, disputes over the beneficial ownership of property, and challenges to the validity of inter vivos gifts of property. He has appeared in courts and tribunals at all levels in relation to property disputes, including an appearance as junior counsel in the House of Lords in *Bettison v Langton* [2002] 1 AC 27, a case concerning rights of common.

Wills & Trusts

Alex's practice includes both advisory and contentious work relating to trusts, wills and the administration of estates, including claims based on proprietary estoppel and under the Inheritance (Provision for Family and Dependents) Act 1975. He has recently been successful in the High Court in contesting the validity of a farmer's will on the ground of testamentary capacity and in an alternative proprietary estoppel claim.

Mediation

Alex is an experienced mediator with particular experience of dealing with contentious trust and probate cases. He adopts a friendly but no-nonsense approach to mediations and has a high success rate for achieving settlements. Alex is one of the panel mediators for the Court of Protection pilot mediation scheme.

Alex is happy to conduct mediations either in person or remotely via Zoom.

Alex's recent experience as a mediator includes cases involving the following practice areas:

- ▶ Agricultural tenancies
- ▶ Contentious Probate claims
- ▶ Constructive trust/Trusts of Land and Appointment of Trustees Act 1996
- ▶ Court of Protection and mental capacity issues

- ▶ Donatio mortis causa
- ▶ Disputes over chattels
- ▶ Dispute over disposal of deceased's body
- ▶ Inheritance (Provision for Family and Dependants) Act 1975
- ▶ Lasting Powers of Attorney/Deputyship
- ▶ Lifetime gifts
- ▶ Lost/missing wills
- ▶ Proprietary estoppel

Alex has been instructed as a mediator by the following firms:

- | | |
|-----------------------------------|-------------------------------|
| ▶ Accessible Family Law | ▶ Hughes Paddison Solicitors |
| ▶ Ashfords LLP | ▶ Humphries Kirk LLP |
| ▶ Barcan+Kirby LLP | ▶ IBB Solicitors |
| ▶ Bartlett Gooding & Weelen | ▶ John Hodge Solicitors |
| ▶ Bendles Solicitors | ▶ Kitsons LLP |
| ▶ Berry Smith | ▶ Machins Solicitors LLP |
| ▶ Beviss & Beckingsale Solicitors | ▶ McMillan Williams |
| ▶ Boyes Turner LLP | ▶ MFG Solicitors |
| ▶ Bray Dilks | ▶ Michelmores LLP |
| ▶ Brixlaw Ltd | ▶ Mitchells Solicitors |
| ▶ Brewer Harding and Rowe | ▶ Morgan LaRoche |
| ▶ Cartmell Shepherd | ▶ Mowbray Woodwards |
| ▶ Charles Russell Speechlys LLP | ▶ Penningtons Manches LLP |
| ▶ Clarke Willmott LLP | ▶ Porter Dodson |
| ▶ Clapham & Collinge LLP | ▶ Radar |
| ▶ Clifton Ingram LLP | ▶ Robertsons |
| ▶ Coodes | ▶ Royds Withy King |
| ▶ Co-op Legal Services | ▶ Russell-Cooke LLP |
| ▶ Crowdy and Rose | ▶ Sanders Witherspoon LLP |
| ▶ Elliott Bridgman Ltd | ▶ Spencer West |
| ▶ Fodens Solicitors | ▶ Sprake & Kingsley |
| ▶ Foot Anstey LLP | ▶ Stephens Scown LLP |
| ▶ G A Solicitors | ▶ Taylor Walton |
| ▶ Gartside | ▶ The Official Solicitor |
| ▶ Gardner Leader Solicitors | ▶ TLT Solicitors |
| ▶ Geoffrey Leaver Solicitors | ▶ TWM Solicitors LLP |
| ▶ Gill Turner Tucker | ▶ T. Llewellyn Jones. |
| ▶ Grove Tompkins Bosworth | ▶ Veale Wasbrough Vizards LLP |
| ▶ Harding Evans | ▶ Vine Orchards Solicitors |
| ▶ Harrison Clark Rickerbys LLP | ▶ Wards |
| ▶ Hegarty Solicitors | ▶ WBW Solicitors |
| ▶ HCB Solicitors Ltd | ▶ Whitehead Vizard LLP |
| ▶ Hoole & Co | ▶ Wilson Browne solicitors |
| ▶ Howells | ▶ Wrigleys Solicitors |
| ▶ Hugh James | |

The feedback which Alex has received following mediations includes the following:

- ▶ "Very easy to talk to and be open with. Very good understanding of the issues and pragmatic and commercial assistance in resolving issues." (Solicitor at mediation, March 2022)
- ▶ "The mediator was very knowledgeable about the issues and well prepared. He was calm and authoritative. He facilitated a settlement in a very sensitive 4-party family dispute" (Solicitor at Zoom mediation, February 2022)
- ▶ "The client had nothing but praise for Alex ... It is so refreshing to have a mediator who is knowledgeable and understands the issues and nuances straightaway." (Solicitor at Zoom mediation, February 2022)

- ▶ "Alex is always sensitive to the dynamics between the parties and between the individual clients and their representatives" (Solicitor at Zoom mediation, November 2021).
- ▶ "Alex was excellent. He provided solutions to potential process/drafting issues" (Solicitor at Zoom mediation, October 2021)
- ▶ "5 out of 5. The client liked Alex's ability to quickly understand their wishes/position throughout the session..." (Solicitor at mediation, September 2021)
- ▶ "Alex did a fantastic job, particularly given late provision of bundle and position statements. He put the client at ease during a stressful and difficult day and managed her expectations." (Solicitor at Zoom mediation, June 2021)
- ▶ "Alex maintained a professional, courteous approach all day. He was however approachable and communicated well. He cut to the purpose and focus of the exercise and sought to keep everyone on that path and not to get sidetracked onto issues that were not capable of resolution at mediation." (Solicitor at Zoom mediation, May 2021)
- ▶ "The mediator listened to the client taking time to understand what he wanted to achieve. A calm and measured approach. Very effective Zoom mediation." (solicitor at mediation, April 2021)
- ▶ "I have no doubt a less experienced mediator would have not succeeded in getting the matter 'over the line'. I would not hesitate to agree to use Alex again in a mediation" (Solicitor at mediation, March 2021)
- ▶ "The fact that an agreement was reached despite how far apart the parties were at the beginning of the day was in no small part due to the skills of the mediator" (Solicitor at mediation, March 2021)
- ▶ "Can't fault Alex in his handling of this mediation" (Solicitor at mediation, February 2021)
- ▶ "Good tempo. Good authority. Trustworthy. Sympathetic. Professional" (Solicitor at mediation, February 2021)
- ▶ "5 out of 5" (solicitor at Zoom mediation)
- ▶ "Mediation via Zoom was made very easy with Alex... Alex did a really good job" (Solicitor at Zoom mediation, February 2021)
- ▶ "Alex is stellar!" (Solicitor at mediation, February 2021)
- ▶ "The mediation was conducted by Zoom. Alex was very professional and relaxed throughout. This ensured the clients remained relaxed and were able to remain calm whilst dealing with a situation that has caused them immense stress and anxiety over many years. The discussion points raised by Alex were all very relevant and this helped the parties to focus early on in the process on the key issues only. The clients clearly liked Alex and warmed to him, which helped." (Solicitor at mediation, February 2021)
- ▶ "He was very good and expertly steered the day to a welcome conclusion and settlement" (Solicitor at mediation, July 2020)
- ▶ "The mediator had a good grasp of the issues which helped the clients feel he was really trying to help them." (Solicitor at mediation, March 2020)
- ▶ "Alex had to work hard to bring the parties to a settlement – which was clear for us/the client to see and was very much appreciated. He had clearly engaged with all of the issues in the case and communicated impressively in emotive circumstances." (Solicitor at mediation, February 2020)
- ▶ "I think overall he paced it well and made sure that this mediation didn't fail and was achieved within the day." (Solicitor at mediation, February 2020)
- ▶ "Mr Troup progressed settlement negotiations at a suitable pace, he identified issues quickly and was direct." (Solicitor at mediation, January 2020)
- ▶ "He listened carefully to what both clients had to say and was appropriately supportive" (solicitor at mediation, December 2019)
- ▶ "Listened to the clients, demonstrated understanding and empathy, had a calm, positive demeanor." (Solicitor at mediation, November 2019)
- ▶ "He has a good knowledge of the types of issues which were present in this case and his many years of experience were of great help to the parties ... The client has said that he thought that Alex was brilliant and he would recommend his services to anyone who found themselves in a similar position." (Solicitor at mediation, August 2019)
- ▶ "[We] were concerned about the process but Mr Troup kept us at ease but in a professional manner." (Client at mediation, June 2019)
- ▶ "[I] felt Alex was sensitive to the specific difficulties [I] had." (Client at mediation, June 2019)
- ▶ "Overall performance 5 out of 5." (Client at mediation, April 2019)
- ▶ "Thank you so much for being so very understanding and supportive ... It was fantastic to see such skill & experience unfold before my eyes. I will never forget what you did for me" (Client at mediation, January 2019)



St John's

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- ▶ "Alex was quick to grasp the issues and also handled the tight timing of the day very well. He quickly built up a good relationship with my clients." (Solicitor at mediation, December 2018)
- ▶ "The pace of the mediation was good. The mediator kept the meetings short and ensured that the client remained engaged. The feedback from the other parties was clear and concise. The mediator avoided unnecessary issues and was able to focus on key issues." (Solicitor at mediation, October 2018)
- ▶ "Highly recommended...a credit to St John's Chambers" (Client at mediation, September 2018)
- ▶ "Alex is an excellent communicator... He commands confidence in his ability to steer the parties to a solution all could live with and to do so in an unhurried and unpressured way." (Solicitor at mediation, September 2018)
- ▶ "Alex was excellent at putting the clients at ease but also encouraging the negotiations to start in good time so that we weren't faced with the first offers being made at 3 or 4pm." (Solicitor at mediation, September 2018)
- ▶ "5 out of 5... All was conducted well" (Solicitor at mediation, May 2018)
- ▶ "To start with I was very nervous (not knowing what to expect really). The mediator... made me feel at ease very quickly and the experience turned out to be a pleasant one." (Client at mediation, March 2018)
- ▶ "Most pleasant, personable manner, combined with a brisk professionalism...it is hard to know how he could have been more helpful." (Client at mediation, February 2018)
- ▶ "Our clients liked Alex's sense of humour, his grasp of the issues and of the personal relationships/difficulties between the [parties]. Alex was patient and empathetic." (Solicitor at mediation, September 2017)
- ▶ "Alex was extremely professional, friendly and our client found him knowledgeable, approachable and informative" (Solicitor at mediation, September 2017)
- ▶ "Alex was extremely professional, friendly and our client found him knowledgeable, approachable and informative" (Solicitor at mediation, September 2017)
- ▶ "Momentum of day was maintained and Alex worked hard throughout. It felt 'fast paced' in comparison to other mediations." (Solicitor at mediation, August 2017)
- ▶ "Alex was very sensitive to my clients' circumstances. Both were elderly and could have been overawed by the procedure but Alex helped ensure that they remained at ease." (solicitor at mediation, May 2017)
- ▶ "I found him friendly efficient and very fair in his actions ... I was very impressed at the professional way in which this was conducted." (party to mediation, May 2017)
- ▶ "Alex made our young clients, who were very anxious, at ease from the outset. He assisted greatly in explaining the issues to both sides and the clients were very happy with the outcome" (Solicitor at mediation, March 2017)
- ▶ "We all felt that Alex had a very good grasp of the issues and the various personalities and handled the matter with aplomb and sensitivity. It's a testament to his skills as a mediator that we were able to achieve a deal and be on our way by 5:30pm in what was an incredibly acrimonious and high-value dispute." (Solicitor at mediation, March 2017)
- ▶ "He dealt very well with an elderly client, and an emotional one. He kept the pace up and didn't get bogged down with the past." (Solicitor at mediation, January 2017)
- ▶ "Very patient and sensitive to issues, and his working knowledge of all the issues was second to none, meaning we could just launch straight in. Very calm, measured and experienced. The clients took to him well... Very happy with the outcome." (Solicitor at mediation, November 2016)
- ▶ "Alex was calm, measured, kind and thoughtful. He was sensitive to the 'family issues'." (Solicitor at mediation, November 2016)
- ▶ "Sensitive to client's feelings and very patient but still authoritative when required." (Solicitor at mediation, October 2016)
- ▶ "Very good at moving issues on quickly and focusing on methods of pushing through contentious / emotive issues to focus on methods of settlement. Great grasp of the legal position as I expected he would have – it was a great help in this case...really pleased...would definitely use him again" (Solicitor at mediation, October 2016)
- ▶ "Always has a very balanced view." (Solicitor at a mediation, October 2016)
- ▶ "I am very pleased with Alex's mediation of this case and hope before long to have an occasion to instruct him again." (Solicitor at a mediation, July 2016)
- ▶ "Alex is very clear and concise throughout the process. He is a patient, polite, pleasant individual who put us at ease. Encouraging...would highly recommend." (Party to a mediation, May 2016)
- ▶ "Alex was once again excellent. He allowed my clients to let off steam and was very sensitive to their emotions and arguments without losing focus on reaching an agreeable settlement. We reached a

successful resolution in good time and my clients were very pleased with our choice of mediator."
(Solicitor acting for party in mediation, March 2016)

Recent cases

- ▶ [Dunbabin & Ors v Dunbabin](#) [2022] EWHC 241 (Ch)
- ▶ [Hughes v Pritchard and others](#) [2021] EWHC 1580 (Ch)
- ▶ [Davey v Bailey](#) [2021] EWHC 445 (Ch)
- ▶ [Sofer v Swissindependent Trustees SA](#) [2020] EWCA Civ 699
- ▶ [Todd v Parsons](#) [2019] EWHC 3366 (Ch)
- ▶ [Thompson v Raggett](#) [2018] EWHC 688 (Ch)
- ▶ [In the matter of an application by the University of Chester](#) [2016] UKUT 457 (LC)
- ▶ [Shirley Brindley deceased, sub nom Brindley v Brindley](#) [2018] EWHC 157 (Ch)
- ▶ [DMM, Re \(Alzheimer's : power of attorney\)](#) [2017] EWCOP 32
- ▶ [Re Robson Deceased, sub nom White v Matthys and others](#)
- ▶ [Re DMM, sub nom EJ \(as attorney for DMM\) v SD](#) [2017] EWCOP 32
- ▶ [Kellie v Wheatley & Lloyd](#) [2014] EWHC 2212 (TCC); [2014] EWHC 2886 (TCC)
- ▶ [Fox v Jewell](#) [2013] EWCA Civ 1152
- ▶ [Thomas v Jeffery and others](#) [2012] EWCA Civ 693; (2012) 162 NLJ 845 (Court of Appeal)
- ▶ [Drake v Fripp](#) [2011] EWCA Civ 1279; [2012] 1 P&CR 4
- ▶ [Cowderoy v Cranfield](#)
- ▶ [Stephens v Grills](#) [2010] EWHC 3795 (Ch)
- ▶ [Bray \(t/a Building Co\) v Bishop LTL](#) [2009] (Court of Appeal)
- ▶ [University of Plymouth v. European Language Centre](#) [2009] TCLR 9; [2009] EWCA Civ 768 (Court of Appeal)
- ▶ [Dutton v Davis](#) [2006] EWCA Civ 694; [2006] 2 P&CR DG 19
- ▶ [Thomas & Anor v Kent](#) [2006] EWCA Civ 1485; [2007] WTLR 177 (Court of Appeal)
- ▶ [Bettison v Langton](#) [2001] 3 ALL ER 417 (HL)
- ▶ [Laine v Cadwallader](#) 33 HLR 36; 33 HLR 36; (2000) 80 P & CR; [2000] EWCA Civ 5562; [2001] L & TR 8; (2001) L&TR 8

Related Articles

- ▶ [Success in the Court of Appeal for Leslie Blohm QC and Alex Troup](#)
- ▶ [Summary of modern case law on applications to remove personal representatives](#)
- ▶ [Some thoughts on Ilott v. Mitson](#)

Recommendations

- ▶ "A highly experienced and persuasive advocate. He is very approachable and has a good presence in court."
CHAMBERS UK, 2022
COURT OF PROTECTION: PROPERTY & AFFAIRS
- ▶ "He is extremely eloquent and gets to the core issues very quickly."
CHAMBERS UK, 2022
AGRICULTURE & RURAL AFFAIRS
- ▶ "Alex is a very capable and forthright barrister."
CHAMBERS UK, 2022
REAL ESTATE LITIGATION
- ▶ "Alex is a brilliant barrister. He is calm under pressure, and very bright with a great depth of knowledge."

LEGAL 500 , 2022
CHANCERY, PROBATE, AND TAX

- ▶ "He has a commanding presence, is good with clients and very considered in his advice."

LEGAL 500 , 2022
COURT OF PROTECTION AND COMMUNITY CARE

- ▶ "Confidence and expertise in this area; on top of the law; turnaround times are generally impressive; very approachable; good with clients."

LEGAL 500 , 2022
AGRICULTURE

- ▶ "Alex is a 'star barrister outside of London,' according to a source. He is well known and highly praised for his ability to handle complex disputes concerning wills and trusts, and he is also described by a commentator as a 'phenomenal mediator.' 'Alex is highly knowledgeable and able to deal with highly complex factual and legal disputes, and disputes concerning intricate matters of law and procedure,' says an interviewee, adding: 'He is also very good at advising on the court's likely approach to any claim.' "

CHAMBERS UK , 2021
CHANCERY HIGH NET WORTH

Qualifications & awards:

- ▶ MA (Oxon) Literae Humaniores, William Shaw Scholarship and Karmel Award (both Grays Inn)

Professional memberships:

- ▶ Chancery Bar Association
- ▶ Western Chancery & Commercial Bar Association
- ▶ Court of Protection Bar Association
- ▶ Association of Contentious Trust And Probate Specialists (ACTAPS)
- ▶ The Society of Trust and Estates Practitioners (STEP)
- ▶ Committee member of STEP Bristol Branch.

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