

## Adam Boyle



YEAR OF CALL: 2012

INN: LINCOLN'S INN

“ He attracts praise for his down-to-earth approach. 'Very friendly and unstuffy. He's very easy to use and comes up with ideas that he's happy to discuss and get creative about.' 'Impresses with his ability to pick up on factually heavy matters and present them in a high-pressure area.' ”

CHAMBERS UK, 2020  
CHANCERY

## Practice Overview

Adam is a specialist commercial and chancery barrister. His practice covers a wide range of areas including real estate work, Court of Protection matters, wills, trusts & probate cases, insolvency and commercial disputes.

One of Adam's main areas of expertise is proprietary estoppel, in relation to which he has two reported cases: *Davies v Davies* (a Court of Appeal case in which he was led by Leslie Blohm QC) and *Culliford v Thorpe* in the High Court. For more information on these cases see the 'recent cases' section. In addition, Adam has written material published across a number of forums, and has given various talks and seminars on proprietary estoppel and the issues which can arise in estoppel cases.

Another of Adam's main specialisms is property damage. He is regularly instructed in factually and legally complicated property damage cases which require in-depth analysis. He frequently advises and drafts pleadings in respect of such matters and has guided numerous cases from the initial advice stage to the obtaining of substantial settlements.

At the beginning of his career at the Bar Adam spent a large proportion of his time advising and assisting a hub of Welsh Authorities in relation to public procurement contracts worth circa £300,000,000, this gave him early exposure to large-scale commercial work. More recently he has been involved in landlord and tenant, shareholder litigation, contested probate, trusts cases, insolvency and various other types of chancery and commercial work, including numerous contractual and construction matters.

In addition, Adam is regularly instructed to attend CCMC's, and a wide array of applications – ranging from urgent search orders under substantial time pressure to more run-of-the-mill applications such as strike out, relief from sanctions and so on. Lastly, Adam is also an experienced mediator.

## Areas of Expertise

### Commercial

Adam began life at the Bar with a secondment to a hub of Welsh Authorities, during which he worked with various teams from large commercial organisations in relation to public procurement contracts worth well over a hundred million pounds. This gave him earnest commercial experience at the highest level from a very early stage in his career.

In addition, before converting to law and becoming a barrister, Adam worked in Management Consultancy in London. His time in consultancy gave him significant exposure to the everyday functioning of high profile businesses which (he hopes) has translated into significant commercial nous within his practice at the Bar.

Adam deals with all manner of commercial disputes and is happy to accept instructions which involve dealing with difficult or esoteric points of law.

Recent examples of his commercial cases include: a shareholder dispute relating to the irregular creation of new share capital; analysis of the impact of the Insurance Act 2015 on policy coverage and associated issues; significant property damage to commercial premises causing hundreds of thousands of pounds of business interruption; the dissolution of a (previously) registered incorporated association; and numerous contractual disputes.

Adam is also happy to assist with more technical/procedural issues such as applications to register company charges out of time (etc.) if required.

### *Insolvency*

Adam accepts instructions in a wide variety of insolvency cases. In addition to the run-of-the-mill winding-up orders, bankruptcies and so on, Adam has been involved in a variety of associated litigation such as successfully representing the liquidators of a company in relation to a Section 239 (Insolvency Act 1986) preference payment and regularly representing parties in applications to set aside statutory demands.

### Court of Protection

Adam accepts instructions in a wide range of Court of Protection matters. Notably, he succeeded in a tricky appeal to the High Court in a case which, at the time it was decided, broke new ground in relation to the use of Lasting Powers of Attorney. Following his success in the case, Adam wrote an article for the Law Society Private Client magazine which discussed the impact of the decision. That article can be found [here](#).

In addition, Adam advises and appears on applications to the COP arising out of various issues, including: financial planning (such as the approval of Deeds of Variation made on behalf of a protected party); deputyship applications under the COP; and applications to remove Attorneys who have acted inappropriately.

Adam recognises and endorses the pragmatic approach which is often adopted by the courts in COP cases, and the emphasis that is rightly placed on the best interests of protected parties.

## Mediation

Adam is passionate about mediation and the benefits it can offer to the parties who participate in it. He trained as a commercial mediator with the London School of Mediation in January 2015 and has been mediating disputes since summer 2015.

His mediation experience ranges from extensive pro bono work for the local charity Bristol Mediation, to which he has dedicated countless hours over the last few years, to numerous commercial mediations (i.e. mediations in the context of litigation) both acting for parties as a barrister and mediating disputes as the commercial mediator. This breadth of experience is of great assistance to him regardless of whether he is acting in the barrister or the mediator role.

Adam's interest in mediation and the analysis of disagreements stems in part from his time as a Philosophy undergrad at Cambridge. He hopes that this background (occasionally) gives him some useful insights into both the difficult situations which people can find themselves in and how to help the disputants resolve those situations.

More generally Adam thoroughly enjoys his mediation work, and takes a people-centric and solutions-centric approach to the disputes which he mediates. He also finds that his involvement in cases as the mediator is instructive and informative when giving professional advice at the Bar. The two coalesce nicely.

Lastly, Adam has a high success rate as a commercial mediator which he puts down to the breadth of his relevant experiences. Client feedback from his commercial mediations (as mediator) has included:

- ▶ "Very professional" with a "client-centric approach."
- ▶ "He made an anxious client feel at ease."
- ▶ "Handled the mediation with appropriate sensitivity."
- ▶ "Completely informed as to the problems and explained everything very clearly."
- ▶ "I don't think he could have been more helpful."

## Professional Negligence

Adam's experience of professional negligence cases focuses in the main on solicitors' negligence, in relation to which he is happy to advise, draft pleadings and/or represent parties at trial. In addition, he will also consider accepting cases relating to other forms of negligence on a case-by-case basis.

## Real Estate

Adam has extensive experience in a very wide range of property work. As a pupil he attended the Court of Appeal with Leslie Blohm QC, also of this Chambers, in the proprietary estoppel case of *Davies v Davies* [2014] EWCA Civ 568. Adam then wrote the article 'The Promised Land' which analysed the main issues in the case and was published in the Law Society's Private Client magazine. He was then (as a tenant) instructed to act for Eirian Davies and appeared alongside the QC in the matter's second trip to the Court of Appeal on the topic of quantum (*Davies and Another v Davies* [2016] EWCA Civ 463). He has since had another reported proprietary estoppel / common intention constructive trust case – *Culliford v Thorpe* [2018] EWHC 426 (Ch).

In addition, many of Adam's notable cases have centred around properties, including issues arising pursuant to the Landlord and Tenant Act 1954. In the case of *N v J* he successfully extricated a mesne landlord from a protected tenancy which he had accidentally created (in breach of his own lease).

Adam also regularly deals with residential possession hearings, usually those which throw up unusual difficulties or questions of law.

Lastly, Adam advises in all manner of property matters and has recent and wide experience in relation to boundary disputes, landlord and tenant, issues in respect of overreaching and overriding, rights of way, trespass and easements.

## Wills & Trusts

Adam has extensive experience of wills, trusts and probate work and is regularly instructed in all manner of cases across this area. His cases often include assisting executors and/or administrators with the administration of estates. These cases often throw up disputes relating to the interpretation of wills, the validity of wills, Inheritance Act (1975) claims, and constructive trust/proprietary estoppel issues.

As well as advising and drafting pleadings and applications in this area, Adam has also been successful in a number of challenging cases. For example, in *M v W* [2016] Adam was instructed with less than 24 hours' notice to obtain an urgent search order where the purpose of the search was to look for information and accounts relating to the estate of a deceased testator, which the one-time Executor (who had already been removed from this role by the courts) simply would not deliver up. The application, in the High Court, was successful, the ensuing search was fruitful, and Adam's client was awarded his costs.

In addition, in another of Adam's more complicated cases he was instructed to prepare an advice in relation to a sizeable settlement agreement in a case involving, inter alia, a set of potential beneficiaries which included unborns. Adam's Opinion received direct praise from the Chancery Master who heard the matter who, as well as approving the settlement, credited the careful advice which Adam had prepared to assist the court.

### *Proprietary Estoppel*

Proprietary estoppel is one of Adam's main specialisms. As a pupil he attended the Court of Appeal with Leslie Blohm QC, also of this Chambers, in the proprietary estoppel case of *Davies v Davies* [2014] EWCA Civ 568. Adam

then wrote the article 'The Promised Land' which analysed the main issues in the case and was published in the Law Society's Private Client magazine. He was then (as a tenant) instructed to act for Eirian Davies and appeared alongside the QC in the matter's second trip to the Court of Appeal on the topic of quantum (Davies and Another v Davies [2016] EWCA Civ 463). He has since been involved in another reported proprietary estoppel / common intention constructive trust case – Culliford v Thorpe [2018] EWHC 426 (Ch). Adam is fast becoming the "go to" barrister for some solicitors in this area.

In addition, Adam has given numerous talks and seminars on the topic of proprietary estoppel, and maintains an ongoing academic interest in the evolution of the doctrine.

## Recent Cases:

- ▶ *Stenor Environmental Services Limited v SDL Ground Engineering Limited (In Liquidation)*
- ▶ *Miles v The Public Guardian; Beattie v The Public Guardian* [2015] EWHC 2960 (Ch)
- ▶ *Davies and Another v Davies* [2016] EWCA Civ 463
- ▶ *Culliford v Thorpe* [2018] EWHC 426 (Ch)

## Qualifications & awards

- ▶ MA (Cantab) Cambridge University (Philosophy)
- ▶ Graduate Diploma in Law (Distinction)
- ▶ Bar Professional Training Course (Outstanding)
- ▶ Buchanan Prize
- ▶ New Court Chambers Prize
- ▶ Lord Denning Scholarship
- ▶ Northumbria University BPTC Scholarship
- ▶ Lord Brougham Scholarship
- ▶ Hardwicke Entrance Award

## Professional Memberships

- ▶ Chancery Bar Association

## Contact Adam:

[adam.boyle@stjohnschambers.co.uk](mailto:adam.boyle@stjohnschambers.co.uk)

## Contact the clerks:

T: 0117 923 4740

E: [clerks@stjohnschambers.co.uk](mailto:clerks@stjohnschambers.co.uk)