

Contentious probate update 2019

Royds Withy King and St John's Chambers
are delighted to invite you to their annual seminar
held in association with Mogers Drewett

Midland Bridge House | Bath
2.00pm - 5.20pm | 22 October 2019

North Bailey House | Oxford
2.00pm - 5.20pm | 13 November 2019



Cost | £45 +VAT
CPD | 2.5 hours
BSB & SRA accreditation

To book your place visit: www.stjohnschambers.co.uk/events-and-seminars
or call the Events team on 0117 923 4770

Programme

2.00 - 2.25pm Registration & refreshments

2.25 - 2.30pm **Welcome and introduction from the Chair**
Charles Auld, Barrister, St John's Chambers

2.30 - 3.00pm **Proprietary estoppel update in light of the Court of Appeal's decision in Habberfield**
Christopher Jones, Barrister, St John's Chambers

3.00 - 3.30pm **When Beddoes applications are, and are not, necessary, in light of Lines v Wilcox**
Oliver Wooding, Barrister, St John's Chambers

3.30 - 3.50pm Cream teas

3.50 - 4.40pm **Procedural update, including time limits for seeking permission to appeal in light of MacDonald v Rose, Part 36 offers in light of Knight v. Knight, and the Business and Property Courts disclosure pilot**
Amanda Noyce, Partner, Royds Withy King and Luke Watson, Partner, Mogers Drewett

4.40 - 5.20pm **Round up of the essential case law from the last 12 months**
Alex Troup, Head of Wills and Trusts, St John's Chambers

5.20pm Drinks and canapes



Charles Auld
Barrister, Call 1980
St John's Chambers

"Respected junior with a broad practice in commercial disputes and traditional chancery. He specialises in land registration and land cases, as well as commercial property matters. 'He is very experienced and very good at what he does. His advocacy is fantastic and he is very good with clients. Charles is very relaxed and authoritative. He really is fabulous and that is down to his experience.'"
"CHAMBERS UK 2019, CHANCERY

Charles has considerable experience of advising on the construction of wills and of trust instruments (together with applications to the Court for directions where necessary). His practice includes cases where the validity of a will is in dispute including whether that will has been obtained by undue influence.

He was successful, both at first instance and in the Court of Appeal, in *Hart v Burbidge* [2014] EWCA Civ 992, which involved gifts procured by undue influence. He has often dealt with matters where the claim is that an interest in a property has been obtained by proprietary estoppel, and he is familiar with applications under the Trusts of Land and Appointment of Trustees Act 1996, and also the Inheritance (Provision for Family and Dependents) Act 1975.



Amanda Noyce
Partner
Royds Withy King

"Amanda has been described as having a 'fantastic reputation' and dealing with 'significant cases' 'She's very focused on what the client's objectives are. She's certainly a very thorough and very good lawyer, and very pragmatic as well.'"

CHAMBERS HNW 2019
PRIVATE WEALTH DISPUTES

Amanda is a partner heading Royds Withy King's specialist Inheritance & Trust Disputes team. She is a member of the Association of Contentious Trust and Probate Specialists (ACTAPS) and a member of the Society of Trusts and Estates Practitioners (STEP). Amanda specialises in the areas of contentious work including Wills disputes, trusts disputes, tax disputes and negligence actions against professionals.

She has been described as a "leader of the field" in both Legal 500 and Chambers and is ranked in the top band in the 2019 Chambers HNW guide.



Alex Troup
Head of Wills & Trusts,
Call 1998, St John's Chambers

"Outstanding junior recognised for his impressive traditional chancery practice. 'He is absolutely excellent in terms of his experience, knowledge and the way he conveys his message to court, clients and opponents. He is concise, clear and right on the money.' 'He is a confident and assured courtroom advocate, who takes points well. Brevity is his watchword; he makes a point and then moves on.'"
CHAMBERS UK 2019, CHANCERY

Alex is ranked as the only "star individual" on the Western Circuit in chancery matters by Chambers UK, and is the Head of Wills & Trust Practice Group at St John's Chambers. His 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.

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 skillful barristers" and as having "a real commercial brain".

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.



Christopher Jones
Barrister, Call 2004
St John's Chambers

"Christopher is a trust litigation and advice specialist with a broad chancery and commercial practice. 'He has a wealth of knowledge, is easy to get on with and is a pleasure to deal with. He is always very useful, and his advice is very pragmatic and beneficial.' "

CHAMBERS UK 2019, CHANCERY

Christopher is a wills and trusts barrister, regularly advising in cases involving the division of assets between cohabitants, disputed wills and the administration of trusts and estates. He is also a qualified mediator and can be instructed to mediate private client disputes.

Christopher is consistently recommended as a leading junior in Chambers UK and Legal 500.

Christopher was recently led by Leslie Blohm QC, when they successfully represented Lucy Habberfield before the Court of Appeal. Lucy had worked on her parents' farm, relying on promises over many years, for low wages and long hours. Following a two day hearing, the Court of Appeal rejected her mother's appeal, and upheld the judgment of Mr Justice Birss who had awarded Lucy £1,170,000. The case considers the tension between awarding a remedy which fulfils the expectation, and a remedy which compensates the detriment suffered.



Luke Watson
Partner
Mogers Drewett

Luke Watson is a partner in the Dispute Resolution team at Mogers Drewett, specialising in Chancery work. His extensive experience in this area has led to the development of a niche practice in disputed wills, trusts and estates.

Luke regularly conducts seminars with other professional lawyers and is a member of the Bristol Law Society, the Law Society's Civil Litigation Section, a full member of ACTAPS (Association of Contentious Trust and Probate Specialists) and a member of the Property Litigation Association.



Oliver Wooding
Barrister, Call 2009
St John's Chambers

"Oliver is experienced in contentious probates, wills, trusts and tax matters, and also handles Court of Protection cases. 'Brilliant, really thorough and someone who gives sound advice. He is very confident on his feet, and excellent at reading the judge and realising what they are after.' 'Oliver has a calm and very confident personality and style.' "

CHAMBERS UK 2018, CHANCERY

Oliver's wills and trusts practice spans all contentious and non-contentious matters. He advises upon and acts, both as advocate and mediator, in disputes involving the validity of wills, claims under Inheritance (Provision for Family and Dependants) Act 1975, the removal of executors, construction of wills and trust documents, and for rectification of wills and trust documents. He is also a student member of STEP and ACTAPS and gives regular talks in the subject area.

His expertise includes: administration of estates; disputed wills; inheritance act claims; proprietary estoppel, trusts and mediation.

Oliver appeared at trial for an adult daughter in a claim under Inheritance (Provision for Family Dependants) Act 1975 for financial provision out of her father's Estate, which was left entirely to his second wife in the case of *Ames v Jones & Ors* [2016] EW Misc B67 (CC). The case caused considerable press attention and was featured in the Daily Telegraph, Daily Mail and This Morning.

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St John's Chambers visit:

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