

Overview

Banking and Financial Services
 Commercial Disputes
 Insolvency
 Pensions
 Professional Liability
 Property
 Trusts
 Wills and Estates

Profile: Overview

Daniel is a junior Chancery practitioner with a developing practice in all the main areas of Chambers' work. He offers an intelligent and informed approach to practice having gained private and Government industry experience both in-house and on secondment.

Experience and Expertise

Since starting practice on his own account in April 2011, Daniel has developed experience in both advisory and court work, with regular appearances in the Chancery Division, the Companies Court, the Queen's Bench Division and the County Court. Daniel has a particular interest and experience in pensions, probate, trusts and banking and financial service.

In 2012, Daniel spent six months on secondment at the Office of Fair Trading providing advisory and drafting services in respect of regulation and licencing of consumer credit businesses, Government ratification of mortgage products and anti-money laundering provisions. Daniel is developing experience with pensions law and practice and has acted for the Pensions Regulator, as well as trustees and employers of occupational pension schemes.

Daniel joined Chambers as a tenant on 1 October 2010 after the successful completion of pupillage, under the supervision of [Tom Dumont](#), [Nathan Wells](#), [Ulick Staunton](#) and [Katherine McQuail](#). Before joining Chambers, Daniel spent a year in the Commercial Litigation department at Stewarts Law LLP, participating in particular in large-scale banking and finance litigation, gaining valuable experience in working as part of a team and interacting with clients.

Daniel accepts instructions in relation to all of Chambers' core practice areas and is always happy to discuss work prior to instruction.

Cases and work of note

- *FDR Ltd. v Dutton* [2017] EWCA Civ. 200: Daniel acted as junior to [Keith Rowley Q.C.](#) on behalf of the Trustees of the FDR Limited Pension Scheme on the appeal to the Court of Appeal concerning to the interpretation of an amendment dealing with increases in pensions in payment which had been frustrated by a proviso.
- *Zoya Ltd. v Ahmed* [2017] 2 W.L.R. 773; [2016] EWHC 1981 (Ch): Daniel acted for the successful Defendant in the trial of a preliminary issue relating to the authority to issue proceedings in a Liberian company's name. William Trower Q.C. held that the individual purporting to have authority on behalf of the Claimant was neither a shareholder or a director and struck out the claim as an abuse of process.
- *Zoya Ltd. v Ahmed* [2016] 4 W.L.R. 174; [2016] EWHC 2249 (Ch): In a related third party costs application, William Trower Q.C. found that, although solicitors had acted without authority in litigation brought by a company, they were not liable to the Defendant for breach of warranty of authority, as he had not relied on the warranty, having argued from the outset that they lacked authority.
- *Haastrup v Haastrup* [2016] EWHC 3311 (Ch): Daniel acted for the claimants in the latest decision in the long-running Haastrup estate litigation. On this occasion the Court considered the necessary *locus standi* required to bring an action against an executor *de son tort* who had received monies belonging to a company owned by the deceased.
- *Wise v Sun Life Assurance Co. of Canada (UK) Ltd.* [2016] EWHC 2814 (Ch): Daniel acted for the successful respondent insurance company in an appeal from the Pensions Ombudsman. The appeal related to alleged maladministration in the loss of a valuable guaranteed annuity rate contained in a series of insurance policies issued to trustees of an occupational pension scheme in the 1980s. Arnold J conducted an appeal by way of rehearing and upheld the decision.
- *Re Waterfall Media Ltd. (Secretary of State Business, Innovation and Skills v Melaris)* [2013] B.P.I.R. 1109 (Ch): A finding that a person had committed the strict

liability offence of acting as a director while an undischarged bankrupt could justify, on its own, the making of a disqualification order under section 6 of the Company Directors Disqualification Act 1986. However, the fact that the offence was one of strict liability would not make the person in question automatically unfit to be a director.

- *Office of Fair Trading*: In 2012, Daniel spent six months on secondment at the Office of Trading providing advisory and drafting services in respect of regulation and licencing of consumer credit businesses, Government ratification of mortgage products and anti-money laundering provisions.
- *Killearn v Killearn & Others* [2011] EWHC 3775 (Ch): Daniel acted for the Fourth Defendant in successfully resisting a life tenant's proposed sale of trust property at a particular price to a particular purchaser. Jeremy Cousins Q.C. held that the evidence in relation to the property's value and condition did not support that approach, and it would be inconsistent with the trustees' duty to the beneficiaries to sell without a proper marketing campaign to maximise the price.

Recent pensions experience includes:

- Acting as junior to [Keith Rowley QC](#) on behalf of the Trustees of the FDR Limited Pension Scheme on the appeal to the Court of Appeal concerning the interpretation of an amendment dealing with increases in pensions in payment which had been frustrated by a proviso. (*FDR Ltd. v Dutton* [2017] EWCA Civ 200).
- Acting for trustees of two occupational pension schemes in relation to questions on the construction of amendment and payment of benefit provisions in scheme rules.
- Acting for trustees of an occupational pension scheme in relation to the construction of the calculation of annual pensions for certain classes of members.
- Acting for the successful respondent company in an appeal to the Chancery Division from a decision of the Pensions Ombudsman which concerned the loss of a guaranteed annuity rate (*Wise v Sun Life Assurance Co. of Canada (UK) Ltd.*[2016] EWHC 2814 (Ch)).
- Acting as junior to [Keith Rowley Q.C.](#) for a claimant employer in two high value professional negligence actions against former advisors.
- Acting for trustees in a claim for rectification of a pension scheme to correct a drafting error which inadvertently increased the level of benefits for a significant number of members (including appearing at the compromise hearing).
- Advising the trustees of three pension schemes in relation to their disclosure obligations in regulatory proceedings under s.72 Pensions Act 2004 (including assisting the supervision of the disclosure process).
- Acting as junior to [Keith Rowley Q.C.](#) for the Pensions Regulator in relation to enforcement proceedings against trustees of an occupational pension scheme.

Other recent experience includes:

- Acting as part of a team of lawyers in Chancery Division proceedings in which independent joint administrators were appointed *ad colligenda bonato* collect and preserve assets of an estate with an estimated value of £50m (and subsequently on his own account securing a 'Re Yorke' order).
- Acting for parties involved in a series of highly contentious claims in the Chancery Division relating to the estate of an eminent Nigerian businessman, which have included applications for committal, summary judgment, strike out, security for costs, relief from sanctions and for a limited grant of letters of administration under section 116 of the Senior Courts Act 1981.
- Obtaining an *ex parte* mandatory injunction in the Chancery Division in relation to the sale, registration and trading of agricultural subsidies.
- Acting for an heir hunter business in derivative proceedings brought in the Chancery Division by a beneficiary of an intestate estate (including a Part 20 professional negligence claim).

Qualifications

2008-09: BVC at BPP Law School (Very Competent);

2007-08: GDL at City University (Distinction);

2006-07: M St in Oriental Studies, Wadham College, University of Oxford (Distinction);

2002-05: BA in Egyptology, Wadham College, University of Oxford (First Class).

Memberships

Chancery Bar Association; Association of Pension Lawyers; Inner Temple.

Other Details

VAT Registration Number: 142000875

Bar Membership Number: 55260

For More Information

Please click on the links to the left or contact a member of the clerking team.

