

Overview

Charities
 Banking and Financial
 Services
 Court of Protection
 Insolvency
 Property
 Tax
 Trusts
 Wills and Estates
 International

Profile: Overview

Joshua has a general Chancery practice, specialising in charities (for which he is ranked in the leading directories), trusts, and wills and estates. He is also experienced in property, insolvency, company, Court of Protection, commercial litigation, tax and offshore work. He has developed expertise in diverse areas, including religious charity disputes and forfeiture of long residential leases.

Experience and Expertise

Joshua's practice encompasses advice and litigation in the core Chancery and commercial fields.

Prior to his call to the Bar, Joshua spent a year as a paralegal in the Private Client department of Charles Russell. He later undertook a three-month secondment in the Private Client and Trusts department of Bailhache Labesse (now part of Appleby Global) on Jersey and recently assisted Hanson Renouf in a discovery exercise in a complex and high-value tracing claim by a divorcing wife against a Jersey trust. This has given him a special insight into the particular needs and expectations of his professional clients as well as significant experience of offshore trust work, which he has been able to build on subsequently.

Cases and Work of Note

- *Park v Cho* [2014] EWHC 55 (Ch); [2014] PTSR 769: appeal against lifting of stay of enforcement of costs order following trial in charity proceedings due to lack of Charity Commission permission to bring proceedings.
- *Re Dharamshi, Deceased* [2013] EWHC 3917 (Ch): challenge to a will based on lack of capacity due to extreme bereavement reaction.
- *Marwaha v Singh* [2013] EWHC B6 (Ch): claim for an injunction to restrain the holding of elections to the management committee of a Sikh temple in Leicester and compel the current committee to review the membership list. [2013] WLR (D) 429 (CA): Court of Appeal held that the court could interfere in the exercise of charity trustees' discretion where they acted in breach of duty without an allegation of bad faith.
- *Hamilton College London Ltd v Ahmad* [2013] EWHC 2072 (Ch); [2013] All ER (D) 310 (Jul): trial of preliminary issue as to the ownership of the single share in a company trading as a further education college.
- *Cifci v Erbil* [2012] EWHC 3170 (Ch): declarations as to the constitution governing an unincorporated Alevi charity and the validity of registration of new members. *Bank of Scotland plc v Rihany* (QBD (Brighton DR), 1 June 2012): setting aside forfeiture by peaceable re-entry of long residential lease for rent arrears on grounds of waiver
- *Re Longman, Deceased* [2012] EWHC 666 (Ch); [2012] PTSR 1619: construction of a gift of residue to a charity involved in a merger between the date of the will and the date of death, in light of s75F of the Charities Act 1993 (now s311 of the Charities Act 2011)
- *Widd v Widd* [2011] EWHC 1420 (Ch): application to set aside a trust made under a mistake
- *Millburn-Snell v Evans* [2011] EWCA Civ 577; [2012] 1 WLR 41: appeal against the striking out of a claim issued by administrators before obtaining a grant
- *Love v Griffiths, unreported, 29 July 2009, Ch D (Bristol DR)*: construction of gift in a will of the balance of the deceased's building society accounts
- *Dean v Burne* [2009] EWHC 1250 (Ch): construction of trust deeds relating to the assets of the Russian Orthodox community in London. Joshua acted as junior counsel to the representative defendant in this high-profile charitable trust dispute in the Chancery Division

- *Singla v Brown* [2007] EWHC 405 (Ch); [2008] Ch 357: resisting the setting aside of a transfer of the beneficial interest in a house by a bankrupt as a transaction at an undervalue
- *Hunter v Lex Vehicle Finance Ltd* [2005] EWHC 223 (Ch); [2005] BPIR 586: appeal by a bankrupt against the dismissal of her application to set aside the bankruptcy order
- *Moscow v Brown and others* [2005] EWHC 2243 (Ch): resisting an order for sale of a house under a charging order, and establishing a co-owner's 99% beneficial interest case

Recommendations

For several years Joshua has been ranked by the legal directories as a leading junior in charities, with editorial comment including:

- "He gives good technical advice, and is clearly a rising star in this area." (Charities, Chambers UK, 2017)
- "Experienced in advising trustees of schools and religious charities." (Charities, The Legal 500, 2016)
- his advice is thorough, easy to read and understandable.
- good on paper and quick to respond.
- thorough and dependable.
- gets to the heart of issues very quickly.
- fast on the draw with sound instincts.
- incredibly thorough and clever.
- he's a man who knows his stuff.
- noted for his good judgment.

Publications

Charity mergers: a missed opportunity (TEL&TJ Vol 143 p 15)

Qualifications

MA (Oxon); PgDL (City University)

Memberships

Joshua is a member of the Chancery Bar Association; the Charity Law Association; and the Society of Trust and Estate Practitioners.

Other Details

VAT Registration Details: 830526744

Bar Membership Number: 43019

For More Information

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