Radcliffe Chambers

Daniel Thorpe

Call: 2019 (England and Wales); 2022 (BVI)

Barrister

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Daniel Thorpe is a junior barrister who specialises in trusts and estates and insolvency disputes. He is *"one of the most highly regarded up and coming juniors around"* (Legal 500 2026) who is a "*tenacious litigator*", "*excellent on his feet*" and a "*pleasure to work with*" (Chambers and Partners High Net Worth Guide 2026). Daniel has been described as a "*superb junior whose level of expertise is beyond his call*"; his clients value his "*forensic assessment of risk and his clear, commercially grounded advice*" (Chambers and Partners High Net Worth Guide 2026).

Daniel is recognised as a 'Rising Star' by Legal 500, 'Up and Coming' by Chambers and Partners, and was shortlisted for the 'Star Junior' award at the Chambers and Partners High Net Worth Awards 2026.

Daniel has previously worked for a litigation boutique and has spent time on secondment at a leading offshore law firm. As a result, he readily appreciates the needs of his clients and prides himself on his user-friendly attitude and ability to work collaboratively with his solicitors and other barristers.

Daniel's multidisciplinary experience works to his clients' advantage, particularly in complex cases involving several areas of law. In addition to trusts and estates and insolvency disputes, Daniel is experienced in commercial, property, pensions and professional liability matters.

Daniel has also taught on the undergraduate Law course at University College London.

PRIVATE CLIENT AND TRUSTS DISPUTES

Daniel is recognised as a 'Rising Star' by Legal 500 in its 2025 Private Wealth and Probate Guide. He is also recognised by Chambers and Partners' 2025 High Net Worth Guide as an 'Up and Coming' junior. He is shortlisted for the 'Star Junior' award at the Chambers and Partners High Net Worth Awards 2026.

He accepts instructions across all aspects of contentious private client and trusts work, whether to advise, appear in court, assist with drafting or attend mediation and other forms of ADR.

Examples of Daniel's recent cases are as follows.

- He is instructed as junior counsel on behalf of a corporate trustee in an

ongoing matter in the British Virgin Islands involving contested blessing and removal applications in the context of a substantial trust holding assets across multiple jurisdictions (led by Alex Hall Taylor KC).

- He was instructed as sole counsel in only the second reported case under rule 65 of the Non-Contentious Probate rules 1987 – a dispute between two brothers as to which of them should administer their father's estate, which ended up before a Deputy High Court Judge on appeal (*King v King* [2023] EWHC 2822 (Fam)).
- He has experience of challenges to the formal and substantial validity of wills, and recently secured judgment in a probate trial listed for four days before a Deputy High Court Judge, where the relevant will was set aside on the ground of lack of testamentary capacity.
- He has acted variously for trustees seeking directions and blessings from the court.
- He has various experience of claims to remove personal representatives and applications for grants ad colligenda bona.
- He has experience of claims under the Inheritance (Provision for Family and Dependants) Act 1975, acting for Claimants and Defendants.
- He has advised on and made applications for "put up or shut up" orders and relief under *Re Benjamin*.
- He has experience of advising in relation to professional negligence claims against solicitors and will and trust drafters, including claims by disappointed beneficiaries under *White v Jones* principles.
- He has acted for charities in their capacities as beneficiaries and trustees/executors.
- He has experience of providing written advice and appearing at hearings under CPR 21 for the approval of settlements on behalf of minors and unborn and/or unascertained beneficiaries.
- He has advised on and appeared in various matters under the Trusts of Land and Appointment of Trustees Act 1996 as to beneficial ownership of properties.
- He has advised on the potential conflicts between multiple wills left in multiple jurisdictions and their potentially overlapping provisions.
- He was instructed in a matter involving a petition to wind-up a BVI company in the English courts which held millions of pounds of assets subject to an English trust, defended by beneficiaries of the trust via a derivative (or double-derivative) action (led by Christopher Boardman KC).
- He has experience of advising on the application and procedure of the Administration of Insolvent Estates of Deceased Persons Order 1986 and the recovery of a debt from a deceased person's insolvent estate.
- He has appeared in the Court of Protection on the Property and Affairs Pathway, most recently represented a trust company in its capacity as attorney.

INSOLVENCY

Daniel accepts instructions across a range of personal and corporate insolvency cases to represent and advise office-holders, directors, individuals and companies. As well as appearing in court, he is often instructed to assist with the drafting of proceedings and evidence.

Recent examples of Daniel's work are as follows.

- He was instructed (with Andrew Brown) in the Court of Appeal by Habib Bank in *Khan v (1) Singh-Sall and (2) Habib Bank* [2023] EWCA Civ 1119,

an important authority considering the proper interpretation of section 282 of the Insolvency Act 1986 and the relevant test applicable to the court's power to annul bankruptcy orders.

- He is instructed in an ongoing matter concerning a professional negligence claim against former liquidators of various companies alleging that the office-holders sold the companies' substantial assets at an undervalue.
- He appeared for administrators in a rare High Court decision on extending a company's administration, turning specifically on whether secured creditors were required actively to give or communicate their consent to an extension to the administrations (*Re The Opus Partnership LLP* [2024] EWHC 3121 (Ch)). He is frequently instructed on similar extension applications.
- He was instructed by a trustee-in-bankruptcy in a claim involving transactions at an undervalue and whether a bankrupt had divested himself of beneficial ownership of a property (*Palmer v Sans* [2024] EWHC 2685 (Ch)).
- Applications under section 335A of the Insolvency Act 1986 and section 14 of the Trusts of Land and Appointment of Trustees Act 1996 for orders for sale and related orders with respect to a bankrupt's home.
- He was recently instructed to advise on the winding-up of a traditional partnership under the Insolvent Partnerships Order 1994.
- Applications for private examinations.
- Applications to set aside statutory demands.
- Proceedings to challenge antecedent transactions and which allege misfeasance.
- Applications seeking directions on behalf of office-holders, including with respect to their remuneration.
- He has advised on and appeared in winding-up petitions and connected applications to restrain their presentation and/or advertisement.
- Daniel also has experience of recovering debts from a deceased's person's insolvent estate via the Administration of Insolvent Estates of Deceased Persons Order 1986.

COMMERCIAL DISPUTES, COMPANIES AND PARTNERSHIPS

Daniel's practice incorporates a range of commercial disputes, and he is regularly instructed in matters involving breach of contract, debt and the sale of goods and provision of services, including cases which allege deceit, conspiracy, undue influence, mistake and misrepresentation.

He also has experience of providing advice and appearing in court in relation to contentious company and partnership law and practice. This includes shareholder disputes, unfair prejudice petitions and directors' duties, as well as more administrative matters such as applications to restore companies to the register.

Daniel's cases centred on other areas of practice frequently involve elements of company and partnership law. For example, Daniel has been instructed to advise a pension scheme trustee on the winding-up of a traditional partnership, the pension scheme's sponsoring employer, and he has represented a petitioner seeking strike out and judgment in an unfair prejudice petition in the British Virgin Islands based on the alleged dissipation of US$ 22 million of company assets.

INTERNATIONAL AND OFFSHORE

Daniel is called to the Bar in the British Virgin Islands and holds a current practising certificate. He accepts instructions to appear in that jurisdiction on trusts, private client, insolvency and commercial matters either as sole counsel or

with a leader. He will also accept instructions to work in other jurisdictions as required, and has experience of working on matters with links to Jersey, Guernsey and Gibraltar.

Examples of Daniel's offshore work are as follows.

- He is instructed as junior counsel on behalf of a corporate trustee in an ongoing matter in the Commercial Division of the High Court of the British Virgin Islands involving contested blessing and removal applications (led by Alex Hall Taylor KC).
- He has appeared as sole counsel in the Commercial Division of the High Court of the British Virgin Islands in various matters, including on applications for strike out and the entry of judgment in USD 22 million unfair prejudice proceedings which related to the alleged dissipation of a company's substantial cryptocurrency assets and applications to court by liquidators for directions and discharge of liability.

Daniel has also spent time on secondment to the dispute resolution team of a leading offshore law firm in the British Virgin Islands. Whilst there, he assisted on matters involving:

- Alleged misfeasance and the unravelling of antecedent transactions across multiple jurisdictions in the Caribbean, Europe, the Middle East and Africa.
- The status of shareholders following disputed allotments and/or allocations of shares, and those shareholders' liability for the price of those shares.
- A multi-million dollar dispute involving the unravelling of a fraudulent scheme designed to extract funds from a large commercial bank via SPVs incorporated in the BVI.
- Various challenges to the jurisdiction of the British Virgin Island court.

OTHER PRACTICE AREAS

Daniel welcomes enquiries across chambers' other areas of practice. He has experience of disputes in the pensions, banking and financial services, charities, professional liability and real estate sectors.

For example, Daniel was instructed as sole counsel by a FTSE 100 entity in a dispute with a pensioner about the length of their pensionable service.

He has extensive experience of enforcement proceedings (such as applications for possession, charging orders, and third-party debt orders).

ALTERNATIVE DISPUTE RESOLUTION

Daniel frequently advises on settlement and is happy to accept instructions to act in all forms of ADR within his practice areas.

RECOGNITION

- *"Daniel Thorpe is a tenacious litigator, he is excellent on his feet, and it is a pleasure to work with him."* (Chancery: Traditional, *Chambers UK Bar 2026*)
- *"Daniel is a superb junior whose level of expertise is beyond his call. He has excellent judgement and is good with clients."* (Chancery: Traditional, *Chambers UK Bar 2026*)
- *"Daniel is a nice guy, easy to work with, and he's just very switched on. He is good on a variety of different cases."* (Chancery: Traditional, *Chambers UK Bar 2026*)
- *"Daniel is personable, efficient and knowledgeable."* (Chancery: Traditional, *Chambers UK Bar 2026*)
- *"Daniel's forensic assessment of risk and his clear, commercially grounded advice enable resolution."* (Chancery: Traditional, *Chambers UK Bar 2026*)
- *"Daniel Thorpe provides excellent, considered and practical advice."*

(Chancery: Traditional, *Chambers UK Bar 2026*)
- *"Daniel Thorpe is sensible and practical. He comes up with good solutions to problems. He is a creative problem solver."* (Chancery: Traditional, *Chambers UK Bar 2026*)
- *"Daniel is a junior to watch. What is particularly impressive is his practical and pragmatic approach to cases and his thinking outside of the box."* (Chancery: Traditional, *Chambers UK Bar 2026*)

QUALIFICATIONS

- Master of Arts in Law, Downing College, University of Cambridge
- LLM in International Commercial Law, University College London (first in year for Commercial Remedies)
- Bar Professional Training Course, BPP Law School

MEMBERSHIPS

- The Honourable Society of Lincoln's Inn
- The Contentious Trusts Association (ConTrA)
- The Chancery Bar Association (ChBA)

POLICIES

Unless otherwise agreed in writing, Daniel provides his services in accordance with the Terms of Work and Client Due Diligence policy as published on Radcliffe Chambers' website (as amended from time to time).

Read Daniel's Privacy Notice, Data Protection Policy and Disposal Policy.