



Daniel Thorpe

Call: 2019

Barrister

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Valued by clients for his “*practical and commercial*” approach, Daniel is building a broad chancery and commercial practice and accepts instructions across all of Chambers’ core areas of work, with a particular focus on private client, insolvency and commercial disputes.

Daniel was admitted to the Bar of the Eastern Caribbean Supreme Court in the British Virgin Islands in 2022 and has experience of working within the Dispute Resolution team of a leading offshore law firm.

Prior to joining Chambers, Daniel read Law at Downing College, University of Cambridge and completed an LLM in International Commercial Litigation at UCL, before working as a paralegal at a leading boutique litigation firm. He has also taught Conflict of Laws to undergraduate Law students at UCL, a course which focused on questions of jurisdiction and choice of law in cross-border commercial disputes.

Daniel is currently working on secondment in the BVI Dispute Resolution team of a leading offshore law firm whose work encompasses private client, insolvency and commercial disputes. He was admitted as a barrister of the Eastern Caribbean Supreme Court in the British Virgin Islands in March 2022.

PRIVATE CLIENT

Daniel accepts instructions relating to all aspects of contentious private client work. In addition to his experience below, he has recently been instructed to appear in a case on the Property and Affairs Pathway in the Court of Protection and to advise on the validity of a will and associated litigation.

During pupillage, Daniel experienced a broad range of wills and contentious probate matters, including:

- various matters involving challenges to wills on grounds of lack of testamentary capacity, want of knowledge and approval and undue influence;
- claims under the Inheritance (Provision for Family and Dependents) Act 1975;
- claims for the removal and/or replacement of personal representatives;

- applications for the interpretation and rectification of wills; and
- negligence claims against solicitors and executors.

Daniel also gained experience of trust litigation generally, including:

- claims under the Trusts of Land and Appointment of Trustees Act 1996;
- applications to Court for approval of trustees' proposed actions;
- claims for breach of trust involving tracing and the recovery of misappropriated trust assets, often involving issues of unconscionable receipt and dishonest assistance; and
- *HM Attorney General v Zedra Financial Services (UK) Ltd* [2020] WTLR 1287, which involved issues of charitable trusts, frustrated purposes and the cy-près doctrine.

INSOLVENCY

Daniel accepts instructions across the spectrum of personal and corporate insolvency work and is regularly instructed to appear in the High Court and County Court in such matters on behalf of office-holders, directors, individuals and insolvent companies.

During pupillage, Daniel experienced a range of personal and corporate insolvency cases, including:

- bankruptcy and winding-up petitions and related issues;
- validation orders;
- administration applications; and
- various applications for and against office-holders.

COMMERCIAL DISPUTES

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, as well as those involving misrepresentation and mistake. Daniel's cases also often involve elements of company law, including claims against directors, partners and shareholders.

During pupillage, Daniel shadowed members of Chambers involved in a range of disputes, including:

- claims for breach of fiduciary duty and associated remedies;
- claims involving issues of civil fraud, including deceit, conspiracy, breach of fiduciary duty, undue influence and related matters;
- disputes between HMRC and taxpayers, including *Tinkler v HMRC* [2021] UKSC 39;
- various matters involving misrepresentation and mistake;
- claims for breach of directors' duties and directors' qualification proceedings;
- unfair prejudice and just-and-equitable winding-up petitions; and
- disputes between shareholders.

Immediately prior to starting pupillage, Daniel gained hands-on experience of litigation and arbitration as a paralegal at a leading boutique litigation firm. His role often involved drafting statements of case, witness evidence and correspondence, as well as liaising with clients and counsel. Daniel assisted on various high-value matters in the High Court and before arbitral tribunals.

INTERNATIONAL

Daniel is currently working on secondment within the Dispute Resolution team of a leading offshore law firm in the British Virgin Islands during which time he has been admitted as a barrister in the BVI. The team's practice centres around multi-jurisdictional private client, insolvency and commercial disputes.

BANKING AND FINANCIAL SERVICES

Daniel's practice incorporates elements of banking and financial services work, and he regularly appears on behalf of lenders in consumer credit matters. He has also been instructed to advise on the validity and scope of guarantees provided under commercial loan arrangements, and the interpretation of financial instruments generally.

PROPERTY

Daniel is instructed to advise and act in a range of real property disputes and has appeared in the County Court on behalf of landlords in various possession claims and related matters.

During pupillage, Daniel gained experience in various property disputes, including:

- claims involving mortgage fraud and the forgery of signatures;
- disputes relating to the priority of legal and equitable interests in land;
- claims under TLATA 1996;
- boundary disputes;
- rent disputes;
- enfranchisement claims and other issues before the First-tier Tribunal; and
- residential and commercial possession proceedings, acting against both tenants and trespassers.

ALTERNATIVE DISPUTE RESOLUTION

Daniel is happy to accept instructions for the resolution of disputes via mediation or other forms of ADR within the areas of his practice.

QUALIFICATIONS

- 2014-2017: BA in Law (Downing College, University of Cambridge)
- 2017-2018: LLM in International Commercial Law (University College London)
- 2018-2019: BPTC (BPP Law School)

MEMBERSHIPS

- The Honourable Society of Lincoln's Inn
- ConTrA
- COMBAR
- ChBA

POLICIES

Read Daniel's [Privacy Notice](#), [Data Protection Policy](#) and [Disposal Policy](#).