

# Contentious probate update 2024



Thursday, 28th November 2024



1.30pm – 6.00pm

£40 + VAT



RWK Goodman, Bath



St John's  
CHAMBERS

rwk  
goodman

St John's Chambers and **RWK Goodman** are delighted to invite you to their annual contentious probate update seminar held in association with **Stone King**.

The seminar is principally targeted at solicitors who are (or would like to be) involved in contentious probate work, but it would also be of interest to non-contentious lawyers, will writing firms and professional executors.

## Topics include:

CPD:  
3 hours

- **Proprietary estoppel: where are we now?**
- ***Misdescribed legacies***
- **A case of revocation by destruction and capacity *Crew v Oatley***
- **Disclosure and budgets in contentious probate claims**
- **Recovery of costs in 1975 Act claims**

In association with:

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STONE KING

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|----------------------|---|
| <b>1.30 - 1.55pm</b> | <b>Registration and refreshments</b>  |
| <b>1.55 - 2.00pm</b> | <b>Welcome from Chair</b><br><b>Calum Campbell, Partner, RWK Goodman</b>  |
| <b>2.00-2.25pm</b>   | <b>Recovery of costs in 1975 Act claims</b><br><b>Amanda Noyce, Partner, RWK Goodman</b><br><br>Amanda will review the current position regarding recovery of costs and success fees in 1975 Act claims, in light of recent case law, including <i>Jassal v Shah</i> [2024] EWHC 2214 (Ch) and the judgments in <i>Hirachand v Hirachand</i> .  |
| <b>2.25 - 2.45pm</b> | <b>Misdescribed legacies</b><br><b>Luke Watson, Partner, Stone King</b><br><br>Luke will consider the recent case of <i>Dryden v Young</i> [2024] EWHC 1095 (Ch) and the approach taken by the courts when interpreting misdescribed charitable legacies in wills.  |
| <b>2.45 - 3.05pm</b> | <b>Disclosure and budgets in contentious probate claims</b><br><b>Oliver Wooding, Barrister, St John's Chambers</b><br><br>Got your first CCMC for your contentious probate claim? Oliver will review and consider the disclosure requirements and costs budgeting process as they apply to contentious probate disputes, and provide hints and tips about best practice.   |
| <b>3.05 - 3.25pm</b> | <b>Cream Teas</b>   |
| <b>3.25 - 3.45pm</b> | <b><i>Crew v Oatley</i> [2024] EWHC 2847 (Ch) - A case of revocation by destruction and capacity</b><br><b>Christopher Jones, Head of Chancery &amp; Commercial, St John's Chambers</b>   |
| <b>3.45 - 4.05pm</b> | <b>Donatio Mortis Causa – gifts in contemplation of death</b><br><b>Daniel Soar, Barrister, St John's Chambers</b><br><br>Daniel will explore the recent decision of <i>Rahman v Hassan</i> [2024] EWHC (Ch) in which text messages sent by the deceased on the day of his death were held to be sufficient to transform the disposition of his £1.4m estate.   |
| <b>4.05 - 4.30pm</b> | <b>Proprietary estoppel: where are we now?</b><br><b>Alex Troup KC, Barrister, St John's Chambers</b><br><br>Alex will review the current state of the law in light of two recent proprietary estoppel cases in which he has been involved, namely <i>Winter v Winter</i> [2024] EWCA Civ 699 (a Court of Appeal decision on detriment) and <i>Cleave v Cleave</i> [2024] EWHC 2492 (Ch) (which focuses on the question of remedy where the promisor has care needs). |
| <b>4.30pm</b>        | <b>Closed for Q&amp;As - Followed by drinks and canapes</b>   |

# Speakers

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A 'go-to set for Chancery matters' with 'excellent strength in depth in this field, and a very approachable team'. The team regularly assist clients with a wide range of contentious and non-contentious business and property, chancery, and tax mandates.

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**The Legal 500, 2025  
Chancery, Probate and Tax**



**Alex Troup KC**

Year of call: 1998  
KC: 2023

**“Alex is simply extraordinary. He has a tremendous intellect and quickly grasps the details of complex matters and the nuances behind the evidence. He is an authoritative advocate who is quick on his feet in court.”** The Legal 500, 2025

Alex is ranked as the only 'star individual' on the Western Circuit in chancery matters by Chambers UK and is Head of our Wills & Trusts team. He is also the only silk ranked in private wealth outside of London in the High Net Worth Guide 2024. Alex's 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.



**Christopher Jones**

Year of call: 2004

**“Christopher is very good. He's very organised, really good when it comes to proprietary and promissory estoppel matters and very good with clients.”** Chambers UK, 2025

Christopher is a highly regarded wills, probate and trust specialist, regularly advising in cases involving the division of assets between cohabitants, disputed wills and the administration of trusts and estates. He is ranked in Band 1 for chancery in Chambers UK. He has recently acted in contested will claims, disputes over the administration of trust funds, and several significant proprietary estoppel claims (including taking two to trial in the High Court). Christopher is quick in understanding the key issues in complex cases. He is praised by clients for his brilliant cross-examination skills and for his down-to-earth manner with clients. Solicitors often seek his input in complicated claims involving the overlap of succession, trust, real property and partnership issues. He was instructed in a complex property and trust dispute to represent the claimant in the case of *Barnard v Brandon* [2023] EWHC 3043 (Ch). Christopher is also a qualified mediator.

# Speakers



**Oliver Wooding**

Year of call: 2009

**"Oliver is a skilled advocate with excellent technical knowledge. He is excellent with clients and always provides sensible, pragmatic advice."** The Legal 500, 2025

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. Oliver recently acted for the defendant's father in a proprietary estoppel claim against his son before the High Court in *Gatehouse v Gatehouse*.



**Daniel Soar**

Year of call: 2016

**"Dan is thorough in his work and adept at thinking outside of the box to find practical solutions to complex issues."** The Legal 500, 2025

Daniel has a broad wills and trusts practice encompassing both contentious and non-contentious work. He has experience advising on the proper construction of wills, their formal and substantive validity, will challenges based on lack of capacity, want of knowledge and approval, and undue influence. Daniel also frequently advises in relation to claims for provision pursuant to the 1975 Act.



**Amanda Noyce**

Partner, RWK Goodman

**"Amanda has a very sensible approach to contentious matters, she doesn't have unrealistic expectations, and she is always looking to get the best for her clients. She is a sound, pragmatic lawyer." "Amanda guided us through a very tough time with her incredible in-depth knowledge of the law. We can't thank Amanda enough for all of her help, support, encouragement and advice."** CHAMBERS HIGH NETWORTH GUIDE

**"Amanda Noyce is kind, caring, intelligent and knows her job inside out, even the complex issues.."** LEGAL 500

Amanda is the partner with responsibility for RWK Goodman's specialist Contested Wills, Trusts & Inheritance Disputes team. With over 30 years' experience in the profession, Amanda was short-listed for Lawyer of the Year for her work on the high-profile Barton case in the 2018 Bristol Law Society awards. She has practiced in both the non-contentious and contentious areas of inheritance, probate, and trusts, but now specialises exclusively in contentious probate and trusts work. Amanda is ranked a "Leading Partner" in the Legal 500 2025 and as a Band 1 lawyer in the Chambers High Net Worth Guide 2025.

# Speakers



**Luke Watson**

Partner, Stone King

**“Luke leads the contentious trusts and estates team. Luke is highly experienced and a lovely person. Clients, the rest of the team, and opponents respect him.”** THE LEGAL 500

Luke is a Partner in the Dispute Resolution team at Stone King who specialises in contentious trust and probate disputes with over 20 years’ experience in this area. Luke is a full member of ACTAPS. Luke’s contentious trust and probate practice involves the full array of claims in this area including disputed wills, claims under the Inheritance Act 1975, breach of trust claims and proprietary estoppel. Luke acts for national charities, personal representatives, trustees and beneficiaries and has a particular interest in and experience of contentious trust and probate disputes which span multiple jurisdictions including current cases involving Singapore, France and Germany.

# Chair



**Calum Campbell,**

Partner, RWK Goodman

**“Calum is very conscientious. He works extremely hard and is very thoughtful, and he puts thought into analysing the cases.”**  
**“Calum’s expertise and professionalism make a difficult process less stressful.”** CHAMBERS HIGH NETWORTH GUIDE 2025

**“Calum is a solid private client and property litigator, combining a depth of legal knowledge with a tenacious approach to litigation, yet at all times keeping an eye on the client’s objectives.”** THE LEGAL 500

Calum is a Partner in the Contested Wills, Trusts & Inheritance Disputes team and helps clients across the Thames Valley and Oxford. Calum is ranked “Band 2” for Private Wealth Disputes (Thames Valley) in Chambers HNW 2025 and as a “Next Generation Partner” in the Legal 500 2025.