



Michael Ashdown

Call: 2013

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Clerks' Details

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Qualifications and Appointments

- MA, Christ's College, Cambridge, First Class
- BCL, Merton College, Oxford, Distinction
- DPhil, Merton College, Oxford
- Awarded a number of University and College prizes, including the James William Squire Scholarship and the prize for the best paper in Equity and Trusts

Memberships

- Chancery Bar Association
- APL associate membership
- Society of Legal Scholars

Practice Overview

Michael has a busy and diverse practice, encompassing all of Chambers' areas of traditional and commercial chancery work. He appears regularly in the High Court and County Court, both as sole counsel and as a junior in a larger team.

Michael's particular interests are in all aspects of litigation and advice relating to trusts law. This encompasses both traditional private client work and pension schemes, together with professional negligence in those fields.

Recent notable instructions include:

British Airways v Maunder. Acting for British Airways in a long-running claim against the trustees of the Airways Pension Scheme for alleged breaches of trust in the exercise of discretionary powers, culminating in a 7-week trial before Morgan J (with Michael Tennet QC and Sebastian Allen).

Acting (as sole counsel) for a minor beneficiary in two sets of contested High Court proceedings, first pursuant to *Schmidt v Rosewood Trust Ltd* to obtain trust accounts and other information to explain the diminution of the trust fund, and secondly to remove and replace the existing trustees.

Acting (as sole counsel) in High Court proceedings for a beneficiary seeking to establish his entitlement to a half share in a substantial trust fund, and to value and realise that share.

Acting (as sole counsel) for the claimant firm of solicitors in the County Court trial of their claim to recover unpaid fees from a client for whom they had acted in Proceeds of Crime Act proceedings.

Advising the defendant administrator on claims under the under the Inheritance (Provision for Family of Dependents) Act 1975 concerning overseas property, the validity of UK and foreign marriages and divorces by both claimant and deceased, and the recognition in England of foreign polygamous marriage.

Before coming to the Bar, Michael spent six years as Fellow and Tutor in law at Somerville College, Oxford. His research concerned trustees' powers and duties and the remedial consequences of breaches of trust, with a particular focus on the so-called "rule in *Re Hastings-Bass*", and was cited in the Court of Appeal in *Pitt v Holt* [2011] EWCA Civ 197. He lectured, examined and gave tutorials on the law of trusts and Roman law, and continues to teach land law to Oxford undergraduates.



Property

Michael regularly appears in Court and advises on property matters. His recent experience includes:

- British Overseas Bank Nominees Ltd v Analytical Properties Ltd [2015] EWCA Civ 43. Appearing in the Court of Appeal for the respondent purchaser of a shopping centre in its claim for damages for late completion by the appellant vendor (with Rupert Reed QC),
- Acting (as sole counsel) in several disputed service charge claims before the County Court.
- Acting for defendant chartered surveyors in a substantial construction dispute arising out of their oversight of renovations to a flood-damaged guesthouse.
- Acting for the claimant freeholder in an adverse possession dispute