

LEON PICKERING

“He’s totally on top of technical stuff and has the confidence of a silk”
(Chambers UK 2018)



Call 2010

Regarded as “very clever, academic and good fun” (Chambers UK) Leon has a commercial and chancery practice with a particular emphasis on onshore and offshore traditional chancery and the Court of Protection. He has acted in high-profile cases such as *Pakistan v Natwest* and the Crociani litigation.

Leon was named by in the Legal Week Private Client Global Elite “Ones to Watch” list in 2017, 2018 and 2019 and is recognised by the legal directories for his work in Traditional Chancery, Trusts, the Court of Protection and Offshore.

In addition to inheritance, tax, commercial chancery and Court of Protection cases, Leon also advises on capital tax and succession planning. He teaches for STEP and gives seminars across the country on all aspects of private client work.

Leon recently authored the new edition of Parker’s Will Precedents (Bloomsbury).

Leon also has a keen interest in regulatory and professional discipline law. He is a barrister member of the Bar Tribunals and Adjudication Service, a member of the judiciary of the Rugby Football Union and a lay member of the professional conduct committee of a national healthcare regulator. He contributed to the current edition of Kenneth Hamer’s Professional Conduct Casebook (OUP).

Private Client: Contentious

Leon is recommended by Chambers UK and Chambers HNW in this area. He is described as “*totally on top of technical stuff*” and a “*a rising star in the field*” with “*the confidence of a silk*” (Chambers UK). His practice encompasses traditional onshore and offshore trust and inheritance disputes and he is regularly instructed by charities in litigation over legacies.

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Recent highlights include:

Crociani v Crociani [2017] JRC 146; involved before during and after the trial on behalf of the successful claimant in this complex and lengthy \$200m breach of trust claim and in the appeal to the Jersey Court of Appeal

Pakistan v Natwest [2016] EWHC 1465 (Ch) (on non-justiciability, limitation and abuse of process); acting for His Exalted Highness the Nizam VIII of Hyderabad in a long-running claim involving the states of India and Pakistan (led by Eason Rajah QC)

Dellal v Dellal and others [2015] EWHC 907 defending a 1975 Act claim (and associated proceedings in Switzerland) brought by the widow of the deceased (led by Eason Rajah QC)

Pakistan v Natwest [2015] EWHC 55 (Ch) (on sovereign immunity, discontinuance and abuse of process); (led by Eason Rajah QC)

Court of Protection

Leon is recommended by Chambers UK in this area. He is described as “*a tough litigator and very client friendly*” and “*Exceptionally responsive, hard-working and smart. He really knows his stuff.*”. He is a committee member of the London branch of the Court of Protection Practitioner’s Association.

Leon acts for applicants, respondents and the Official Solicitor in all aspects of Court of Protection work (including Health and Welfare and hybrid applications), but with a particular emphasis on complex property and affairs matters such as tax planning statutory gift applications, statutory wills and the role of the Court of Protection in inheritance disputes.

Leon gives regular talks on Court of Protection practice and procedure.

Recent highlights include:

- Acting for the applicants in a substantial statutory gift application for purely tax planning purposes where P’s life expectancy was shorter than 7 years
- Acting for the Official Solicitor in a number of tax planning applications
- A contested attorney dispute with underlying proceedings to recover money from an ex-attorney on behalf of P
- Acting for the Official Solicitor in an urgent and expedited statutory will application
- A deprivation of liberty challenge with property and affairs aspects and a contested attorneyship

Private Client: Non-Contentious

Leon is recommended in this area by Chambers UK and Chambers HNW. He is “*very easy to deal with*” and is praised for his “*very good quality, practical advice*” and “*practical opinions on trust law*” (Chambers HNW). He is one of the co-authors of Tolley’s Inheritance Tax Planning and a co-author of Parker’s Will Precedents.

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Leon teaches the STEP Trust Administration course and regularly speaks on private client subjects around the country. He has been described as an “*excellent*” and “*engaging*” speaker.

In addition to capital taxes and succession-planning work, Leon is often instructed in applications to correct settlor and trustee mistakes through rectification and the setting aside of settlements in their entirety.

Recent highlights include:

- *Re South Downs Trustees Ltd* [2018] EWHC 1064 (Ch)
- A rectification of a deed of appointment (unreported, High Court, 2016)
- Setting aside a £1m+ settlement on the ground of equitable mistake (unreported, High Court, 2015)
- A successful will construction/rectification claim (unreported, High Court, 2015)
- A number of applications under the Variation of Trusts Act 1958

Commercial Chancery

Leon has a broad commercial chancery practice with an emphasis on fiduciary duties and accounting. He will often be brought in to deal with complicated financial issues, particularly in relation to partnership, LLP and company accounts. He has recently acted in long-running international proceedings dealing with conflict of law, non-justiciability and sovereign immunity issues.

Leon also has a keen interest in regulatory and professional discipline law. He sits as a barrister member on tribunals for the Bar Tribunals and Adjudication Service and has been appointed as a member of the judiciary of the Rugby Football Union. He is also a lay member of the professional conduct committee of a national healthcare regulator.

Recent highlights include:

- Acting for trustees who successfully set aside service of an unfair prejudice petition
- Breach of trust and fiduciary duty proceedings offshore in relation to a commercial trust and joint venture
- Advising on funeral pre-payment trust structures
- Defending a claim for breach of trust and fiduciary duties in relation to the sale of company shares owned by a trust.

Reported Cases:

- **Griffith v Gouragey and others** [2018] EWHC 1484 (Ch); on damages for acting without a client’s authority and on costs of an application to set aside orders (led by Eason Rajah QC)
- **Pakistan v Natwest** [2016] 1465 (Ch): On non-justiciability, limitation and abuse of process (led by Eason Rajah QC).
- **Pakistan v Natwest** [2015] EWHC 55 (Ch): On sovereign immunity, discontinuance and abuse of process (led by Eason Rajah QC).

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Property

Leon has a diverse real property and landlord and tenant practice including co-ownership disputes, developments and possession claims, including squatters.

Recent highlights include:

- Proceedings under the Trusts of Land and Appointment of Trustees Act 1996 where his client had an unadministered interest in an estate.
- A possession claim defended on the basis of proprietary estoppel and the so-called rule in Hastings-Bass.
- A large number of successful squatter claims (including one where the property was occupied by horses).
- Advising on the capital gains tax implications of dispositions of land and options over land.

Capital Taxes

Leon is recommended in by Chambers High Net Worth which praises his “*cogent advice*” and “*practical opinions on trust law*”. He is one of the co-authors of Tolley’s Inheritance Tax Planning and has recently written the new edition of Parker’s Will Precedents (Bloomsbury). He regularly lectures around the country on trusts and inheritance tax planning.

Leon’s capital taxes work focuses on IHT and CGT planning, including lifetime and testamentary mitigation, as well as in the Court of Protection. He also deals with professional negligence aspects of capital taxes work, including applications to correct mistakes with adverse tax consequences and in advising on and acting in claims against negligent advisors.

Recent highlights include:

- A rectification of a deed of appointment from a will trust with adverse IHT consequences (unreported, High Court, 2016)
- Setting aside a £1m+ settlement with adverse IHT and CGT consequences on the ground of equitable mistake (unreported, High Court, 2015)
- Acting for claimants in a substantial claim arising from negligent tax-planning advice (2015-2016)

Charities

Leon has been noted by Chambers and Partners (2016) as regularly instructed by charities in relation to legacies. He acts for charities in administration, construction, probate and Court of Protection claims. More broadly, Leon also acts for charities in relation to cy près schemes and third party claims.

Leon is a member of the Charity Law Association and was a member of their working group on the ‘Charities and

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Litigation' guidance.

Recent highlights include:

- Defending former charity trustees from a substantial breach of trust claim intimated by the charity
- Advising on distributions from a charity to an insolvent company
- Advising on the charitable status of gifts in a homemade will
- Acting for charities seeking to remove a personal representative.

Recommendations

"He's really sensitive to case dynamics and works hard to get matters concluded."

"Sensible, measured and professional."

"He's very methodical and works well in a team as he's highly contactable, and very sharp."

"He has a friendly, affable manner, is easy to work with and is excellent in court."

"Good with clients, excellent at drafting and always helpful."

Chambers UK 2021

'A top-drawer junior who charms the court.'

'Very clever. Organised and smooth. Good advisor in conference and writing.'

Legal 50 2020

"He's very methodical and works well in a team – highly contactable, and very sharp"

"He has a friendly, affable manner, is easy to work with and is excellent in court."

Chambers HNW 2020

"He is an easy and straightforward barrister to deal with."

"He's very good on paper and is an excellent negotiator."

"Exceptionally responsive, hard-working and smart. He really knows his stuff."

"He's totally on top of technical stuff and has the confidence of a silk."

"He is extremely responsive and provides solid commercial advice. He is very easy to deal with."

"He handled our matter very efficiently and delicately and got the right result."

Chambers UK 2020

"His technical knowledge is excellent and he has a good manner of explaining this to the client in a way they

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understand.”

“He provides very clear advice and analysis.”

Legal 500 2020

“Extremely responsive and provides solid commercial advice. He is very easy to deal with”

“He’s totally on top of technical stuff, and has the confidence of silks”

“Very good-quality, practical advice.He has recently been instructed in the highly notable Crociani case.”

HNW Guide 2019

“Demonstrates brilliant analytical skills and is very good in court.”

“Manages client expectations well and is a very safe bet if you have very technical issues which need to be resolved.”

Chambers UK 2019

“An excellent junior who is able to undertake complex drafting whilst also being very client-friendly and a tough litigator.”

“He’s very knowledgeable in this area.”

Chambers UK 2019

“He is reassuringly confident in his advice.”

Legal 500 2018

“a very enthusiastic advocate with wisdom and knowledge beyond his year of call. He makes a point of knowing everything going on in the field”

“He demonstrates brilliant analytical skills and is very good in court”

“He has a very good manner with clients and they find him easy to work with. He really knows his stuff and he provides really sensible and reasonable advice.”

Chambers HNW 2018

“Excellent in court and on his feet and very good at dealing with clients.”

“He is really, really bright and very highly rated in the market. When you speak to other law firms he’s definitely perceived as one who is a rising star in the field.”

HNW 2018

“a very enthusiastic advocate with wisdom and knowledge beyond his year of call. He makes a point of knowing everything going on in the field”

“He demonstrates brilliant analytical skills and is very good in court”

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“He is good at negotiating with parties and managing client expectations.”

“He has a very good manner with clients and they find him easy to work with. He really knows his stuff and he provides really sensible and reasonable advice.”

Chambers UK 2018

“He was excellent in court and on his feet. He helped us achieve a favourable settlement and he is very good at dealing with clients.”

“Last time I saw him on his feet he beat me, and I have to say he pulled off an absolute blinder. You’ve got to respect that; it was extraordinary, we got trounced. Honestly, I think he did very well, it was impressive.”

Chambers HNW 2017

“A tough litigator and very client friendly, he also has a good grasp of detail and undertakes complex drafting.”

Chambers UK 2018

“He’s very clever, academic and good fun.”

“Although he’s junior, that masks the experience he brings. His drafting is great, he’s hands-on and his response times are very quick.”

Chambers UK 2017

“Rapidly expanding traditional chancery practice”

“Really great”

“Regularly involved in high-stakes litigation”

“Someone you feel you can work with”

Chambers UK 2016

“Great with clients”

“practical opinions on trust law”

“cogent advice that can easily be forwarded to the client”

“approachable”

“very good understanding of clients”

Chambers HNW 2016

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Qualifications

- Wadham College, Oxford, MA (First)
- Wadham College, Oxford, MPhil (Distinction)
- GDL
- BVC (Outstanding)

Appointments

- Accredited mediator
- Member of the Bar Tribunals and Adjudication Service
- Member of the judiciary of the Rugby Football Union
- Member of the professional conduct committee of the CNHC

Associations & Memberships

- Chancery Bar Association
- Charity Law Association
- Court of Protection Practitioners' Association

Publications

- [Tolley's Inheritance Tax Planning](#)
- [Parker's Will Precedents](#)
- [Kenneth Hamer's Professional Conduct Casebook 3rd Edition](#)

Speaking Engagements

Leon regularly gives in house talks and seminars and is a sought after speaker for commercial seminar providers. He has been called an “*excellent*” and “*engaging*” speaker with an “*entertaining presentation*” and a recent CLT delegate said of him: “*Wonderful speaker; one of the best I've seen.*” He also teaches for STEP.

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