

Achieving fast, innovative and cost-effective dispute resolution for businesses

## Alison Meek – Mediator

“ Alison is a leading individual in the Legal 500 and a member of their Hall of Fame. ”  
Chambers HNW

### OVERVIEW

Alison is head of the contentious trust and probate team at a boutique private client practice in Lincoln's Inn, Sinclair Gibson. She has extensive international and domestic experience acting for professional trustees, trust companies and lay clients as executors/trustees and beneficiaries over a career that has spanned over 30 years.

She has accepted appointments to act as an executor by the high court and as a deputy in the court of protection. She acts as litigation friend in disputes involving the interests of minors. As part of her practice, she regularly takes part in ADR/Mediation on behalf of clients and believes that the medium is particularly suited to resolving complex family disputes in a cost effective and practical way.

She is a charitable trustee of one large private trust managing £13m of assets and making grants to smaller charities to make maximum impact and also a charitable trustee of a small charitable trust for young artists. She is on the board of an independent early music professional orchestra.

### STYLE AND APPROACH

Alison enjoys the combination of human interest and intellectual challenge in her job. Not infrequently her cases have an international aspect making settlement more complex. It can involve difficult tax issues. It is demanding work with clients who are used to and expect a high level of professional service.

She has a large blended family herself: in addition to having her own two adult children (with one grandchild on the way) she is a stepmother and step grandmother and includes two nonagenarian grannies and an ex-granny in the family. Managing the dynamics of a large extended family gives her insight into the way in which family dynamics work well (and badly). She understands the pressure points from long professional and personal experience, which enables her to see all sides of family disputes. This gives her insight as a mediator into how family disputes might settle and where they might stumble.

### EXPERTISE

- Private client practice
- Wills
- Trust
- Probate
- Court of Protection practice
- Prof Neg. Civil Litigation re; trust/probate issues

### EXPERIENCE

Admitted as a solicitor in 1986 and in practice ever since with short breaks for maternity leave in the 1990s. Probate and trust disputes are complex and because they are usually

family disputes fraught emotionally irrespective of the values in dispute. Her practice involves disputes over millions of dollars to disputes over relatively small sums. The legal issues are interesting and because the disputes involve non-legal issues as well, they often lend themselves to settlement at mediation.

A summary of the sort of cases which her practice encompasses is below (on an anonymised basis).

- Offshore trust dispute spanning 12 years, involving a dispute between siblings and a matriarch involving complex valuation issues of different asset classes and the exercise of trustee powers. Many interlocutory applications to the offshore court, and (to date) two hearings before the local court of appeal. One (failed) mediation (unimpressive mediator).
- Probate dispute involving the substantial estates of a married couple who both died within 6 months of each other, one leaving his estate to charity and the other leaving her estate to the children. Injunction secured in the court of protection against a carer who had extracted millions before the couple died. Complex conflicts issues between sets of personal representatives. Difficult legal issues regarding the ownership of a fine art collection.
- Probate dispute as to which of a number of last wills was the valid will of a testatrix with marginal capacity in her declining years. Her son had extracted significant sums in the years before her death and the appointment of the agricultural estate to him. The daughter discovered this after their mother's death. Competing experts' reports as to capacity. The matter settled at a successful mediation which was done by 5.30pm.
- Estate litigation as court appointed executor to replace family executors who were considered biased to recover sums extracted by a mistress from a testator with declining capacity. (Prior to my appointment there had been a mediation in relation to the ownership of two of the deceased's dogs which made the tabloids). There followed a claim under the 1975 Inheritance (Provision for Family and Dependents) Act by the mistress. A bent accountant was exposed who had fraudulently secured £3m from the deceased before his death by forging a letter from HMRC. An injunction was secured to recover what was left. One member of the family then brought claims for a larger share of the estate. The dispute lasted for 5 years.
- Acting for one of three executors appointed by a deceased holocaust survivor who had acquired a large estate in his adopted country and a large family almost all of whom suffered from addiction issues. The family was riven by tragedy. Winding up the estate and dealing with difficult beneficiaries.
- Acting for one of three family trustees as defendant to an application for directions in the administration of a trust containing a plot of undeveloped land. Intensely hostile family dispute which will be resolved in court in June.

- Application to the Court of Protection for an interim order in the best interests of a member of a family who was suffering from acute addiction issues pending a formal determination as to her capacity. Involved the creative use by the judge of s48 of the Mental Capacity Act 2005.
- She acts as a trustee of a large landed estate with ongoing development projects to enhance value to the trust. Involves liaising over the generations and with the matriarch who generated the family wealth.
- Most memorable mediation involved a farming family. The 6 adult children had inherited equal shares in each of their parents' estates, so their shares were calculated in 1/12's. Only one child was a farmer. The family chemistry was toxic. In spite of that the two day mediation was almost successful and only fell apart at the last hurdle over some shooting rights over one field. The matter eventually went to trial and the farm had to be sold to meet legal costs. It illustrated why good joined up advice is essential for testators to ensure that what they want to happen happens. Almost certainly the two testators would not have wanted this outcome.

## PROFESSIONAL QUALIFICATIONS

- Solicitor of the Supreme Court of England and Wales.
- Admitted to the Roll: 1986.

## CAREER HISTORY

- Training, Herbert Smith.
- 1997 - 2004 Partner, Boodle Hatfield.
- 2005 – 2007 Partner, Speechly Bircham.
- 2007 – 2020 Partner, Harcus Sinclair/Sinclair Gibson.

## ACCREDITATION

- Accredited Mediator with ADR Chambers (2012).
- Member of the Society of Trust and Estate Practitioners (STEP).
- Member of the Association of Contentious Trust & Probate Solicitors (ACTAPS).
- Law Society Wills & Equity Committee (2005-2014).
- Co-editor and contributor to: International Trust Disputes (1st and 2nd editions, Pub. OUP 2012 and 2020).
- Co-author: The practitioner's Guide to Contentious Trusts and Estates (Pub. 2002).

## Contact

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