



## Alex Cisneros

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Year of call  
2015

Email  
[alex.cisneros@outertemple.com](mailto:alex.cisneros@outertemple.com)

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Alex Cisneros is a specialist public law and private client barrister. He has experience handling significant contentious and non-contentious matters with a particular emphasis on mental capacity and education.

Alex is a member of the C Panel of the Attorney General's Panel of Junior Counsel to the Crown.

Alex has been invited to complete a part-time PhD exploring developments in mental capacity law and the impact on vulnerable adults. His research will commence in September 2020 under the supervision of Professor Rosie Harding.

In his spare time, Alex sits as a Member of the Beckmead Family of SEN Schools and a Trustee of the Centre for Young Musicians, a division of the Guildhall School of Music. In 2018, Alex was appointed a Bar Council social mobility advocate, a role that he is proud of.

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### London

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### Abu Dhabi

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Abu Dhabi, UAE

T: +971 2694 8596

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### Dubai

Level 15  
The Gate Building  
Dubai International Financial Centre  
Dubai, UAE

T: +971 4401 9584

## Court of Protection

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Alex practises in both the property/financial affairs health/welfare jurisdictions of the court.

Alex acts regularly for the Official Solicitor, the Office of the Public Guardian, local authorities, CCGs and family members.

In the last twelve months he has regularly appeared in Tier 3 (High Court) Court of Protection cases. Alex has a particular interest in cases involving younger clients, informed by his education law and community care practice.

Alex also has experience of advising internationally about mental capacity law. He has advised overseas dependencies and crown dependencies about their mental health and mental capacity legislation. He is also an Associate Fellow of the Royal Commonwealth Society and contributes to discussions about mental health legislation in Commonwealth member states.

Alex is currently completely a part-time PhD under the supervision of Professor Rosie Harding. His research focuses on the impact of the Liberty Protection Safeguards for vulnerable people.

Noteworthy cases:

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### ***Re Various Lasting Powers of Attorney [2019] EWCOP 40***

Case involving Lasting Power of Attorney instruments that purport to give the attorney(s) the power to provide financial assistance and maintenance to a person other than the donor. The case is intended to provide guidance for future LPAs.

### ***Office of the Public Guardian v PGO & Ors, Re: BGO [2019] EWCOP 13***

Guidance on the validity of Lasting Power of Attorney instruments and when they can be treated as being in their prescribed form.

### ***Office of the Public Guardian v SDL & Ors [2019] (COP)***

Guidance case clarifying the requirements for the creation of a lasting power of attorney in relation to the identity of a certificate provider.

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## Private Client

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Alex has particular experience of advising in relation to end of life planning involving wills and lasting powers of attorney.

Examples of recent work includes:

- Making claims for financial provision under the Inheritance (Provision for Family and Dependents) Act 1975;
- Advising administrators of an insolvent estate; and
- Advising on disputed wills where the testator's mental capacity is in question.

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## Education

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Alex is regularly instructed to appear for parents and local authorities in the First-tier Tribunal (Special Educational Needs & Disability). He has particular expertise in cases where the health and social care elements of an EHCP are in dispute.

He has a broad range of education law experience in other settings involving school admissions and exclusions, safeguarding, civil claims involving schools and complaints against universities.

As well as tribunal/ court work, Alex also has experience of advising the Office of Qualifications and Examination Regulation and the Department of Education in relation to various education law and policy matters.

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## Public Law

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Alex has experience of public law cases in various tribunals, the High Court and the Court of Appeal.

He is also regularly instructed to advise in judicial review proceedings both before and after a case has been issued.

Noteworthy cases:

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### ***Khan v Khan [2019] (Multi-Track trial)***

A successful claim on behalf of a client who had regained capacity to look after his own property and financial affairs. The claim was for almost £200,000 of damages arising out of multiple breaches of the fiduciary obligations that the defendant owed to the claimant as his deputy for property and financial affairs.

### ***Kousar & Ors v Secretary of State for the Home Department [2018] EWCA Civ 2462***

Junior Counsel in this Court of Appeal case seeking an extension of the principles established in the earlier immigration case of *Basnet*.

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## Appointments & Memberships

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- Court of Protection Bar Association (Committee Member)
- LexisNexis Private Client Expert Panel
- Administrative Law Bar Association
- Court of Protection Practitioners Association
- Royal Commonwealth Society (Associate Fellow)

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