



Zoë Barton QC

Call: 2003

QC: 2020

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Clerks' Details

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Qualifications and Appointments

- MA (Hons) (Edin)
- Postgraduate Diploma in Law, City University
- Awarded scholarships by Gray's Inn and City University
- Member of the Chartered Institute of Arbitrators

“An impressive and formidable new silk.”

The Legal 500 2021

Memberships

- Chancery Bar Association
- Property Bar Association
- ACTAPS and ConTrA
- Professional Negligence Bar Association
- MCI Arb

Practice Overview

Ranked as a leading barrister in multiple practice areas, a strength that makes her well-suited to litigation that straddles disciplines, Zoë is “an impressive and formidable new silk” (Legal 500 2021) particularly noted for advocacy and client skills. Her practice is grounded in a strong technical understanding of property and trusts. In addition to her practice spanning the breadth of those areas, this technical expertise serves as the foundation of her civil fraud practice, which forms a significant element of her work and where the ability to establish or challenge proprietary interests and trust structures can be decisive. Zoë also practises in professional liability, typically related to her other practice areas.

Zoë is “an impressive and formidable new silk” and “astute tactician” whose “client-craft in conference is second to none” (Legal 500 2021). She is “very bright, proactive and innovative” (Legal 500 2020), “a great advocate who is very commercial and tenacious”, “brilliant tactically” (Chambers & Partners 2021) and who has “real presence” (Chambers HNW), shows “exceptional attention to detail” and “gets straight to the point and is very knowledgeable” (Chambers & Partners 2020).

Zoë is especially well-regarded for her advocacy having been described as “a concise, effective and tenacious advocate”, “a superstar advocate in the making” and somebody who “understands complex legal issues quickly and flawlessly demonstrates this through her persuasive advocacy” and “is extremely eloquent and can think quickly on her feet” (Legal 500 2019) with one solicitor commenting “she’s absolutely fabulous and is very persuasive before the court. I would not want to be on the end of a cross-examination by her” (Chambers & Partners).

Zoë “has a discerning eye for the important points in a case” (Chambers & Partners) and applies herself assiduously to her clients’ cases, combining being “very quick to get to grips with matters” with “a keen eye for detail” and being “sharp, concise and very approachable”, such that “her work is flawless”. But what sets Zoë apart from her peers is her “excellent rapport” and the way in which she “builds incredible faith in her clients”. She is “good at keeping everybody focused”, “very calm”, “very approachable, and very keen to see a good result for the client”. Zoë understands and reflects her clients’ objectives and as a fan of saying what she thinks, she “provides forthright, unwavering advice”, “does not shy away from difficult issues and gives her opinion without fear or favour” (Chambers & Partners) in “a nice manner ... that clients appreciate”, leaving “[clients] ... very impressed with her”. She knows that litigation is a war of attrition, understands the importance of strategy and uses her ability to “[deal] with the technical issues very well” to that end, creating and exploiting weaknesses in her opponents. Zoë is frequently instructed in cases that call for equitable remedies as her appreciation of where the merit lies lends itself particularly well to cases concerning the exercise of discretion.

Zoë is also a Member of the Chartered Institute of Arbitrators.



Professional Liability

Zoë draws on her considerable expertise in general commercial transactions, trusts and property issues to effectively handle complex and sophisticated professional negligence disputes. She has the benefit of acting regularly for both claimants and defendants.

Whether she acts for disappointed beneficiaries in a claim arising out of the drafting of a will, a lender concerning fraudulent property transactions, Zoë can act in both in the underlying dispute and the related claims against negligent professionals such as solicitors and valuers.

Examples of Zoë's related work include:

- Claim by two prominent housebuilders in connection with the drafting of option agreements over a very large site in Oxfordshire and subsequent advice.
- Advising a firm of solicitors in respect of service of a lease break notice by incoming landlord prior to registration of its interest at HM Land Registry.
- Acting for a charity in connection with putative claims against solicitors and surveyors in relation to their advice as to the sale of land by a charity, which sale was later alleged to be void.
- Acting for purchasers of land who claimed that they were not appropriately advised as a proposed substantial redevelopment neighbouring the home they purchased. Issues as to scope of duty and extent of advice.
- Acting for liquidators appointed in respect of a number of companies conducting fraudulent collective investment schemes in which investors' monies were held by solicitors and then paid out of their client accounts in breach of Solicitors' Account Rules and to make payments to 3rd parties apparently unconnected with the investment vehicles.
- Acting for solicitors in a claim alleging that the firm was tainted by undue influence or fraud over a client by her partner that vitiated their retainer and various allegations of breach of Solicitors' Code of Conduct. Successfully struck out the claim and upheld on appeal.
- Acting for a developer in connection with solicitor's advice as to the extent of a right of way.
- Advising a firm of solicitors where a positive covenant in respect of clawback payments was not properly protected before the client entered into a contract for sale such that the burden of the clawback payments will not pass and remain hers alone.
- Acting for a claimant in a claim against a firm of solicitors on behalf of the estate of the deceased where the firm failed to advise severance of the joint tenancy of a property, such that there were insufficient assets for the nil-rate band trust in the will the firm drafted.
- Acting for a firm of solicitors in defending a claim arising out of the alleged failure to advise against sale of a property in the context where the sale exposed the proceeds to be diminished by care home fees.
- Acting for a firm of solicitors in defending a claim arising out of the purchase of a multi-million pound property in the context of poor quality works by the developer who refurbished and converted it and the purchasers' claim against the surveyor who reported.
- Acting for a purchaser of a property in respect of a solicitor's failure to advise in respect of multiple dwellings relief in SDLT.
- Successful strike-out and summary judgment application dismissing the claimant's claim against solicitors instructed in the administration of an estate, which the executrix had thought insolvent, concerning date of knowledge for limitation and the effect of a vesting order in respect of a beneficial interest in a property in the proper administration of an estate.
- Acting in numerous claims concerning ineffective property notices.



Professional Liability continued

- Acting in claim against solicitors for failure to advise one of three lay clients, two business partners and the spouse of one of them, where there were numerous conflicts of interests between them.
- Advising as to possible negligence of a solicitor in respect of a failure to advise properly concerning her duties as executrix.
- Advising an insured in respect of allegations of recklessly condoning a fraudulent act (namely reverse frauds and imposter frauds) in conveyancing transactions in the context of withdrawal of cover by the insurer.