



Joseph Steadman

Call: 2015

jsteadman@wilberforce.co.uk

Clerks' Details

+44 (0)20 7306 0102
practicemanagers@wilberforce.co.uk

“Extremely intelligent, he knows the law backwards, gives very practical advice. He is an ideal person to have on the team.”

The Legal 500, 2022

Memberships

- Association of Pension Lawyers (Associate Member)
- CFLA
- Chancery Bar Association
- COMBAR
- ConTrA
- Property Bar Association
- ThoughtLeaders4 HNW Divorce
- ThoughtLeaders4 Private Client

Publications

- [Attacking and defending \(pension\) trusts in divorce](#) ThoughtLeaders4 HNW Divorce Magazine (Issue 2) April 2020
- [Deposits in conveyancing transactions: How does the penalties doctrine apply?](#) Wilberforce Property Commentary October 2019

Practice Overview

Joseph has a very busy and diverse commercial chancery practice, spanning all of Chambers' practice areas. He is regularly instructed to appear as sole counsel in High Court, County Court and Tribunal litigation, as well being led as part of a larger counsel team. He has been involved in appeals to the Upper Tribunal and High Court (in his own right) and to the Court of Appeal. He also has a substantial advisory practice.

Joseph has experience of working on cases which span a number of jurisdictions and require him to work closely with overseas lawyers and insolvency practitioners. His recent work has involved the Channel Islands, the Isle of Man, Cayman Islands, the British Virgin Islands, Cyprus, Monaco, Malta, and Switzerland.

Many of Joseph's cases involve interactions between different areas of the law, reflecting the breadth of Joseph's practice. He is particularly well-placed to advise in cases which straddle the traditional boundaries between practice areas, and enjoys deploying concepts from across the law in order to achieve the best outcomes for his clients.

Some highlights include:

- successfully appearing (as sole counsel) in the Upper Tribunal on behalf of the Pensions Regulator, in relation to the appointment of an independent trustee of a pension scheme which it was alleged had not been constituted as a trust ([RP Medplant Ltd v The Pensions Regulator \[2017\] UKUT 0385 \(TCC\)](#));
- acting (with Richard Harrison QC and [Jonathan Hilliard QC](#)) for a business associate of the husband in a high-value cross-jurisdictional matrimonial claim, in which it is alleged that a complex offshore structure has been used to hide the fact that the business associate holds assets as the husband's nominee;
- acting for the successful appellant in [Hook and another v Hawkins \[2019\] UKUT 147 \(LC\)](#), an appeal to the Upper Tribunal concerning the status of the spouse of an agricultural worker under the Rent (Agriculture) Act 1976 after the worker leaves the home and the spouses are divorced—the only reported case dealing with the interplay between the Rent (Agriculture) Act 1976 and the Matrimonial Homes Act 1983; and
- acting (with [Marcia Shekerdemian QC](#)) for the claimant company in relation to a multi-million-pound claim for breach of fiduciary duty against one of its directors, along with two unfair prejudice petitions and a derivative claim.



Publications continued

- [The status of spouses of agricultural workers \(Hook v Hawkins\)](#)
Lexis®PSL Property Disputes May 2019
- [Construing restrictive covenants over registered land](#) Willberforce Property Update (Issue 3) February 2017

Practice Overview continued

Background

Joseph studied Law at Selwyn College, Cambridge, and graduated with a first-class degree. He was awarded a university prize for the best result in the Equity Tripos, as well as numerous college scholarships and prizes. He went on to obtain a distinction in the BCL (producing a first-class dissertation entitled "Remedies against Recipients from Defaulting Trustees").

Upon completion of the BPTC (outstanding) at City University, London in 2015, Joseph was awarded the William Rose Memorial Prize for Excellence in Drafting. He has also been awarded Lord Denning, Hardwicke, and Sunley Scholarships from Lincoln's Inn.

Before starting pupillage, Joseph spent several months working with a major litigation funder, where he was responsible for assessing applications and drafting funding agreements. He is familiar with various funding models and with the effective presentation of cases to investors. Joseph has also taught and examined undergraduate courses in property and trusts at Cambridge and UCL.

Joseph joined Chambers in 2016 upon the successful completion of his pupillage. His pupil supervisors were Rupert Reed QC, Jonathan Hilliard QC, Julian Greenhill QC, Andrew Mold QC, and Emily Campbell.

Property

Joseph has a busy and varied property practice. He is regularly instructed in litigation involving commercial or residential property, as well as providing advice in non-contentious matters. Joseph enjoys working both on his own and as part of a team of counsel.

As part of a counsel team, Joseph's property experience includes:

- acting (with [Jonathan Seitler QC](#)) for a parking company in a dispute with the owner of a shopping centre concerning the redevelopment of a multi-storey car park;
- assisting [Jonathan Seitler QC](#) and [Emily McKechnie](#) on a claim for fraudulent misrepresentation and conspiracy to deceive arising out of the sale of a holiday park in Cornwall (*Francis v Knapper & ors* [2016] EWHC 3093 (QB)); and
- assisting Martin Hutchings QC in resisting an appeal to the Eastern Caribbean Court of Appeal in a dispute over land in Nevis.

Joseph's residential landlord and tenant experience includes:

- acting for the successful appellant in [Hook and another v Hawkins \[2019\] UKUT 147 \(LC\)](#), an appeal to the Upper Tribunal concerning the status of the spouse of an agricultural worker under the Rent (Agriculture) Act 1976 after the worker leaves the home and the spouses are divorced—the only reported case dealing with the interplay between the Rent (Agriculture) Act 1976 and the Matrimonial Homes Act 1983;
- acting for the freeholder in first-tier tribunal proceedings concerning who should bear the cost of repairing a "green" roof which formed part of a residential development;
- acting on behalf of a tenant seeking leasehold enfranchisement where the landlord could not be found;
- acting for the landlord in a dispute concerning the amount of rent due under an assured shorthold tenancy, where the tenant alleged a lower rent was agreed orally than was recorded in the tenancy agreement;
- acting on behalf of a tenant in a claim for disrepair to his penthouse apartment overlooking Buckingham Palace, which included complex questions of construction concerning the extent of the tenant's demise;
- advising a residential tenant in relation to a claim for disrepair, including the effect of historic settlement agreements;
- advising a trustee-in-bankruptcy concerning the occupation of the bankrupt's property by a tenant pursuant to a long lease entered into after the bankruptcy order;



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- advising a freeholder in relation to the presence of potentially unsafe cladding in a residential development; and
- acting on behalf of a residential landlord in a claim against a tenant who vacated early, alleging that the property was unsafe.

Joseph's commercial landlord and tenant experience includes:

- advising a sub-tenant in relation to novel questions – not previously considered by the courts – about the interaction of the court's power to grant relief from forfeiture and the statutory renewal of tenancies under the Landlord and Tenant Act 1954;
- advising and acting for a landlord in relation to a claim for terminal dilapidations;
- advising a landlord in relation to a request for consent to change of use by a commercial tenant;
- acting for a primary care centre in a claim for possession and rent arrears against the operator of a café, which included an allegation that there had been an oral modification to a long lease of the premises;
- advising the assignee of a commercial lease on its standing to seek a lease renewal where the validity of the assignment was in question;
- acting for landlords and tenants in relation to contested and uncontested lease renewals;
- acting for a tenant in relation to a claim for £5 million in capital contributions due under a lease; and
- acting for the tenant of one of the largest abattoir premises in Europe, seeking relief from forfeiture in order to allow new finance to be raised.

Joseph's real property experience includes:

- acting for both claimants and defendants in adverse possession claims to land ranging from a converted pub to a church garden;
- successfully striking out a claim under the Protection from Harassment Act 1997 brought by one set of neighbours against another;
- acting on behalf of a landowner in resisting an application for an injunction to prevent a partridge shoot pending the determination of a claim for adverse possession;
- acting for the defendants in trespass and private nuisance proceedings, where their defence was that they had the benefit of express and/or prescriptive easements;
- acting for the executor of an estate in a claim to update or modify a restriction so as to replace the deceased's name with the executor's name;
- acting for a neighbour in relation to a claim for breach of a covenant against building; and
- acting on behalf of the freeholder of a large residential development in a dispute over rights to parking spaces, said to arise by proprietary estoppel.

Joseph's trusts experience in the property context includes:

- acting for the claimant in seeking a right to occupy residential and commercial premises under a constructive trust or proprietary estoppel, and alternatively to restitution of the value of improvements undertaken to the property;
- acting for one sibling against another in a claim under TLATA for the sale of an investment property and declarations as to their respective beneficial interests; and
- advising and acting for claimants and defendants in disputes over shared property following relationship breakdown.

Joseph's professional negligence experience in the property context includes:

- advising about claims for professional negligence against a firm of solicitors in relation to a property purchase;



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- acting for the defendant vendor in a claim for professional negligence and misrepresentation concerning the presence of Japanese knotweed;
- advising in relation to potential claims for professional negligence against solicitors and surveyors in relation to the compromise of a dispute concerning disrepair; and
- advising in relation to claims for professional negligence against a building contractor and a building consultant under a JCT contract.

Joseph has also acted in numerous possession claims – including against trespassers, tenants and mortgagors – and in several claims to enforce judgments against property through interim and final charging orders and orders for sale. Joseph's involvement is particularly sought when the circumstances are complex or involve a cross-over with another area of the law—a recent example is a claim for a final charging order where the defendant alleged he had no beneficial interest in the property by virtue of an order in matrimonial proceedings.