



## Joseph Steadman

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### Clerks' Details

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*“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.



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## 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.

## Trusts, Tax, Probate & Estates

Joseph has a busy trusts and probate practice across a wide variety of contexts, including commercial fraud/asset-tracing, divorce and relationship breakdown, and more "traditional" private client work.

Joseph's trusts experience includes acting in relation to both onshore and offshore trusts, often requiring an awareness of tax concerns. Joseph's experience includes:

- acting (with [Jonathan Hilliard QC](#) and [Graeme Halkerston](#)) for a claimant in successfully obtaining a pre-action freezing injunction in the BVI to restrain assets in Monaco, in support of claims that the defendant – for whom the assets were held as nominee pursuant to written declarations of trust – himself held those assets on oral trusts for the claimant;
- advising the trustee of a will trust in relation to a claim that she had negligently failed to invest the trust fund, including detailed consideration of expert evidence concerning how the fund would have performed had it been properly invested;
- advising the trustee of an Isle of Man trust concerning loans which the trust's accounts showed had been made to a beneficiary, but which the beneficiary's trustee in bankruptcy alleged were not in fact made;
- advising a trustee in relation to the steps to be taken where his co-trustee had started Part 8 proceedings and then died before their conclusion; and
- acting for a firm of solicitors in a Part 8 claim for directions concerning the destination of proceeds from the sale of a property formerly held within a SIPP.

Joseph is increasingly in demand as a chancery practitioner in relation to matrimonial finance proceedings—whether for a party to the marriage, a member of their family, or a third party such as a trustee. He enjoys working as part of a multi-disciplinary team and deploying chancery concepts in the context of divorce. Joseph's experience includes:

- 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;
- advising a wife in relation to her husband's interest in an Isle of Man pension fund, including issues concerning the English court's extraterritorial jurisdiction and questions of cross-border enforcement including "firewall" legislation and disclosure;



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## Trusts, Tax, Probate & Estates continued

- advising and acting for a minor whose parents had settled almost all of the family's assets on trust for him, and sought in their divorce to access those assets—Joseph appeared at the FDR as sole chancery counsel (with matrimonial counsel Deepak Nagpal);
- advising a husband in relation to agency arguments relied upon by Leading Counsel for the wife (Nigel Dyer QC) in a Thwaite application; and
- acting (with Richard Todd QC, Nicholas Yates QC and [Jonathan Hilliard QC](#)) on behalf of the applicant wife in ancillary relief proceedings, seeking a share of a multi-billion-dollar offshore trust and company structure.

Joseph's probate and estates experience includes:

- acting for one of the beneficiaries of an estate in a dispute with the executor concerning his claim to hundreds of thousands of pounds in fees;
- acting for a widower in a long-running dispute with his late wife's ex-husband concerning the beneficial ownership of the former matrimonial home, including obtaining a without-notice injunction to restrain the ex-husband from harassing the widower;
- acting for an executor in a successful application to remove the other executor where a stalemate had arisen between the two of them concerning the marketing and sale of properties in Highgate;
- acting on behalf of the beneficiaries of an estate in a professional negligence claim against solicitors whose poor advice and drafting resulted in a deed of variation having to be rectified by the High Court;
- advising the executor of an estate concerning the steps to be taken where letters of administration had been obtained by a third party on the incorrect basis that the deceased died intestate, including the steps required to prevent disposal of the property which was the main asset of the estate;
- advising in relation to the validity and construction of will trusts, and on the exercise of powers by the trustees;
- advising in relation to the validity and construction of various wills and codicils, including the presumption in section 22 of the Administration of Justice Act 1982, the application of the "rule against double portions";
- drafting proceedings concerning the construction of a will and the ownership of joint bank accounts in relation to an estate in Singapore; and
- advising in relation to unexplained transfers made shortly before a testator's death to one of the beneficiaries of his will.

In addition, Joseph has extensive experience of deploying his trusts expertise in the context of pension schemes and co-owned properties—please see the Pensions and Property sections for details.