



Alice Hawker

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Clerks' Details

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Qualifications and Appointments

- BA, Law with Legal Studies in Europe (Magdalen College, Oxford)
- BPTC, Very Competent (BPP)
- Denning Scholarship (Lincoln's Inn)
- Lincoln's Inn Entrance Award
- Walter Wigglesworth Scholarship (Lincoln's Inn)

“An exceptional junior barrister... Her advocacy comes across as beyond her years and she has an excellent feel for the court room and the direction of the judge.”

The Legal 500, 2022

Memberships

- Chancery Bar Association
- COMBAR
- Property Bar Association
- Female Fraud Forum

Practice Overview

Alice has a busy Commercial Chancery practice. In particular Alice has significant experience of property litigation, both commercial and residential. She is regularly instructed on cases involving civil fraud and asset recovery, corporate and personal insolvency, company and partnership matters, and trusts. Alice's expertise across these practice areas means she is well placed to deal with cases raising a range of complex technical issues.

Alice is ranked as a leading junior in The Legal 500 (2022): *"Alice is an exceptional junior barrister. She digests complex material with seeming ease and at pace, whilst completely grasping all elements and demonstrating an encyclopaedic knowledge of the materials. She is contactable, approachable and entirely dependable. She also works incredibly hard and manages to give the impression that she is always prioritising you and your instruction. Her advocacy comes across as beyond her years and she has an excellent feel for the court room and the direction of the judge."*

Alice is a formidable advocate who has been praised in previous editions of The Legal 500 as *"excellent in cross-examination"* and as having *"an excellent delivery in court"*. She *"always has an impressive grasp of the finer details of any brief"*. She regularly appears in the High Court, County Courts and the First-tier Tribunal (Property Chamber) as sole or junior counsel.

Alice is appointed to the Attorney General's C Panel of Junior Counsel to the Crown. She is also certified by ADR Group as a Civil and Commercial Mediator.

Recent experience includes:

- Acting for the successful claimant on an 8-day trial in a service charge claim for c. £2.3million concerning central London property. Led by Nicholas Trompeter QC. (*Criterion Buildings Ltd v McKinsey & Co Inc* [2021] EWHC 216 (Ch)).
- Acting for the defendants in a long-running multi-million-pound company and partnership dispute involving litigation in England and India, led by Stuart Hornett (*Badyal v Badyal and Badyal*), including most recently the trial of preliminary issues to determine the scope of Accounts and Inquiries.
- Acting for the defendant in a claim involving alleged invoice fraud for c. £700,000, and responding to applications for a freezing injunction and inspection orders.
- Acting for the claimants in a three-day trial of a boundary dispute, raising issues of T-marks on plans and adverse possession (*Simic and Simic v Gray* [2021] 4 WLUK 453).



Property

Alice is ranked as a leading junior in The Legal 500 for property litigation, which says, "*Alice is an exceptional junior barrister. She digests complex material with seeming ease and at pace, whilst completely grasping all elements and demonstrating an encyclopaedic knowledge of the materials. She is contactable, approachable and entirely dependable. She also works incredibly hard and manages to give the impression that she is always prioritising you and your instruction. Her advocacy comes across as beyond her years and she has an excellent feel for the court room and the direction of the judge.*"

Alice's practice encompasses all aspects of property litigation. She is regularly instructed on both commercial and residential property matters, including:

- Forfeiture and lease renewals under the Landlord & Tenant Act 1954
- Trusts of land, proprietary estoppel and co-ownership
- Easements, restrictive covenants and boundary disputes
- Adverse possession
- Land registration and conveyancing

Landlord and tenant

- Acting for the successful claimant on an 8-day trial in a service charge claim for c. £2.3million concerning central London property. Led by Nicholas Trompeter QC. (*Criterion Buildings Ltd v McKinsey & Co Inc* [2021] EWHC 216 (Ch)).
- Advising in connection with pandemic rent claims, including rent cesser and insurance provisions.
- Acting for the claimant on a claim for terminal dilapidations of commercial premises, raising issues regarding the effect of insolvency on guarantees under the lease.
- Representing the respondent to an application for a vesting order of leasehold property pursuant to s. 1017 of the Companies Act 2006. The case raised issues of whether a Notice of Disclaimer was properly constituted, and whether the applicant had standing under s. 1017(1)(a) of the 2006 Act (*McWalter v (1) Her Majesty's Attorney General (as representative of the Crown) (2) Executors of the Estate of Jeffrey Matthey* [2018] EWHC 563 (Ch)).

Real Property

- Acting for the claimants in a three-day trial of a boundary dispute, raising issues of T-marks on plans and adverse possession (*Simic and Simic v Gray* [2021] 4 WLUK 453).
- Acting for the defendant in a four-day trial regarding breach of repair covenants, breach of contract for sale, breach of the Defective Premises Act 1972 and nuisance.
- Advising on the enforceability of restrictive covenants on freehold properties on an estate comprising over 35 houses and 60 flats.
- Acting for the claimants in a claim for specific performance of an option agreement to purchase land, or damages in lieu.
- Presenting an application for summary judgment for payment of an award under the Party Wall etc. Act 1996.
- Advising and representing three defendants in a long-running dispute concerning trespass and harassment. Appeared at the return hearing for an interim injunction and cross-examined five relevant witnesses, and the subsequent successful application to strike out the claimant's case against one defendant.
- Representing the appellant in a matter arising from a boundary dispute in an appeal against the trial judge's refusal of relief from sanctions. (*Lakhani v Mahmud* [2017] EWHC 1713 (Ch)).
- Representing the claimant at trial in a claim for a declaration as to the beneficial ownership of property registered in joint names, raising issues of remedial constructive trusts, proprietary estoppel and undue influence.



Property continued

Mortgages

- Representing the respondents to an application to set aside a possession order arising from the applicant's refusal to vacate under the terms of a Tomlin Order.
- Representing LPA Receivers in their claim for possession of various properties arising from a settlement agreement.

Land registration and conveyancing

- Representing the third defendant to a claim for a declaration that the claimant held a leasehold interest in one of 262 flats raising issues of the validity of the transfer, land registration rules and the freeholder's authority to grant a sub-lease.
- Advising on a claim for an indemnity from the Chief Land Registrar pursuant to Schedule 8 of the Land Registration Act 2002 arising from omissions and errors in the Register.