

## Mark Jones

Deputy Head of Chambers

Called: 1997



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## Practice Overview

**"Mark is a tenacious advocate where necessary and extremely persuasive in both written and oral submissions."**

**"A brilliantly skilful Lawyer. He is highly intelligent, quick-witted, canny and commercially astute."**

Mark initially practised in most areas known to the law after qualifying as a solicitor, before transferring to the Bar in 1997. For over a decade Mark has specialised in Chancery, commercial and professional negligence litigation with a particular emphasis on matters which have a contested probate, capacity, property, or other chancery description. He is a resolute advocate in court, while priding himself on being highly approachable and providing pragmatic advice outside of it.

A substantial element of Mark's practice is located in the North West, and he is always ready to travel out of London.

Mark is qualified to accept instructions under the Bar Council Public Access scheme.

## Appointments

**Recorder [Crime]**

**Fee-Paid Judge of the First-Tier Tribunal, Property Chamber**

## Reported Cases

**Perera v Grunwick Processing Lab Ltd** [2012] EWCA Civ 1250

Civil Proceedings for theft -Burden and standard of proof

**Ahmed v Hussain** [2023] EWHC 593 (Ch)

Bankruptcy -Rescission -s.375(1) Insolvency Act 1986

**Samrai v Kalia** [2022] EWHC 1424 (QB)

Cults -Sexual Abuse & Undue Influence -Striking Out

**Alokaili v Chohan & Ors** [2022] EWHC 1126 (Ch); [2022] EWHC 2043 (Ch)

Civil contempt: committal to prison for breach of disclosure orders.

**Gandesha v Gandesha** [2019] EWHC 1717 (Ch)

Petition for unfair prejudice in conduct of company's affairs.

**Onuegbu v Okeke** [2016] EWHC 3500 (QB)

Procedure to seek to rescind judgment allegedly obtained by fraud.

**Countess of Caledon v Commissioner of Police for the Metropolis** [2016] EWHC 2214 (QB)

Norwich Pharmacal relief.

**Barnes v Phillips** [2015] EWCA Civ 1056

TLATA -variation of beneficial interests.

**Singh v Thoree** [2015] EWHC 1305 (QB)

Civil procedure -relief from sanctions.

**R (Spaul) v Upper Tribunal** [2013] EWHC 2016 (Admin)

Landlord and tenant: technicalities of service address.

**Titshall v Qwerty Travel Ltd.** [2011] EWCA Civ 1569; [2011] All ER (D) 107 (Dec)

Contract -definition of a 'package holiday'.

**Pena v Tameside Hospital NHS Trust** [2011] EWHC 3027 (QB)

Libel -Qualified Privilege.

**Morris v Davies & Ors.** [2011] EWHC 1773 (Ch); [2011] WTLR 1643

Chancery/Wills -domicile.

**Morris v Davies & Ors.** [2011] EWHC 1272 (Ch); [2011] All ER (D) 234 (May)

Chancery/Wills -Anti-suit injunction.

**Sharp & Bryson v Adam & Adam** [2006] EWCA Civ 449; [2006] WTLR 1059

Chancery/Wills -testamentary capacity.

**Shah v Gale; Gale v Grant & Ors.** [2005] EWHC 1087 (QB); [2005] All ER (D) 457

Tort -civil liability for joint enterprise homicide.

**McDonald & Anor. v Fernandez & Anor.** [2003] EWCA Civ 1219; [2003] 4 All ER 1033; [2003] 42 EG 128; The Times, October 9, 2003

Property -validity of Housing Act 1988 notice.

## Articles

Ilott -Upholding Testamentary Freedom

Jones v Kernott practice points

Barnes v Phillips [2015] EWCA Civ 1056

Barnes v Phillips Inference, Imputation and Child Maintenance

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## Degree/University

MA Law/Social & Political Sciences (Cambridge University, Selwyn College)

## Areas of Practice

General Chancery and Commercial Litigation

Contested probate, capacity and undue influence

Inheritance (Provision for Family and Dependents) Act 1975

Co-ownership, cohabitees' property disputes and TLATA

Civil and Commercial Fraud

Professional Negligence, Particularly Solicitors' and Surveyors'

Commercial & residential property incl. boundary disputes, rights of way and other easements

## Outside Interests

With the limited time that a busy practice allows, Mark is a keen walker, skier and reader, and is currently grappling with the intricacies of the Trinity Guildhall Grade 8 Rock Guitar syllabus.

## Matthew Hellens

Called: 1992



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## Practice Overview

Having been called in 1992, Matthew spent six years at the Bar before re-qualifying as a solicitor. After seven years in a high street practice as an employee and then a partner, he returned to the Bar in 2006. Having experience of both limbs of the profession, he is able to see and understand the needs of his client both as a solicitor, who would see them on a day-to-day basis (particularly when his court role has ceased) and as a barrister does when focussing on the particular issues at hand.

Matthew is qualified to accept instructions under the Bar Council Public Access scheme.

Matthew was also appointed as a Recorder in September 2019.

## Reported Cases

*Re M (Removal from Jurisdiction: Adjourment)* [2010] EWCA Civ 888

Father wishing to take child to non-Hague Convention Country for holiday. Court should approach matter on basis expert evidence is required: if it were not, Court should explain why normal practice not followed.

## Degree/University

MA Law (Clare College, Cambridge)

Scholarships/awards/prizes

Tancred Scholar, Lincoln's Inn

## Memberships

Family Law Bar Association

## Areas of Practice

Public Children Law

Cohabitants' disputes.

## Outside Interests

If the Bar were not my work, technology would probably be my career rather than a hobby.