

## Luke Barnes

Deputy Head of Chambers

Called: 1996



+44 (0) 20 7353 4854



LBarnes@3djb.co.uk



## Practice Overview

**For the sixth year, Luke is ranked by The Legal 500 UK as a Leading Junior in the field of Private client: trusts and probate. His entry in the 2025 edition is:** *'Luke is an exceptional barrister both in terms of his judgement and his people skills. He is bright, respected and highly regarded. He goes out of his way to be helpful and leaves no stone unturned.'* **His 2024 edition was:** *'Luke has a meticulous eye for detail, and his knowledge is unmatched. His advocacy [shows] precision, insight and a sharp intellect.'* **His 2023 entry included:** *'His pleadings are second to none. He is extremely knowledgeable in trusts law. He is realistic in his advice and presents it in a clear and succinct manner.'* **In 2022 he was described as:** *'always enthusiastic and approachable, [able] to turn a difficult case around and will dedicate himself to putting the best possible arguments forward for the client.'*

Luke practises in the demanding area where Chancery meets Family. His expertise encompasses competing property interests, the subtle and complex issues surrounding trusts of land, and a wide range of family property disputes - frequently in the shadow of separation, divorce, bankruptcy or death.

Best known for his work concerning the establishment and quantification of beneficial interests in real property in TLATA and Intervenor claims, Luke often applies his incisive approach to related issues which may arise in such cases or independently, such as proprietary estoppel, capacity, undue influence, illegality, mistake, entitlement to funds in joint bank accounts, and the equity of exoneration.

A genuine specialist, very experienced in civil and family litigation and equally at home providing persuasive advocacy or carefully reasoned advice, he frequently gives seminars and contributes articles to legal publications.

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

Luke offers Private Neutral Evaluation and Financial Dispute Resolution Appointments in all areas of his practice, both before and after the issue of proceedings. Click here to see his specimen "PNE&FDR" letter.

## Reported Cases

### ***Springall v Paice* E10CL911 Widely reported in the regional and national press in 2019**

Complex cohabitants' property dispute involving the family home and three development properties. Total value over £3m.

### ***Griffiths v Cork* [2009] WTLR 955 (Ch)**

Capacity to execute disposition of beneficial interest -burden of proof where disporonor suffering from mental illness

### ***Babar v Anis* [2005] 3 FCR 216 (Ch)**

Promissory estoppel as a defence to possession proceedings brought by former 'husband' against former 'wife' following decree of nullity (case cited in Snell's Equity 32nd Ed at 12-015)

## Articles



Hudson v Hathway -disposition and detriment -09/03/2023

"TOLATA update: inference, detriment and illegality" (Article in Family Law magazine April 2021)

Undue Influence in the Family -01/02/2014

Shouldn't this Joint Tenancy be Severed?' -2011

'Defining Detriment' -2009

'Context is Everything' -2009'

"Stack .v. Dowden -the principles in practice" -2007 (referred to in Williamson .v. Sheikh [2008] EWCA 990

[Click Here to View Luke Barnes's Privacy Policy](#)

### **Degree/University**

M.A. Classics (New College, Oxford)

M.A. Law (City University)

### **Memberships**

Property Bar Association,

Family Law Bar Association,

Franco-British Lawyers' Society,

Lawyers for Liberty

### **Areas of Practice**

Real property and trusts of land

Co-ownership, cohabitants' and family property disputes

Resulting and constructive trusts, proprietary estoppel

Undue influence, capacity, equitable remedies

Trusts of Land and Appointment of Trustees Act 1996

Inheritance (Provision for Family and Dependants) Act 1975

Mental Capacity Act 2005 and Court of Protection

Intervenor claims in financial remedies proceedings

Financial provision for children under Schedule 1

### **Languages**

Fluent French

Some Arabic

### **Outside Interests**

Family life, skiing, riverside walks / cycle rides, travel in France

## Matthew Hellens

Called: 1992



+44 (0) 20 7353 4854



clerks@3djb.co.uk



## 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: Adjournment)* [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.