



Stephen Hackett Year of Call: 2011

PROFILE

Stephen is a commercial and chancery practitioner. He acts as sole or junior counsel in cases involving trusts, taxation, complex commercial disputes, real and personal property rights and insolvency. Having developed a particular expertise in the niche area of personal property Stephen is often sought out by clients who wish to assert or defend ownership and/or possession rights over chattels. He is presently working on a book commissioned by Hart Publishing on the creation, disposition and protection of ownership rights in such property.

A particular interest in the law relating to rural affairs is the cornerstone of Stephen's substantial real property practice, which includes expertise on trespass, easements, covenants, nuisance and all aspects of real property entitlement. Stephen is acquainted with issues pertaining to profits a prendre, riparian and sporting rights. He has experience of construction disputes, including those touching on issues frequently arising in a rural context such as conservation restrictions. Prior to coming to the Bar, Stephen spent five years training and practising as a solicitor at two leading commercial firms, including a six month secondment to Barclays Wealth's financial services legal team.


Stephen regularly acts for large businesses and individuals of high net worth and on occasion substantial public profile. He is accustomed to representing clients operating in highly regulated industries and those subject to considerable regulatory and public scrutiny. Away from chambers Stephen enjoys cricket and other sports, cooking, the countryside and fly fishing.

Selected Cases

- *Anita and Anthony Bridgland v Earlsmead Estates Ltd* [2015] EWHC B8 (TCC). Acted for the claimants in an application addressing novel questions of the existence and extent of actionable statutory duty arising from the obligations imposed by the Party Walls etc. Act 1996.
- *Sargespace Ltd v Eustace* [2014] 1 P. & C.R. DG8. Acted for the claimant company in High Court litigation to recover a property and a vehicle from the defendant, ownership of which was disputed. The application turned on issues of property law, company law and the law surrounding gifts.
- *Bluebird Productions Ltd v Eustace* [2014] EWHC 1095 (QB) Acting for claimant company in claim for civil fraud against the defendant in respect of monies allegedly misappropriated from a television production company. The judgment involved a potentially significant application of the equitable "clean hands" maxim.

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- *Re LPA Umbrella Trust* [2014] EWHC 1378 (Ch). Acting for four corporate defendants in the Chancery Division in litigation brought by the Pensions Regulator in respect of alleged pensions liberation. This case is likely to prove highly significant in view of recent budget reforms to the pensions liberation regime.
- *Alway Sheet Metal Ltd v Capco Trust Jersey Limited* [2014] EWHC 2394(Ch). Acting for the claimant settlor of a trust in a Part 8 claim seeking decrees of rectification and a declaration as to the efficacy of retrospective amendments of a trust deed.

Memberships

Property Bar Association

Education

Bar Transfer Test (2010)

Legal Practice Course (2006)

Graduate Diploma in Law (2005)

BA (Hons) Christ Church, University of Oxford (2004)

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