Radcliffe Chambers



Jamie Cockfield

Call: 2021

Barrister

CONTACT

Email

Email Clerk
clerks@radcliffechambers.com

Telephone
02076922089

ADDRESS

11 New Square
Lincoln's Inn
London WC2A 3QB

DX: 319 London
Telephone: 020 7831 0081
Fax: +44 (0)20 7405 2560

Jamie Cockfield was called in 2021 and accepts instructions across Insolvency, Wills and Estates, Commercial Disputes, Property, Trusts and Mediation/Arbitration.

His recent cases include:

Otitoju v Onwordi [2023] EWHC 2665 (Ch): Jamie acted for the Claimant in the case of Otitoju v Onwordi, in the High Court before (HHJ) Paul Matthews. The case an application for an injunction and order pursuant to s.116 of the Senior Courts Act 1981 involving a burial dispute over which party should have possession and control of the Deceased for the purposes of making funeral arrangements.

Bourlakova v Bourlakov [2024] EWHC 1937 (Ch): Jamie advised on issues relating to the non-contentious probate rules and r.19.12 of the CPR. The judgment gives the most extensive guidance so far on the powers and duties of a representative appointed under r. 19.12 of the CPR.

Queensgate Place Ltd v Solid Star Ltd [2024] EWHC 1816 (Ch): Jamie was instructed by Stephenson Harwood LLP for Liquidator of Solid Star Ltd concerning the appropriate remedy for unfair prejudice sustained by a member of Solid Star Ltd.

James Main v SpaDental (1400999/2019) (Employment Tribunal): Instructed by Trowers & Hamlins LLP, Jamie was successful for the Trustee in Bankruptcy in a claim by a Dentist, who had been made bankrupt, for holiday pay under the Working Time Regulations 1998. Jamie successfully argued for the Trustee that the claim was proprietary in nature and automatically vests in the Trustee.

De Sousa v Sultana and Bi (September 2024 – Chancery Division) – Jamie made a successful application for an interim payment and to bring a claim out of time, under ss. 4 and 5 of the Inheritance (Provision for Family and Dependants) Act 1975 involving multiple claimants and spouses.

Awoyomi v Morsi and Persons Unknown (March 2024 – Willesden County Court) Jamie was successful in defending an adverse possession claim over a £2m property in North London and at trial secured a costs order for £120,000.

Before coming to the Bar, Jamie worked at an energy consultancy founded by Oxford University economists. He received an Arts, Humanities and Research Council (AHRC) doctoral scholarship for a DPhil (PhD) in History at the University of Oxford, which he completed in 2015. His doctorate was a socio-legal study of land

tenure, dispossession, and forced removal of African communities, focussing on the impact of the 1913 Natives Land Act and the 1936 Native Trust and Land Act in South Africa.

Jamie also received an AHRC Master's scholarship for an MSc at the University of Oxford and an undergraduate degree in Politics and Modern History (First Class) from the University of Manchester, where he was awarded the Warren Kinsey History Prize.

WILLS AND ESTATES

Jamie has a particular interest in contentious probate, trusts and estates. During pupillage he saw or worked on:

- *Guest v Guest* [2022] UKSC 27: Jamie attended the Supreme Court on this landmark proprietary estoppel case. The judgment is available here.
- *Dawson v Dawson* [2022] EWHC 341 (Ch): Jamie attended the High Court in this 4-day trial concerning a proprietary estoppel counterclaim and claim to prove will in solemn form. The judgment is available here.
- A long-running dispute between two brothers in the High Court concerning occupation rent
- Inheritance (Provision for Family and Dependants) Act 1975 claims
- The operation of the new Practice Direction concerning witness statements for trial (PD57AC)

Jamie has been instructed to:

- Advise disappointed beneficiaries on a Part 64 claim
- Advise a group of charities on the rectification of a will and a White v Jones claim
- Advise beneficiaries on an application to enforce an agreement relating to a contentious probate dispute
- Advise on a dispute concerning entitlement to a grant under an intestacy

He welcomes instructions on issues relating to implied trusts of the home and constructive trusts.

COMMERCIAL DISPUTES

During pupillage Jamie worked on and saw:

- *Pretoria Energy Company (Chittering) Ltd v Blankney Estates Ltd* [2022] EWHC 1467 (Ch), a £56m case concerning contractual intention, certainty of terms and subject to contract agreements. Jamie's article on this case ("To bind or not to bind? 'Heads of terms', 'subject to contract' and other phrases in the making of legally binding agreements") is available here.
- A high-profile energy-related case concerning constructive trusts

Jamie has so far been instructed to:

- Advise a car dealership on a c.£100,000 contractual dispute
- Advise claimants in an equine dispute relating to the sale of goods and the passing of legal title
- Represent the claimant (in part) in a high-profile case concerning a £1m claim relating to a personal guarantee.

INSOLVENCY & RESTRUCTURING

Jamie appears frequently in the High Court and County Court on matters concerning insolvency and restructuring. He is developing a specialism in this area and has been instructed to:

- Represent trustees in bankruptcy in the Insolvency and Companies Court in a case concerning for annulment under s. 282(1)(b) of the Insolvency Act 1986

- Represent trustees in bankruptcy in a section 282(1)(a) of the Insolvency Act 1986 annulment application, and an application relating to trustee remuneration.
- Represent company administrators seeking administration extensions (in both the High Court and Country Court)
- Advise on company restoration

During pupillage he saw a range of cases including:

- *R Borra (aka R Gupta) v HMRC and another* [2022] EWHC 1195 (Ch). The case involved the identity of the bankrupt and a fraudulent application to annul and the fabrication of evidence and applications, and was referred to the Director of Public Prosecutions.
- An energy dispute concerning constructive trusts
- Misfeasance claims under s.212, fraudulent trading claims under s. 213, and wrongful trading claims under s.214 of the Insolvency Act.
- Antecedent transaction claims

PROPERTY

Jamie has been instructed to:

- Advise on a misrepresentation claim in a property conveyance which concerned the existence of noisy and anti-social neighbours
- Represent the Defendant in a £3.5million mortgage possession claim
- Represent parties in residential possession claims

During pupillage he worked on

- Nuisance and misrepresentation claims in property conveyances
- A long-running parking dispute between neighbours with shared communal grounds
- An adverse possession claim
- A case concerning the validity of the exercise of an option to purchase a residential property, involving issues of assignment and definitions of time periods.

POLICIES

Read Jamie's Privacy Notice, Data Protection Policy and Disposal Policy.