Radcliffe Chambers



Marie-Claire Bleasdale

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Barrister

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Marie-Claire Bleasdale specialises in trusts and estates, property and commercial disputes. She is also an accredited mediator with the Society of Mediators and a member of the Civil Mediation Council.

Her forte is advocacy in court, particularly witness actions. In her advisory work she relishes complex legal questions, but ensures that her advice is practical, sensible, focused on the client's commercial objectives and easy to understand.

Clients commend her user-friendly approach, and the fact she is a good team-player, always prepared to help out with all aspects of the preparation of the case.

Marie-Claire was appointed as a Recorder in 2009 and sits in both the Civil and Criminal Courts.

PROPERTY

Marie-Claire is an experienced property litigator undertaking a wide range of property disputes ranging from commercial landlord and tenant to residential landlord and tenant, and beneficial ownership and boundary disputes. She is recommended for property litigation in *Chambers UK Bar* and in *The Legal 500 UK Bar*.

Recent work of note includes commercial landlord and tenant forfeiture and insolvency issues, construction of rent review clauses and repairing covenants, 1954 Act renewals. Misrepresentation claims arising out of auction contracts. Constructive trust and proprietary estoppel claims.

She frequently acts for property investors and is particularly recognised for her effectiveness in hotly contested witness actions.

Her cases of note include:

- *Ferial Posner v Giuliano Stella & Ors [2023]* A long running disrepair dispute between lessor and lessee involving a dispute on the meaning and effect of a covenants requiring prior consent for lessee alterations
- *Mao Wah Limited v Amari 1 Ltd [2023]* Landlord claim for

construction/rectification of the rent review and repairing obligations in a lease of a nightclub
- *Hannah v French [2023]* Acting for the respondents to an application to determine a boundary raising issues of adverse possession and construction of conveyances, in circumstances where future development depended on visibility splays to a jointly used access road.
- *Peddiniti & Ors v Iwanier [2023]* action for the return of forfeited deposit in respect of property sold at auction.
- *Altair v Octopus, Quadi v Octopus [2021]* Marie-Claire acted for the receivers appointed by the lenders Octopus in 2 cases in which borrowers were trying to prevent the receivers from selling the mortgage property.

TRUSTS

Marie-Claire is instructed to advise on and to conduct litigation relating to a wide range of trust related issues, including the construction of trust provisions, the duties of trustees, administration of trusts, breach of duty claims, Beddoes applications, applications to vary trusts, and applications for directions from the Court.

Her recent work includes:

- Advising on the exercise by the trustees of a large family trust on the exercise of powers of appointment and advancement
- Acting for a minor in an application to Court by the trustees for directions on whether or not the proposed use of trust funds would be for his benefit
- Advising on whether a proposed settlement and variation of a trust was in the interests of the minor and unborn contingent beneficiaries
- Advising on the consequences of HMRCs challenge to a IHT planning scheme and on how the trusts could be wound up
- Advising on the trusts created by a trust deed where the conditions attaching to a gift were ambiguous
- Advising on the extent of successive interests created by an ambiguous trust provision.

WILLS AND ESTATES

Marie-Claire's practice encompasses litigation and advisory work in connection with contentious probate, the construction of wills, rectification of wills, proprietary estoppel/constructive trust claims in relation to property disposed of by wills, mutual wills and the administration of estates. She also advises on tax issues where they arise in these contexts.

She has considerable experience of applications for provision under the Inheritance (Provision for Family and Dependents) Act 1975 and has recently been involved in claims involving a retired adult son, a disabled daughter, a widow, a co-habitee, a separated wife, a third wife and a disabled grandson.

Recent cases of note include:

- *Mallaby & Walker v Shah & Ors*, High Court Newcastle District Registry – Appearing in a case concerning will construction and a gift of funds in incorrectly described bank account
- *Johannes v Johannes*, Oxford County Court – Acting in a beneficial ownership of matrimonial home and family provision claim by a widow under the Inheritance (Provision for Family and Dependents) Act 1975
- *Sifri v Orrell* – Acting in a probate dispute in the Manchester District Registry of the High Court: in which Marie-Claire's client successfully challenged the Deceased's will on the basis of want of knowledge and approval
- *F v F*, Central London County Court – Acting in a claim by a wife under the 1975 when majority of estate left to daughter of first marriage
- *Re B* – Acting in a claim to recover estate asset from beneficiary claiming an interest pursuant to a constructive trust or proprietary estoppel.

Other work includes whether wills were mutual wills and the implication of s2 of the LP(MP) Act 1989; whether a will could be challenged on the grounds of lack of capacity, want of knowledge and approval and undue influence and whether a settlement was in the interests of a minor child beneficiary of the deceased's estate.

COMMERCIAL DISPUTES

Marie-Claire undertakes a wide range of commercial work including partnership disputes and property related insolvency work.

Her recent experience includes:

- Acting in litigation between parties to an exclusive distributorship agreement which gave rise to an issue of forum non conveniens
- Advising directors regarding a profit share agreement entered into with staff and how it impacted on the proposed sale of the business
- Acting for directors opposing a claim to wind up the holding company in a group of family companies on the just and equitable ground
- Defeating a claim that her client should be liable for the debts of a partnership on the grounds that he was held out as a partner.

PROFESSIONAL LIABILITY

Marie-Claire's experience in the field of professional liability includes litigation and advice in respect of solicitors', accountants' and surveyors' negligence and includes acting for Claimants and insurers.

She has particular expertise in solicitors' negligence actions arising out of conveyancing errors (including the failure to declare trusts on the joint acquisition of property), will drafting errors and in respect of advice regarding landlord and tenant, real property, probate and Inheritance Act claims.

Recent cases of note include:

- *Jordan v Stuart Murphy* – Appearing in a claim arising out of solicitor's errors in completing the TR1 and advising in relation to beneficial co-ownership
- *Townson v Sharman Law* – Appearing in a claim against a solicitor in respect of negligent advice relating to property in the UK and abroad and the failure to declare trusts of the beneficial interests
- *Newey v Stuchberry Stone* – Acting in a solicitors professional negligence claim in respect of the drafting of wills for a couple with only a life interest for the survivor and the failure to advise the survivor of the right to bring a 1975 Act claim
- *Matthams v Legal & General Assurance Society*, High Court Chancery Division – Acting in an accountants professional negligence case arising out of the Inland Revenue's claims that tax was payable on pension scheme payments to a retired employee who was also a non-executive director
- *Chester v Waterworths*, High Court Liverpool District Registry – Acting in an accountants professional negligence arising out of a settlement created for the purpose of limiting future liability to inheritance tax.

Other cases of note include considering whether advice given in relation to an Inheritance tax planning scheme was negligent; claims relating to the failure to search for key documents in the custody of professional advisers and failure to advise in respect of Inheritance Act claims.

MEDIATION AND ARBITRATION

Marie-Claire is an accredited mediator with the Society of Mediators and a member of the Civil Mediation Council. She brings her considerable experience at the bar, and as a Recorder sitting both in the County and Crown Courts to her role as a mediator. She is happy to accept instructions in any civil and commercial

disputes.

RECOGNITION

- *“Marie-Claire is very pragmatic and provides practical commercial advice”* (Property Litigation, *Legal 500 UK Bar 2026)*
- *“Marie-Claire is a force of nature. She is direct, has really good judgment, has a huge bank of experience to draw on and is a very tough and clever advocate.”* (Real Estate Litigation, *Chambers UK Bar 2026*)
- *“She is very user-friendly, practical and knowledgeable.”* (Real Estate Litigation, *Chambers UK Bar 2026*)
- *“Marie-Claire Bleasdale is really tenacious.”* (Real Estate Litigation, *Chambers UK Bar 2025*)
- *“She is able to quickly understand the underlying facts of the dispute and deal with each point forensically in turn. Her legal understanding of this inherently complicated area of law is second-to-none.”* (Property Litigation, *Legal 500 UK Bar 2024)*
- “Marie-Claire quickly grasped the underlying facts and provided advice in a timely manner.” (Real Estate Litigation, *Chambers UK Bar 2024*)
- “Miss Bleasdale is an excellent advocate.” (Real Estate Litigation, *Chambers UK Bar 2024*)
- *“I like the way Marie-Claire Bleasdale works and how detailed her advice is.”* (Real Estate Litigation, *Chambers UK Bar 2023*)
- *“Marie-Claire is simply a phenomenal barrister. This is a combination of a personable approach with her clients and admirable advocacy skills, always putting up a tenacious fight in court.”* (Property Litigation, *Legal 500 UK Bar 2023*)
- *“Marie-Claire is an excellent advocate and provides sound commercial advice, often taking in the bigger picture and being able to focus on the detail at the same time.”* (Real Estate Litigation, *Chambers UK Bar 2022*)
- “*She has an eye for detail, whilst retaining a view of the bigger picture and practical and commercial realities. Solid advice and not afraid to mince her words and advise on the legal position even where this may not be what clients were hoping for. Always ready for a fight and to give it her, considerable, all.*“
- *“She has an outstanding intellect but is also very user-friendly with clients.”* (Real Estate Litigation, *Chambers UK Bar 2021*)
- “*Not only is she good on paper but she is also excellent with her court presentation.*” (Property Litigation, *Legal 500 UK Bar 2021)*
- *“A force to be reckoned with.” “Adept at handling complex actions.”* (Real Estate Litigation, *Chambers UK Bar 2020*)
- *“Very down to earth, approachable, and able to cut to the issues quickly.”* (Property Litigation, *Legal 500 UK Bar 2020*)
- *“She has expertise in landlord and tenant, real property and conveyancing disputes.”* (Property Litigation, *Legal 500 UK Bar 2019*)
- *“She has huge experience and is extremely good at what she does.”* (Real Estate Litigation, *Chambers UK Bar 2019*)
- *“Tenacious, pragmatic, straight-talking and great with clients.”* (Property Litigation, *Legal 500 UK Bar 2017*)
- *“Recommended for landlord and tenant work.”* (Property Litigation, *Legal 500 UK Bar 2016*)
- *A very good advocate who is willing to go the extra mile for the client.*
- *Able, efficient and someone who speaks honestly.*
- *She gives exceptionally clear and user-friendly advice.*
- *Marie-Claire Bleasdale always displays superb energy and commitment and relates excellently to clients, say observers.*
- *Marie-Claire Bleasdale impresses the market with her expertise in Party Wall Act appeals, easements and adverse possession matters.*
- *A safe pair of hands and an excellent team player.*

QUALIFICATIONS

- MA Cantab (Queens)

- CPE University of Westminster
- Shelford Scholar Lincoln's Inn
- Recorder of the Crown Court (South-Eastern Circuit) since 2009

MEMBERSHIPS

Chancery Bar Association; Professional Negligence Bar Association; Property Bar Association; Lincoln's Inn Denning Society.

POLICIES AND OTHER DETAILS

- Read Marie-Claire's Privacy Notice, Data Protection Policy and Disposal Policy
- VAT Registration Number: 588838267
- Bar Membership Number: 30559