

## Christopher Stead

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### PROFILE

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Christopher is a commercial chancery barrister whose practice encompasses the core areas of Five Paper's services, with particular specialism in insolvency, company, and commercial litigation, as well as property and private client work. His expertise across these fields allows him to deal with the frequent and complex interplay between commercial, property, and probate matters, as well as enjoying success in each area by itself.

Christopher is a robust courtroom advocate who enjoys the challenge of trials and contested hearings. He provides advice, drafting services, and advocacy, at all levels and stages of litigation, as well as assisting through ADR processes such as round-table negotiations and mediation. He regularly appears in the ICC, the High Court, and the County Court and Property Tribunal. He is willing and able to pick up cases in the latter stages and at short notice, as well as providing hands-on assistance and practical and honest advice from the very beginning of a dispute. He is thorough and precise in preparation, and clients value and appreciate his ability to get to the heart of the issues involved.

He originally practised as a tenant in the business and property team at Kings Chambers, having undertaken pupillage with Mark Harper KC and Andrew Latimer. After a career break to undertake ordained church ministry, and teach theology and church history at university-level alongside post-graduate research and writing, he resumed his busy commercial chancery practice at chambers in London. He also now often speaks at seminars for professional clients across the areas of business, property, and probate law.

### EXPERTISE

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#### Commercial Litigation

Christopher undertakes work in a range of commercial disputes. He acts for major companies as well as smaller traders and individuals, and appears at all stages of proceedings, from interlocutory matters, to trial, and appeal. He is adept at picking up last minute instructions for trial, as well as carefully advising on a matter from the very beginning of a party's involvement in the dispute resolution process. Christopher also acts in cases involving cross-jurisdictional questions and the conflict of laws

His commercial practice centres on business and contractual disputes, and covers a wide range of the typical issues that can arise, including misrepresentation and deceit, fiduciary duties, trusts and tracing, agency, restitution, sale of goods and supply of services, as well as issues relating to civil procedure and enforcement such as security for costs, freezing injunctions, and other interim remedies. Increasingly, Christopher's commercial practice has involved cases with allegations of civil fraud. He has particular expertise in guarantees, indemnities, and security such as mortgages. He also acts in professional negligence claims.

Recent cases by way of example include:

- Currently instructed as sole counsel in High Court proceedings arising out of a commercial contract dispute.
- Currently instructed as sole counsel in a solicitors' negligence dispute involving significant damages.
- Advising on a claim for common-law enforcement of a foreign judgment.
- Assisting leading counsel in advising on and drafting pleadings for a complex seven figure contractual dispute centring around issues of agency and authority, as well as fraud.
- Assisting leading counsel in advising on conflict of laws and anti-suit injunctions.
- Advising on and settling pleadings for a six-figure guarantee dispute.
- Settling pleadings for injunctions restraining breach of covenants and retention of documents.
- Successfully appearing in proceedings for a lender concerning a six-figure loan.
- Advising and drafting in a dispute over agency fees and commission.
- Advising and drafting in a dispute relating to loans between individuals and ancillary issues such as equitable charges.
- Successfully resisting an application for pre-action disclosure in a case in which allegations of civil fraud were being made.

## **Insolvency and Company**

Christopher advises on, and acts in, matters of personal and corporate insolvency, and regularly accepts last minute instructions in matters of urgency such as setting aside statutory demands and restraining presentation/advertisement of winding up petitions. He has acted for debtors and creditors in bankruptcy and winding-up proceedings, including regularly dealing with complicated disputes. He has expertise in enforcing personal guarantees, indemnities, and security, and is able to provide fast-turnaround advice and robust advocacy in hearings.

He appears in the ICC and interim applications list in the High Court on all applications related to the commencement of insolvency processes. He accepts instructions on behalf of insolvency practitioners and directors bringing and defending misfeasance and breach of duty claims, with a focus on fast resolution. He is happy to advise on all matters relating to the administration of company and individual assets. His property litigation expertise means he is able to deal with the complex crossover involved in insolvency scenarios that relate to property, including enforcement, disclaimer, landlord claims, and secured debts, amongst other things.

Christopher accepts instructions in all matters in relation to company and partnership law, including shareholder fallouts, derivative claims, and unfair prejudice petitions. He has a particular interest in claims involving breach of duties and fraud, and is able to ground such claims in insolvency routes where appropriate. His pastoral experience gives him an extra set of skills to help aggrieved parties articulate and

achieve the result they really want. He also takes on cases involving professional negligence and company law disputes.

Christopher is happy to provide bespoke training on insolvency and company matters, having recently delivered seminars on shadow and de facto directors, and procedural matters in the Business and Property Courts, for firms of specialist commercial solicitors.

Recent cases by way of example include:

- Assistance in a large disclosure exercise in a multi-million pound claim brought by company liquidators against former directors.
- Appearing on the return of a freezing injunction against a former director and successfully resisting an application for costs.
- Successfully applying for an urgent administration order which resulted in the rescue of a company and dozens of jobs.
- Regularly appearing on administration extension applications.
- Securing validation orders.
- Advising a company director on personal liability and piercing the corporate veil.
- Advising personal representatives on issues arising out of the death of a sole shareholder and director.
- Settling and appearing in proceedings relating to the Companies House register, including restorations and rectifications.
- Appearing in disputed bankruptcy petition proceedings, arising out of liability of directors under personal guarantees for a significant debt.

## Property

Christopher is experienced across the whole spectrum of property litigation, both commercial and residential. He has delivered seminars on developments in the law of nuisance, and in adverse possession.

In real property cases, he has acted, advised, and drafted in relation to boundary disputes, rights of way, easements, nuisance and trespass, adverse possession, and proprietary estoppel and constructive trusts. He frequently appears in cases involving orders for sale and other possession matters. He receives instructions in TOLATA claims and in other cases involving the establishment of interests in land. His extensive probate and inheritance practice means that he is well-versed in the interplay between estates and property proceedings.

In landlord and tenant matters, Christopher acts for landlords and tenants in residential possession proceedings (including as against trespassers), and is able to handle the various and complex issues that arise under the different routes to possession. He is regularly instructed in disrepair claims, both on behalf of landlords and tenants. His landlord and tenant practice includes social housing, and he has successfully obtained numerous anti-social behavior injunctions, access injunctions, and possession orders against occupiers in succession disputes.

He has appeared in long leasehold disputes, advised on leasehold enfranchisements and has appeared successfully in residential service charge proceedings. He regularly deals with issues arising from breach of covenant and forfeiture, and regularly advises and acts in leasehold disputes in the county court and property tribunal.

He has successfully acted for landlords in commercial leasehold claims, including renewal of business tenancy, dilapidations claims, and recently advised on a dispute concerning implied surrender and re-grant and the implications for a 1954 Act.

Recent cases by way of example include:

- Drafting statements of case in a High Court claim involving commercial property, and being led by a KC in the High Court for the related interim injunction.
- Successfully resisting forfeiture proceedings against a commercial tenant.
- Settling pleadings in a terminal dilapidations dispute with a high six-figure damages claim.
- Successfully representing the defendant in a multi-day trial in the tribunal involving a determined boundary, application and counterclaim in adverse possession.
- Successfully obtaining summary judgment against a claimant in a property damage claim involving allegations of conspiracy and fraud.
- Advising and settling pleadings in numerous cases of nuisance involving flooding and tree root encroachment.
- Successfully securing a finding of contempt for breach of an anti-social behaviour housing injunction.
- Obtaining an advantageous settlement during a boundary dispute trial.
- Settling pleadings and appearing in TOLATA disputes.
- Advising and assisting in resolving a long-running TOLATA dispute.
- Advising in several cases involving allegations of misrepresentation in the sale of property.

## Private Client

Christopher has extensive experience in probate and inheritance matters. He has advised on multiple different issues relating to the administration of estates and distribution, obtaining information about testamentary documents, construction/rectification of wills, and executors' duties and powers. He also regularly acts on behalf of parties in contested probate cases and in claims under the Inheritance (Provision for Family and Dependents) Act 1975.

Recent (and some ongoing) cases by way of example include:

- Proceedings involving challenges to the validity of wills on the usual grounds of capacity, want of knowledge and approval, undue influence, and/or fraudulent calumny.
- Advising on challenges to validity of will involving allegations of forgery.
- He has appeared successfully for an applicant seeking permission to bring a 1975 Act claim out of time.
- Successful claim for rectification of a will.
- Advised on issues arising out of administration in a seven-figure estate.
- Advised in several cases on the proper construction of a will.
- Advising and drafting in a dispute concerning payments made to beneficiaries.
- Acting in proceedings for removal of executors in a number of cases.
- Acting in proceedings for directions and determinations regarding executors' conduct.
- Advising and appearing in hearings in 1975 Act claims.
- Acting as advocate in inheritance related mediations.

Christopher can assist from early stages in finding the most effective way of pursuing or defending a claim against an estate or office-holder. His legal knowledge, alongside experience in pastoral work, allows him to bring understanding, empathy, and a desirable resolution to clients who are often facing one of the most difficult and trying times in their life.

He also delivers training sessions for solicitors on all aspects of probate and inheritance law. Most recently, he delivered a seminar for the probate teams of a national firm of solicitors on undue influence, testamentary capacity, and the proposed reforms to probate law. He will also be delivering a session on contentious probate at Five Paper's upcoming property conference.

## **FURTHER INFO**

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### **Education/Qualifications**

University of Leeds – Law (LLB) – First Class  
BPP Law School (Leeds), BVC – Outstanding (highest in year)  
Baron Dr Ver Heyden Lancey Prize (Middle Temple)

### **Professional Memberships**

Chancery Bar Association  
R3 – Association of Business Recovery Professionals

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