

Rachel Bale

Year of Call: 2019
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Overview

Rachel Bale is a specialist Chancery Barrister, with a particular emphasis on Trusts. Rachel also accepts instructions in complex Property, Estates and Financial Remedy matters, often involving cross-over elements of trusts including TOLATA. As a fierce and trusted advocate, Rachel often appears in cases well beyond her year of call.

Recent examples:

- Multiple successes of multi-track TOLATA 1996 trials including successful orders for sale, equitable accounting and adverse cost orders;
- Successful on High Court Appeal for settled interim housing provision for client pending conclusion of Inheritance Act 1975 claim;
- Representation of resident parents for settlement of property orders in Schedule 1 and TOLATA conjoined proceedings;
- Advising and representation in enforcement of Final Orders, involving complex s37, MCA 1973 applications and enforcement overseas, often representing intervenors;
- Advising in relation to the existence of a constructive trust and life interest, involving family members residing in a "granny annexe" on the client's property;
- Ability to advise clients as to practical advantages/realities of Notices and Restrictions on Property titles, within family or contentious probate proceedings;
- Representation at mediations/ arbitrations and ENE's for family disputes involving settlement of property and trust litigation;

Rachel's clients vary from private client individuals, intervenors, private/social landlords and tenants and professional executors. Her meticulous, analytical approach compliments her approachable and pragmatic disposition which results in a strong advocacy style and excellent results, including high settlements in mediation and ADR. She appears in County Courts nationwide, Property Tribunals, frequently appears in the High Court and has successfully drafted pleadings for the Court of Appeal.

Her ethos is to provide "order to the chaos" of emotionally challenging proprietary and family issues that often arise in her client's lives.

Prior to the Bar, Rachel gained extensive experience as a legal researcher, working on commercial, civil and human rights matters at Matrix Chambers. She also represented vulnerable individuals in housing matters at a London pro-bono clinic and participated in international mediation competitions, globally. Rachel also has knowledge of Family and Administrative

French Law having studied at the infamous University of Paris 1 Panthéon-Sorbonne in 2016. She is fluent in French.

Further to her practice, Rachel is a trusted member of chambers acting as an elected member on management decisions within PolCom, on behalf of junior members of 10 years' call and below. She also has commercial experience of running her own company, having founded "Her Bar" in 2021, the online Hub and Community for aspiring and practising women barristers.

Recommendations

"Rachel is really super reliable in terms of getting pleadings done and she's available to clean up any points of detail."
"Rachel is brilliant. You wouldn't believe she is junior with her quality of work; her written pleadings are top class. She is also sensible, commercial and very clear in her thinking."
Chambers UK 2027/Real Estate Litigation/South Eastern

'I have found Rachel to be great at formulating an appropriate strategic approach and settling pleadings, and she is very approachable.'
Legal 500 UK 2027/Property and Construction/South Eastern

"Another great example of a rising star at 3PB! First class service, great with the client, meticulous and the result speaks for itself on this case" – Instructing solicitor

"Rachel approached my case meticulously. She explained everything to me in a very concise manner, which gave me a lot of confidence before we went into court. She is an asset to your services at 3PB." - Lay client following possession matter

"Rachel is an outstanding advocate and provided valuable and thorough advice in this matter. Her intricate scrutiny of the Claimant's claim in a short timescale assisted us in achieving a positive result for the Client." - Instructing solicitor

"Rachel dealt with a last-minute hearsay application notice completely in her stride in a cool calm and collected manner. She went above and beyond her instructions achieving a winning outcome for the client. I would not hesitate to instruct her again." – Instructing Solicitor

Scholarships

- Major Exhibition Award - Inner Temple Duke of Edinburgh Award - Inner Temple
- H Case Ellis Spirit of Mediation Award – International Mediation Competition, Chicago (Finalist mediator of 400 competitors)

Professional bodies

- Chancery Bar Association
- Family Law Bar Association
- Advocate Pro Bono Recognition List

Expertise

Probate and Estates

Rachel is a specialist chancery junior with a strong focus on trusts. She is regularly instructed in complex and high-value matters beyond her year of call and is recognised for her ability to handle technically demanding disputes across trusts and estates, wills and probate, private client property, charities, and financial remedy work

Rachel is a go-to junior for solicitors seeking clear, decisive advice on difficult issues. She is valued for her robust legal analysis, pragmatic no-nonsense advice and practical judgment particularly in fast-moving or sensitive disputes. She is instructed by a broad range of leading and boutique firms.

She is able to aptly adapt to the individual needs of her clients, deploying her ethos of providing "order to the chaos", whether it be in advising a professional and corporate trustees, high-net-worth individuals, and a vulnerable client in the midst of an emotionally challenging familial dispute.

Solicitors frequently praise Rachel's meticulous, analytical approach alongside her approachable disposition with clients which results in a strong advocacy style to robustly fight for her client's interests/ She receives excellent results, including high settlements in mediation and ADR appearing across the entire breadth of tribunals nationwide, including County Courts, Property Tribunals, High Court (Chancery and Family Division) and successfully drafted pleadings for the Court of Appeal.

Prior to the Bar, Rachel received a First-Class Degree in Law and French Law having studied at the infamous University of Paris 1 Panthéon-Sorbonne in 2016 as well as Distinction for her LLM. She has received multiple scholarships and prizes in recognition of his academic achievements.

Further to her practice, Rachel is a trusted member of chambers acting as an elected member on internal management decisions within PolCom. She also has commercial experience of running of her own company, having founded the award-winning "Her Bar" in 2021, the online Hub for aspiring and practising women barristers.

Rachel is a member of the Chancery Bar Association and the Contentious Trusts Association.

Trusts

Rachel has a thriving trusts practice and is regularly instructed in disputes concerning interpretation of trust deeds, constructive and resulting trusts and trusts of land, including enforcement of such orders.
His recent article entitled "Smoke and Mirrors: Shams and Illusory Trusts in Divorce Proceedings" appeared in Ors" appeared in Summer Issue 2, 2025 – Financial Remedies Journal.
Her work includes:

- Bringing and defending TOLATA 1997 claims, including equitable accounting, occupation rent proprietary estoppel and enhanced remedies pursuant to the
- Matrimonial Proceedings and Property Act 1970, s37 and Married Women's Property Act 1882, s17.
- Advising and acting in claims for removal or substitution of trustees;
- Pursuing and opposing orders for sale involving trustees in bankruptcy and divorcing couples.
- Drafting of trust instruments and related documentation, including Deeds of Variation
- Claims to set aside or rectify deeds, wills and other documents
- Advising on the implications of a trust fund in financial remedies proceedings, for both beneficiaries and excluded spouse

Wills & Probate

Rachel has a thriving practice in both contentious and non-contentious will & probate matters. She regularly advises executors, beneficiaries, and interested third parties in all stage of litigation, from initial advice and pre-action strategy to representation in ADR and trials. Her work includes

- Challenging the validity of wills on grounds such as lack of testamentary capacity, want of knowledge and approval, undue influence, and fraudulent calumny.
- Enforcement of settlement agreements which include cross-jurisdictional clauses
- Claims between beneficiaries and trustees or personal representatives, including applications for directions by trustees or personal representatives, removal applications, possession of property, rectification, breaches of trust and claims for accounts
- Drafting and advising on the interpretation and validity of wills, codicils and trust instruments
- Advising on disclosure and privilege, including Larke v Nugus requests
- Bringing claims for resealing of grants from foreign jurisdictions

Family Provisions - Inheritance Act 1975

Rachel is frequently instructed in claims under the Inheritance (Provision for Family and Dependants) Act 1975. She advises claimants across all statutory categories, as well as beneficiaries and executors, at every stage of proceedings, from pre-action strategy through to final hearing

She has experience advising on estates ranging from modest values to multi-million-pound estates and is valued for delivering clear, strategic advice in financially and emotionally sensitive disputes.

As an established remedies' practitioner, Rachel has a unique advantage of current knowledge of the considerations weighed in the family courts to be able to give robust advice on the principle of 'divorce fiction' pursuant to section 3(2) in spousal/civil partnership 1975 Act claims for spouses

Her work includes:

- Advising and representing spouses, former spouses, adult children, cohabitants and those being maintained.
- Advising on disclosure and privilege, including Larke v Nugus requests
- Advising on interim maintenance under s5
- Advising on, drafting and reviewing Deeds of Variation and Deeds of Settlement;
- Evaluating settlement offers and preparing counteroffers in a commercial and strategic manner; and

Private Client

Rachel is regularly instructed by personal representatives, trustees, beneficiaries and other interested parties across a wide range of non-contentious private client matters. His practice covers the full spectrum of trust and estate administration and will-drafting.

Her growing experience includes

- Advising executors/ administrators as to rights and obligations in administering estates, including possession of rental properties;
- Advising and pleading CPR Part 64 proceedings, including Beddoes and Benjamin Orders
- Advising on all aspects of the administration of trusts and estates such as the exercise of powers, and the appointment

and retirement of trustees.

- Advising on and preparing section 116 Senior Courts Act 1981 passing-over applications.
- Applying for formal accounts and inventories of estate assets
- Advising and preparing applications for revocation of grants

Mediation & ADR

Rachel has significant experience representing clients across a range of ADR processes, including mediation, early neutral evaluation, and round-table negotiations. She is known for a pragmatic, strategic approach focused on achieving efficient, commercially sound outcomes while minimising cost, risk, and disruption for clients.

Her cases frequently settle at or shortly after mediation, with the process at least often serving to narrow issues and clarify positions prior to litigation.

She is often instructed to:

- Draft documents in preparation for mediations.
- Providing strategic advice in formulating, advising upon, and drafting offers and counteroffers.
- Prepare and review Deeds of Settlement, Tomlin Orders, Deeds of Variation and other formal documents once a compromise has been reached;
- Draft enforcement pleadings in the event breach of compromise arises

Property and Estates

Rachel provides advice, drafts pleadings, represents in clients in all forms of ADR and offers strong advocacy skills in this area. She is experienced in dealing with a range of claims dealing with evictions, claims for non-protection of deposits, breaches of covenant, dilapidations, and anti-social behavior.

Rachel's property practice includes the following areas:

- Disrepair claims (including advising on liability and quantum)
- Dilapidations
- Residential tenancies (both private and social pursuant to Housing Acts 1985 and 1998 and Rent Act 1977)
- Commercial leases including termination of Landlord and Tenant 1954 Act tenancies
- Claims relating to Tenant Fees Act 2019 and Housing Act 2004
- Adverse possession
- Easements/ Rights of Way

Finance

Rachel's practice covers all aspects of family finance provisions. She undertakes First Appointments, Financial Dispute Resolutions and Final Hearings. She advises and represents families on financial issues following separation or relationship breakdown including, Trusts of Land Act applications and Schedule One applications for children.

With Rachel's acute knowledge of property and chancery matters, Rachel is able to advise on technical legal matters involving large estates, property management and inheritance claims. She is also well placed to advise couples on pre-nuptial and cohabitation agreements, as a growing trend. Some particular successes:

- Securing cost orders at both First Appointments and FDR stage in low-value cases, through clinical submissions regarding conduct;
- Securing 100% overall net assets for wife where husband had been deliberately destroying/ dissipating assets;
- Successfully representing Husband against Wife for attempting to renege on agreement, by enforcing the terms of the agreed Rose Order

Rachel is available for both in person and remote private FDR hearings. For more information on private remote FDR hearings

Articles

They discuss the recent decision of Reid-Roberts v Mei-Lin [2026] EWHC 49 (Ch) which provides a helpful gloss on the Court of Appeal case of Hudson v Hathway [2022] EWCA Civ 1648.

Hathway clarified the requirements for creating a constructive trust through a post-acquisition agreement about beneficial ownership. This article examines how later cases have applied these rules, particularly regarding electronic messages and what counts as detrimental reliance. There are also helpful tips for practitioners dealing with trusts.

View Article

3PB's Rachel Bale considers expectation vs reality in a recent Supreme Court judgment - Guest and another v Guest [2022] UKSC 27. The case discussed the correct approach in calculating the type and amount of equitable relief to be awarded where proprietary estoppel has been made out. This case involved a family dispute over, Tump Farm, a working dairy farm which has been owned by the Guest family since 1938. An interesting aspect of this case is that the court had to consider how to deal with promises of future inheritance where the promisor is still alive. As is often the case with familial issues, the solution is not necessarily clear-cut...

View Article