



# Rachel Bale

**Year of Call:** 2019

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## Overview

Rachel Bale has a diverse practice with a particular emphasis on property, chancery, financial remedies and TOLATA disputes. She also advises on contractual and commercial matters.

Rachel has experience advising private landlords and tenants, local authorities, housing associations alongside local and national businesses. Her analytical approach and command of property and chancery law compliments her growing practice in matrimonial and family finance.

Rachel is thoroughly approachable, calm, and pragmatic when advising clients and offers a strong persuasive manner as an advocate to the matters in which she is instructed. Her ethos is to provide "order to the chaos" of emotionally challenging property and family issues that often arise in her client's lives.

She also offers a balanced, client-focused approach to negotiations, be it at FDAs, FDRs, mediations, or written correspondence in order to fearlessly protect her client's interests whilst focussing on reaching a solution where all parties needs are met.

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.

Rachel also has commercial experience of running her own start-up company, having founded "[Her Bar](#)" in 2021, the online Hub providing support, resources, and marketing bespoke services for aspiring and practising women barristers. This business demonstrates Rachel's commitment to equality and diversity at the Bar.

Outside of work, Rachel enjoys speaking French over a glass of Beaujolais, keeping fit through dance, and perfecting her Caribbean dishes.

### Recent experience

- Success at appeal for possession of residential property, in a matter involving mental capacity issues and disrepair
- Facilitating settlement at mediation for multi-million corporation in a large-scale contractual dispute with a district council
- Successfully obtaining possession of multiple commercial premises from trespassers and obtaining permission for High Court enforcement
- Facilitating settlement in TOLATA claim involving breach of process as determined by the parties' declaration of trust
- Advising potential beneficiaries as to their prospective claim for Inheritance Act 1975

- Successfully representing Husband against Wife for breach of financial remedies order, enforcing the terms of the agreed Rose Order
- Advising farming family on a claim of unjust enrichment involving a failed agreement as to a plot worth over £4m, with the benefit of outline planning permission
- 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
- Representing corporate and local authorities in residential dilapidations claim and breaches of the Tenant Fees Act 2019
- Advising on bailment agreements and corresponding damages in relation to a sales livery agreement.

## Recommendations

"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, contractual dispute**

"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 in 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**

## Academic qualifications

- LLB English and French Law, First Class Honours – Kent University
- LLM Legal Practice, Distinction – University of Law, London
- BPTC, Very Competent – University of Law, London
- Certificate in Droit Civil, Paris I-Panthéon Sorbonne University

## 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)

# Expertise

## Property and Estates

Rachel is a specialist property practitioner, with a particular emphasis on the law of landlord and tenant and residential property. Her work spans the breadth of residential and commercial, representing both landlords and tenants in the private and public sector.

Rachel provides advice, drafts pleadings, and offers strong advocacy skills in this area. She is experienced in dealing with a range of claims dealing with repossession, claims for non-protection of deposits, breaches of covenant, dilapidations, and anti-social behaviour.

Rachel's property practice includes the following areas:

- Tenancies pursuant to Housing Act 1985 and 1988
- Tenant Fees Act 2019 claims
- Adverse possession
- Trespass
- Nuisance claims (including floods).

Rachel also has a growing chancery practice in the following areas:

- Wills
- Contentious probate
- Inheritance Act claims
- Applications under the Trusts of Land and Appointment of Trustees Act 1996.

## 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.

### **FDR hearing service**

Rachel is available for remote private FDR hearings. For more information on private remote FDR hearings please click [here](#).

## Contractual disputes

Rachel advises a range of clients on contractual and commercial matters. In particular she has had the following successes:

- Successfully applying and defending strike out & summary judgment applications for commercial matters

- Advice and representation on sales livery contracts involving alleged breaches of implied term of care and skill
- Pleading particulars and defences for breaches of contract, involving multiple parties with values over £100,000
- Representation at CCMCs and direction hearings.

## Articles

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...

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