



Cheryl Jones

Year of Call: 1996

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Overview

Cheryl Jones is a member of the Property and Estates and Commercial teams. She specialises in real property and trusts, with a particular interest in constructive trusts and estoppel. Cheryl is also an insolvency specialist, dealing with both personal and corporate insolvencies and related issues. She also has a strong practice in probate matters and is known for taking on cases which have unusual or cross-border elements.

She is a qualified mediator and a member of the Bar Pro Bono Unit.

Cheryl sits as a Recorder in both Civil and Criminal and is also Deputy Insolvency and Companies Judge, sitting in the High Court.

Called to the Bar in 1996, after achieving a First Class degree from Lancaster University as a mature student, Cheryl undertook pupillage in a leading Insolvency Chambers in Lincolns Inn and brings life experience and common sense to all areas of her practice.

Recommendations

'An excellent Chancery junior.'

Cheryl Jones at 3PB specialises in Chancery work, and is recommended for her 'dedication and commitment'.

Legal 500 2020 Regional Bar - Western Circuit, Commercial, banking, insolvency and Chancery law - Leading juniors.

Academic qualifications

First Class degree (Law) from Lancaster University

Professional qualifications & appointments

- Recorder

Professional bodies

- Member of the Chancery Bar Association

- Member of the Property Bar Association

Expertise

Commercial

Cheryl is an experienced commercial chancery barrister and Deputy Insolvency and Companies Judge.

Cheryl's insolvency practice encompasses both personal and corporate insolvency. She welcomes instructions in the following areas:

- Company Voluntary Arrangements (CVA)
- Injunctions preventing the presentation of a petition
- Director's disqualification
- Transactions at an undervalue and preferences, wrongful trading and misfeasance
- Applications to set aside statutory demands and bankruptcy petitions
- Applications by trustees in respect of real property
- Income Payment Orders (IPO)
- Third party applications.

Cheryl was appointed Deputy Bankruptcy Registrar in 2008 and is now Deputy Insolvency and Companies Judge frequently sitting in the Bankruptcy Division and Companies Court in the High Court. This experience gives her a very wide knowledge of the chancery jurisdiction, ranging from bankruptcy through to directors' disqualification proceedings and the minutiae of Company Law, such as reduction of capital.

She regularly advises and acts for insolvency practitioners, trustees, creditors and debtors and individuals in relation to a wide variety of matters. Also being a part-qualified accountant, not only gives Cheryl the ability to deal with complicated factual issues as well as the legal complexities, but also the ability to assimilate accounts quickly and efficiently.

In addition to sitting as a Deputy Insolvency and Companies Judge, Cheryl was appointed Recorder in 2010, sitting in the South-East Region.

Recent cases

- Blackburn v Southwell [2014] EWCA Civ 1347 - a ground breaking claim in proprietary estoppel on behalf of the successful claimant
- In re Nicholas Christou [2014] EWHC 79 (Ch) - allegations of fraud and forgery against an executor
- Foxholes Nursing Homes Ltd v Accora Ltd [2013] EWHC 3712 (Ch) - an application to restrain the presentation of a winding up petition
- Agarwala v Agarwala [2013] EWCA Civ 1763 - appeal in respect of a beneficial interest in a commercial property
- Duncan v Duncan [2013] EWCA Civ 1407 - a party he had previously represented
- Hope v Knight [2010] EWHC 3443 (Ch) - Inheritance Act Claim by long-estranged wife and child against estate of husband
- Representing liquidators against directors in complex claims for misfeasance, transactions at an undervalue and preferences
- Representing a bankrupt in claims against trustees in bankruptcy who are alleged to have acted against the interest of the bankrupt in the residue of the estate
- Representing a bankrupt in a disputed Centre of Main Interests petition.

Publications

The meaning of deleted terms and voluntary arrangements in the Court of Appeal by Cheryl Jones – Narandas–Girdhar v. Bradstock [2016] EWCA Civ 88.

[View Publication](#)

Property and Estates

Cheryl's property and private client practice encompasses trusts of land and proprietary estoppel, as well as boundary disputes. She has an extensive knowledge of and practice in probate and trusts issues.

Cheryl sits in the High Court as a Registrar, dealing with both high value bankruptcy matters and company matters, as a Chancery District Judge and as a Civil and Criminal Recorder. She is also a trained mediator.

Speaking

With a background in lecturing at Westminster University, Cheryl welcomes any opportunity to give talks on in all the areas in which she practices. She aims to give clear, precise and uncomplicated talks that are of long term practical use to solicitors, barristers and anyone with an interest in the subject.

Her more recent interesting cases include

- Agarwala v Agarwala [2016] EWCA Civ 1251; [2017] 1P&CR DG17 – relating to the date from which a trustee in breach of her trust was no longer acting unlawfully; calculations of equitable damages by a trustee and other associated issues
- In re Castrillon (High Court) (2016) with elements of Colombian law, alleged undue influence and fraud. Settled by way of mediation to client's satisfaction
- In re Freud (High Court) (2016), on an intestacy where a brother and sister could not agree the burial arrangements for their deceased mother or the subsequent disposition of the estate
- In re Kramer (High Court) (2016), a claim by personal representatives for declarations under the Trusts of Land & Appointment of Trustees Act 1996 in conflict with previous decisions of a religious court and need for accounting from executor de son tort.
- Blackburn v Southwell [2014] EWCA Civ 1247 [2015] 2 FLR 1240 – representing a co-habitee claiming estoppel against her former partner
- Christou (Pittas v Christou) [2014] EWHC 79 (Ch) – acting for the executor in highly contested claim, subsequently advising on the retention of costs from the Defendant's inheritance after the Defendant's bankruptcy
- Gabitass v Watkins (High Court) (2014), successfully resisting a claim by a stepson for provision from an estate on the grounds that he did not come within the act.
- In re Agarwala (2014), successfully setting aside two wills on the grounds of forgery and entering Indian will to probate against allegations of malpractice and fraud from the unsuccessful brothers.
- Duncan v Duncan [2013] EWCA Civ 1407 – appeal against a finding of conflict of interest in relation to a barrister acting for one party against a party he had previously represented
- Agarwala v Agarwala [2013] EWCA Civ 1763 – appeal in respect of a beneficial interest in a commercial property
- Hope v Knight [2010] EWHC 3443 (Ch) – involving the first consideration of long time separation of a married couple in connection with the Inheritance (Provision for Family & Dependents) Act 1975, in the light of Radmacher v Granatino [2010] UKSC 42
- In Re Sanussi – consideration of the laws of intestacy where the deceased had multiple legal wives in Nigeria but had English property to be divided
- Many other cases involving advising and bringing claims for undue influence, want of knowledge and approval or incapacity; Inheritance (Provision for Family & Dependents) Act 1975; to remove executors/personal representatives;

property claims by executors/personal representatives.

Cheryl believes that strenuous efforts should be made in all cases to settle matters without the need for a trial, and many of her cases do settle at mediation, but she is a fearless advocate for her client when it is clear that no sensible settlement can be reached.

Although Cheryl is officially located in the London Office of 3PB, and is particularly well placed to accept instructions in London, she also accepts instructions throughout the Midlands, South East and in Bristol. She is computer literate, providing swift and lucid advices by email if so desired.

Mediation

Cheryl is an experienced barrister practicing in the areas of Chancery and Family Law and has a practical and down-to-earth approach to all her work, coupled with intellectual rigor.

She also sits as a Recorder and a Deputy Insolvency and Companies Judge, sitting in the High Court.

Cheryl's judicial experience, coupled with an ability to think laterally gives her a real advantage when acting as a mediator. She understands the day to day concerns of the lay client and the sensitivities ADR can bring, and as such is willing to take as much time as is necessary to reach a resolution - at times taking the less travelled path and looking at creative solutions to the apparently insoluble.

She is flexible in her approach and appreciates that even in apparently straightforward matters, there may be underlying emotional issues which have to be acknowledged and addressed in order to give the best chance of settling the actual legal issues. In those matters, Cheryl will address and value the emotional issues, without allowing them to get out of hand or to interfere with a sensible settlement.

Where the issues are practical or legal, she will seek to assist the parties to look at alternative solutions of ways of solving them. It is her experience that it is often the issues that appear to be trivial which are of greatest importance to one or more of the parties.

Cheryl encourages parties to resolve matters in a sensible and workable way, reaching an agreement which is clear and unambiguous. Where necessary she will assist with the drafting of an agreement.