

# Luke Nelson

**Year of Call:** 2017

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## Finance

Luke is a specialist financial remedies barrister. Luke is known for his down-to-earth, practical and pragmatic approach to financial cases as well as his deft client care skills. He approaches all matters knowing that his clients are experiencing one of the most difficult times of their lives and endeavours to ease their burden with an easy rapport and clear advice.

Luke taught private family law and financial remedies at the University of Gloucester before joining chambers and uses this experience in the matters in which he is instructed.

### Financial Remedies

Luke has experience in a wide variety of financial remedies matters. He is able to run a case through from FDA to Final Hearing. He is also comfortable advising on enforcement actions, setting aside consent orders and intervener actions. Luke is also happy to draft all documents required in financial remedies matters, including questionnaires, schedules of deficiency, offer letters & interim applications. Luke frequently acts in cases involving foreign property, contested business valuations and intervener actions. Luke has recent experience in the following:

- Representing the company of a wealthy husband which was asserting ownership over various matrimonial properties in the High Court alongside and against leading Queen's Counsel
- Advising and representing in a matter involving an alleged fraudulent disposition of cross-border property
- Successfully establishing the validity of an ante-nuptial agreement alleged to have been entered into under duress
- Successfully arguing an add-back of c.£50k in a needs case
- Prosecuting an application for committal based on consistent failures to comply with the service of financial disclosure
- Resisting an application for a Legal Services Payment Order where both parties worked and lived in Australia and the UK
- Advising on and drafting an application to freeze assets pending the outcome of financial remedy proceedings
- Assisting Hamish Dunlop in a long-running farming case involving inherited wealth and equestrian assets; the latter issue forming the basis of concurrent intervener proceedings

### TOLATA

Luke has a particular interest in matters arising out of the Trusts of Land and Appointment of Trustees Act 1996 and is comfortable advising and advocating in concurrent Schedule 1 Children Act matters. Luke provides advice in conference or on paper and has a sound knowledge of the principles of equitable accounting and occupation rent.

Luke is a skilled mediation advocate. He utilises his knowledge of the law to achieve practical, client-led solutions which work (so far as possible) for both sides. Luke understands that the key to successful mediation is identifying and addressing each party's competing interests and developing a solution that satisfies both.

Luke has recent experience in the following:

- Drafting statements of case and advising on prospects and offers pre-issue
- Advising and appearing in all hearings from inception of the claim, to CCMC to final hearing
- Advising in relation to the establishment of a constructive trust based on an agreement which was never executed, where the defendant was refusing to make mortgage payments over the property and possession proceedings were impending
- Advising and representing a client in a case involving large contributions from both sides, a reconciliation and considerable sums spent on renovations
- Representing a client in a long-running case alongside Children Act sch 1 proceedings where the respondent had suppressed the profit-earning capacity of the business in order to remain in the FFH
- Advising on a matter involving an agreement to transfer the beneficial interest in a property where the buy-out sum was never paid
- Obtaining strike out and summary judgment against a company who wrongfully asserted the existence of a common intention constructive trust, proprietary estoppel and agreement to dispose of beneficial interest in domestic property

### **Injunctions**

Luke accepts instructions relating to injunctions and ownership of property, including non-molestation orders, occupation orders and applications for transfer of tenancy – usually linked to concurrent or impending financial remedy proceedings.

Luke is experienced in advising on applications for freezing injunctions and avoidance of disposition orders under the Matrimonial Causes Act, Senior Courts Act and the court's inherent jurisdiction.

## **Recommendations**

'Luke is straight-talking and exactly what most clients need to keep them focused on their approach to resolving matters. He is careful with his words and always well-prepared.'

### **Legal 500 2024/Divorce and Financial Remedy/Rising Star/Midlands Circuit**

"Luke was fantastic on our recent case together. He is very thorough, has an eye for detail and leaves no stone unturned. We achieved a brilliant result and the client was extremely happy with the outcome and his performance during cross examination."

### **Deanna Goldsby, Shakespeare Martineau LLP**

"After one final hearing already adjourned, it was a relief to have Luke Nelson accept my case on the a direct access basis after being recommended by a friend who herself is a DDJ. Luke is thorough, professional, highly personable and most of all, knows his stuff!

"Luke came to the three-day hearing armed with evidence and knowledge of the 1600 page bundle along with a strategy on how he was going to address each point. We had three meetings prior to the final hearing to ensure we both had an opportunity to raise questions and clarify any points. Luke's pragmatic approach gave me the confidence I needed and it was clear that he was a barrister with integrity and authenticity.

With his calm demeanour, Luke was able to cross examine my ex-husband in such a way that all the lies came pouring out – exactly what I had wanted! I'm grateful for Luke's support throughout the trial and could not have done this without him."

### **Lay Client**

"Thank you for your counsel and perseverance yesterday. It is a really good result to finally have this matter concluded for our client and having you to lead the legal team yesterday was a huge part of that!"

### **Legal Executive, Financial Remedies**

"Luke was calm, professional and realistic in his advice. He put my case forward to the Judge in an articulate manner,

demonstrating great knowledge of law. He went into sufficient detail to enable the Judge to make an indication in my favour. I simply cannot thank Luke enough and would recommend him to anyone. Plus, he were very personable throughout and put me at ease, which meant I knew I could trust him implicitly."

#### **Lay Client**

"Luke Nelson's client care skills are outstanding. Nothing ever seems too much trouble for him and he is always ready and willing to chat things through, in or out of office hours, which is incredibly refreshing. Luke has an excellent knowledge of the law. He is straight-talking and puts his clients at ease from the first meeting. Not only that, but he approaches his work with an infectious good-nature.

He is robust and articulate in his Court presence, but also has a pragmatic approach to cases and always promotes the best interests of his clients. His drafting is meticulous and speedy. In short, Luke is an exceptional barrister, both in financial remedies and co-habitation disputes. It's a 10/10 from me."

#### **Lindsey Arnold, Partner, Coles Miller Solicitors LLP**

"Luke worked tirelessly on my case, from our first conference to making submissions to the judge via email about the final order. He went "above and beyond" what I expected. His dedication and thought-process was exemplary; he was very approachable and understanding of my situation, and his presentation to the court was convincing. If any of my friends or colleagues need a barrister in the future, I'd be more than happy to recommend him."

#### **Lay Client**

"In my time with Luke on our pre-court call and all day in court, Luke listened to me, was patient and empathetic but also challenging. On top of all that he's a nice bloke too!

The simple yet powerful narrative he pulled together for the court were, for me, quite simply perfect. It made me feel understood and content. Despite a great deal of sabre-rattling from the applicant, Luke kept his composure and calmly but firmly asserted our position. He clearly connected with the court, foresaw and addressed its concerns and was mindful of the position he would take if in his opponent's camp.

The phrase velvet glove springs to mind! I will advocate for Luke to work with you and others again."

#### **Lay Client**

"I would like to take this opportunity to thank you for recommending Luke Nelson to me. It's a scary concept to entrust somebody you've never met with a truly life-altering court case. However, Luke had clearly absorbed every tiny detail of the case and he delivered it in court with precision and persuasiveness. As a result, the judge warned the other side to drastically reconsider their position, and they did. In short, it was A MASSIVE WIN."

#### **Lay Client, Financial Remedies**

"I recently instructed Luke on an FDR with a difficult opponent and a difficult client. He performed far in excess of his Call and his charm in dealing with judges is quite exceptional."

#### **Solicitor, Financial Remedies**

"Luke is an excellent communicator and builds a great rapport with clients. He has a professional and approachable manner, which places any client at ease in often difficult circumstances. Luke has been able to drill down the issues within a case and approach those in a methodical and academic manner which has resulted in a first class service and result for the client overall. "

#### **Eleanor Wood, Goughs Solicitors**

"Luke Nelson approached our case with total dedication, incredible commitment, stunning professionalism and deep empathy for us.

He made all the difference. Not only to how we were feeling through it all, but in obtaining us the result we wanted. In court, Luke was electric, hard-hitting and exceptionally clever in his cross-examination of the claimant. I can honestly say that he is a barrister who not only represents the highest legal standards, as one would hope for, but he also superbly represents & defends his client, to a level that was without doubt simply outstanding, and quite exceptional. We will never be able to thank him enough."

#### **Client**

## **Academic qualifications**

- University of Gloucestershire (2 year fast-track LLB) – First Class

## **Scholarships**

- Provost's Award For Excellence, University of Law, BPTC 2017
- Law Prize for Outstanding Achievement, University of Gloucestershire, 2017
- Finalist, Lincoln's Inn Inter-Provider Mooting Competition, 2017
- Undergraduate Team Award, National Client Interviewing Competition, 2016
- Sir Thomas More Bursary, Lincoln's Inn, 2016
- Neuberger Prize, Lincoln's Inn, 2015

## **Professional qualifications & appointments**

- University of Law (BPTC), Birmingham – Very Competent

## **Professional bodies**

- Lincoln's Inn
- FLBA
- Western Circuit