Matthew Haynes

Year of Call: 1991

Telephone: 0121 236 0863
Email Address: matthew.haynes@stiveschambers.co.uk

Overview

Mr Haynes is a Barrister specialising in Business, Property and Family Finance.

Matthew Haynes's work includes contentious probate work, including issues relating to the validity of wills, forged wills, the construction and rectification of wills, testamentary estoppel and the removal of executors.

Practice Areas

Family - Finance

Matthew undertakes court and advisory work in relation to all aspects of ancillary relief. His work in this area includes:

- TLATA
- Issues of companies
- Partnership assets
- Bankruptcy
- Agricultural issues
- Dissipation of assets
- Pensions
- Third party interests

Notable Cases

RE C (A CHILD) 2015] EWFC 79: a case relating to an application for the disclosure of medical records concerning, in particular, a patient's mental health, in order to vindicate a psychiatrist's reputation following the patient's allegations to the press.

DR v GR & Ors (Financial Remedy: Variation of Overseas Trust) (2013) [2013] EWHC 1196 (Fam): acted for a group of companies in a matrimonial finance case involving off-seas trusts in which the court gave guidance on the principles applicable to the joinder of trustees and/or underlying companies of a trust in variation of settlement cases.

Business & Property

Matthew Haynes' practice encompasses all aspects of property litigation, traditional chancery disputes and related professional negligence matters.

Described by Chambers UK as "an absolute gentleman and a fine advocate", Matthew is an established, highly regarded senior junior who has appeared in a wide range of courts and tribunals including the Court of Appeal.

Matthew has a particular interest in cases within an agricultural setting. Additionally, he undertakes work relating to trusts and estoppel.

Property

- Boundary disputes
- Adverse possession
- Easements
- Restrictive covenants
- Leasehold enfranchisement
- Commercial property
- Dilapidation

Chancery

- Inheritance Act 1975
- Validity/forgery of wills
- Forgery
- Testamentary estoppel
- Presumption of Death Act 2013
- Trust of Land

Commercial/Business

- Professional Negligence
- Mortgage and partnership disputes
- Care home litigation
- Injunctive relief

Notable Cases

SABAH KHAN v UNIVERSITY OF LEEDS [2018] EWHC 912 (Ch): a case involving a student alleging breach of contract by a university.

M-v-P (2018) (confidential); case relating to whether a business is in breach of a restrictive covenant that limits activities to agricultural. Other issues relate to the construction of boundaries and/or adverse possession.

(1) PAUL FRASER HARRISON (2) THERESA JANET HARRISON v JUSTIN JOHN BRADING [2016] EWHC 3267 (Ch) a boundary dispute, involving adverse possession and construction of plans, where prior conveyancing plans were at variance with the placement of existing walls and fences.

T-v-D (2017) (confidential); ongoing case in the Property Chamber relating to issues of mistake in the register and whether a right of way has been acquired by prescription or implication.

Boot-v-Bromford Housing (2017); case in the Property Chamber in which the landlord successfully resisted an application for adverse possession, partly on the basis that the applicant's predecessors in titles had been its tenants.

X-v-Y (2016) (confidential); this was a High Court Case where the court determined the boundary between two neighbouring properties in circumstances where prior conveyancing plans were at variance with the placement of existing walls and fences. Neither party was found to have acquired any land from the other through adverse possession or a boundary agreement.

Parmar & Ors v Upton (2015) [2015] EWCA Civ 795: acted for the successful respondent in a boundary dispute relating to issues of construction of conveyances, adverse possession of a ditch and the application of the hedge and ditch rule.

John Leonard Kynnersley & Kevin Styles v Wolverhampton City Council & Alan John Grainger (2007) [2008] WTLR 65: A residuary gift to the management of a local authority care home at which the testator was living was a valid gift to be held on trust to be applied for the benefit of persons employed at the home, and the renunciation of trusteeship by the local authority did not cause the gift to fail.

Dispute Resolution

Experience of over 20 years in financial remedy cases which he has combined with a chancery practice, including Inheritance Act claims. Particular interests relate to trusts of land and the interests of intervenors.

Qualifications

MA (Oxon)

Memberships

Midlands Chancery and Commercial Bar Association

Family Law Bar Association

Recommendations

Legal 500 2023: “Matthew is good with clients. He gives detailed advice and has the ability to present the case at court with clarity.”

Legal 500 2022: “Matthew is second to none when it comes to dealing with complex TOLATA proceedings. Matthew is able to advise on strategy right from the outset of a case. Matthew speaks with authority during hearings and really has the ear of the court.”

Legal 500 2021: “Excellent with clients and respected by opponents and judges.”

Legal 500 2019: “Excellent with clients, and respected by opponents and judges.”

Legal 500 2018: “Noted for his expertise in contentious probate cases.”

Legal 500 2017: “Clients like him as he is conscientious and personable.”

Legal 500 2016: “He engenders respect without a hint of arrogance, and is calm and collected when under pressure on his feet.”

Chambers & Partners 2015: “Matthew is an articulate and no-nonsense advocate who presents his case with the ear of the court and delivers in a cool, calm, collected and extremely measured way.”

Legal 500 2014: “He has a down-to-earth and knowledgeable style.”

Chambers & Partners 2013: Matthew Haynes is “an absolute gentleman and a fine advocate.”

Legal 500 2013: St Ives Chambers’ Matthew Haynes is “a barrister of the highest quality who inspires confidence in his clients”.

Chambers & Partners 2012: Matthew Haynes handles both matrimonial finance and children matters. He has particular expertise in cohabitation disputes.

Chambers & Partners 2011: Matthew Haynes is “a leading junior for his work in relation to trusts of land and Schedule 1, Children Act 1989, matters”.

Privacy Notice

Click here to view the Privacy Notice for Matthew Haynes.