

Natasha Dzameh  
Barrister and Mediator



YEAR OF CALL: 2010

INN: MIDDLE TEMPLE

“ Natasha is very thorough, her attention to detail is strong and she's very approachable. She's always at the other end of the phone and she's always willing to help. 'She is right on top of the legal and factual aspects of a case.' ”

CHAMBERS UK, 2020  
CHANCERY

## Practice Overview

Natasha is a commercial and chancery barrister who is frequently instructed as sole counsel in high value litigation. Her diverse practice includes commercial disputes, insolvency, professional negligence, property damage, real estate, trusts and wills. She regularly appears before courts and tribunals of varying levels and is accustomed to representing clients at trials which occur over the course of several days.

Natasha won the Bristol Law Society's "Barrister of the Year 2017" Award within approximately a year of tenancy. The judges were said to be "struck by her apparent maturity with her work". She was described as "an excellent lawyer and pleasant to deal with" and "one to watch". Within her first five months of tenancy she was successful in an application for permission to appeal and an appeal concerning errors of law and fact. She is also an accredited mediator and has undertaken numerous mediations and joint settlement meetings as counsel.

## Areas of Expertise

### Agriculture & Rural Affairs

Natasha has acted in many cases which required the application of her knowledge of commercial disputes, real property, trusts, wills etc. in an agricultural context. She is accustomed to dealing with expert reports in this field such as those of agricultural engineers and agronomists. Natasha has also delivered a seminar to members of the Agricultural Law Association.

### Examples of her experience in this field include:

- ▶ Agricultural tenancies
- ▶ Boundary disputes
- ▶ Failure to pay levy required by the Agriculture and Horticulture Development Board Order 2008
- ▶ Farming partnerships
- ▶ Hire purchase agreements for farming equipment
- ▶ Rights of way
- ▶ Sale and supply of goods such as animal feed and fertiliser including the impact on yield
- ▶ Trusts and succession disputes

## Commercial

Natasha is particularly interested in commercial matters and she has extensive experience in this field. She is currently instructed as a junior to Guy Adams on a very high value commercial matter concerning new technology and emerging markets on an international scale.

She is instructed to act for a variety of clients from major financial institutions to international companies and individuals. She regularly acts in subrogated insurance claims concerning complex multi-party disputes and insurance matters generally, inclusive of coverage.

Natasha has acted in a significant number of contractual disputes (carriage, construction, consumer credit, equine, guarantees, hire agreements, NHS contracts, sale and supply of goods and services, technology etc.). She is frequently instructed in partnership disputes as well as corporate and personal insolvency matters. Natasha is also able to advise on a range of company law issues such as directors' duties, shareholder agreements and unfair prejudice. She was involved in a disclosure dispute concerning documents used in other proceedings in the Chancery Division, Companies Court regarding the Company Directors Disqualification Act 1986 and a company in liquidation which managed a fund in excess of £100m.

Natasha is regularly instructed in specialist matters such as banking, defamation, dishonest assistance, intellectual property and malicious falsehood. She was also instructed by the GLD's commercial litigation team as part of teams of senior and junior counsel in relation to multimillion pound disputes concerning Francovich claims and unlawful interference claims.

## Banking

Natasha is instructed to represent major financial institutions, businesses and consumers. She has a sound understanding of financial regulation, particularly from a consumer protection perspective. Natasha also delivers seminars concerning banking and financial litigation.

### Examples of her experience include:

- ▶ Bankers Trust Orders
- ▶ Consumer credit agreements concerning hire, mortgages, section 75 CCA 1974 indemnity claims involving foreign companies
- ▶ Credit cards
- ▶ Enforcement
- ▶ Guarantees including directors guarantees
- ▶ Hire agreements
- ▶ Indemnity claims
- ▶ Mortgage disputes
- ▶ Payment instructions
- ▶ Professional negligence claims
- ▶ Rights of recovery
- ▶ Third party debt orders

Natasha has been instructed in a professional negligence claim of circa £2m (including a Part 20 claim) in respect of mortgage advances, failure to advise as to open market value and failure to undertake various assessments involving allegations by a large financial institution against a law firm and a firm of surveyors.

## Insolvency

Natasha has a broad range of experience regarding corporate and personal insolvency disputes including applications and trials where the issues require knowledge of her other practice areas. She also accepts instructions in relation to international corporate law and insolvency.

When she was a pupil, Natasha attended the Court of Appeal in *Davy v Pickering and others* [2017] EWCA Civ 30 which concerned restoration to the register of a dissolved company.

#### Examples of Natasha's experience include:

- ▶ An application for disclosure of documents used in other proceedings in the Chancery Division, Companies Court involving the Company Directors Disqualification Act 1986 and a company in liquidation which managed a fund in excess of £100m.
- ▶ Applications for annulment of bankruptcy orders.
- ▶ Bankruptcy petitions.
- ▶ Charging orders post-bankruptcy.
- ▶ Disputes concerning sums owed after discharge of bankruptcy.
- ▶ Disputes as to the extent of the assets in which a bankrupt has an interest e.g. disputes concerning beneficial interests in property.
- ▶ Injunctions regarding the presentation of winding-up petitions.
- ▶ Setting aside statutory demands.
- ▶ Winding up proceedings.

#### Insolvency

Natasha receives instructions across the spectrum of intellectual property law including copyright infringement, database rights, passing off and trademark infringement. These instructions range from advice on settling disputes pre-action through to representing clients at trial. Natasha's academic studies covered copyright law (including software and internet copyright), design rights, passing off, patents, trademarks and trade secrets at domestic and international levels.

#### Construction & Engineering

Natasha is often instructed in professional negligence matters in relation to construction professionals (see Natasha's professional negligence CV for more details).

#### Examples of her experience include:

- ▶ Contra charges
- ▶ Contractual variations
- ▶ Defective foundations
- ▶ Defective works generally including quality concerns e.g. CWI, installation of fixtures and fittings, roofing, tree proximity, wall ties etc.
- ▶ Design flaws
- ▶ Latent defects
- ▶ Professional negligence matters relating to design, installation, valuation etc.
- ▶ Retention
- ▶ Short measures
- ▶ Validity of pay less notices.

#### Court of Protection

Natasha has extensive real estate, trusts and wills experience and has also been instructed in matters in these areas where the Court of Protection was involved.

#### Recent examples include:

- ▶ Advising on prospects, best interests and authority to litigate in respect of beneficial interests in a joint bank account.
- ▶ Advising on potential claims involving litigants lacking capacity.
- ▶ Contested applications regarding appointment of health & welfare deputies and property & affairs deputies.
- ▶ Proceedings concerning alleged misappropriation of funds.

#### Mediation

Natasha is an accredited mediator who is available for instruction in mediations in any field. She is a specialist commercial and chancery barrister who is accustomed to acting as sole counsel in high value litigation particularly

in relation to commercial disputes, insolvency, professional negligence, property damage, real estate, trusts and wills.

Natasha aims to provide the parties with a cost-effective means of resolving their dispute via open communication as an alternative to the expensive, adversarial nature of litigation. She offers an excellent level of client service and is noted for her ability to devise practical and innovative solutions which is a skill she also utilises as a mediator.

## Professional Negligence

Natasha has a wealth of experience in this field and has been instructed to represent claimants and defendants. She is often instructed in respect of subrogated insurance claims. Her practice focuses on legal professionals (solicitors and barristers), construction professionals (architects, builders, surveyors etc.) and financial professionals. These disputes often concern matters relating to Natasha's other practice areas, however she also advises on professional negligence disputes generally. Natasha has a solid understanding of insurance law principles and so is also instructed on coverage matters.

As a commercial and chancery practitioner Natasha is accustomed to dealing with multifaceted claims which involve breach of fiduciary duty and breach of trust in addition to making tactical applications such as those for disclosure of documents used in other proceedings. She undertook a 3-month secondment at RPC in which she advised on, and drafted various documents in respect of, solicitors' professional negligence claims. These involved a range of firms, including international firms, where the insurer client was one of the world's largest insurance and reinsurance companies.

## Legal Professionals

- ▶ Natasha's experience includes the following matters:
- ▶ A claim potentially worth c£2m (including a Part 20 claim) in respect of mortgage advances, a failure to advise as to open market value, and a failure to undertake various assessments involving allegations by a large financial institution against a law firm and a firm of surveyors.
- ▶ Conflicts of interest.
- ▶ Cyber fraud.
- ▶ Disclosure concerns.
- ▶ Estate maladministration.
- ▶ Failure to advise as to the terms of a lease.
- ▶ Failure to advise on the impact of an overage clause.
- ▶ Failure to advise on the validity of a notice proposing a statutory lease extension.
- ▶ Failure to ensure that the proceeds of sale were used to redeem an existing mortgage.
- ▶ Failure to ensure a conveyance included requisite land.
- ▶ Failure to identify land as being landlocked and to advise accordingly.
- ▶ Failure to include guarantors on a lease.
- ▶ Failure to include in a conveyance a right of access.
- ▶ Failure to issue within the limitation period.
- ▶ Incorrect advice on Inheritance Tax.
- ▶ Ineffectual advice regarding a Deed of Variation.
- ▶ Ineffectual advice during construction law litigation.
- ▶ Negligent estate administration.
- ▶ Negligent payment of settlement funds.
- ▶ Negligent procurement of funds including a mortgage.
- ▶ Mishandling of funds.
- ▶ Requesting disclosure of documents used in other proceedings where a professional negligence action has been intimated.

## Construction Professionals

Natasha's experience includes residential and commercial buildings. She also has a significant property damage practice which involves professional negligence claims against a variety of construction professionals (for details

of her property damage practice please see her property damage & insurance disputes CV). Some recent examples are:

- ▶ A claim worth c£2m (including a Part 20 claim) in respect of mortgage advances, a failure to advise as to open market value, and a failure to undertake various assessments involving allegations by a large financial institution against a law firm and a firm of surveyors.
- ▶ Defective foundations.
- ▶ Failure to adequately complete planning applications.
- ▶ Failure to advise during execution of project designs.
- ▶ Failure to design an appropriate development scheme and to advise on various matters affecting the proposed development at numerous stages.
- ▶ Failure to recognise potential issues during surveys.
- ▶ Inaccurate valuations and HomeBuyers Reports.
- ▶ Latent damage.
- ▶ Numerous cases concerning defective works including claims regarding cavity wall insulation, construction near trees, installation of appliances as well as fixtures and fittings, roofing, lintels, wall ties etc.
- ▶ Validity of an award under the Party Wall etc. Act 1996.

### Financial Professionals

Natasha's experience includes the following:

- ▶ A claim worth c£2m (including a Part 20 claim) in respect of mortgage advances, a failure to advise as to open market value, and a failure to undertake various assessments involving allegations by a large financial institution against a law firm and a firm of surveyors.
- ▶ Disclosure concerns where maladministration was suggested in respect of a financial accountant acting as an executor.

### Real Estate

Natasha receives instructions across the spectrum of property and real estate concerning agricultural, commercial and residential property. She is often instructed on particularly complex matters and recently acted in a 3-day trial concerning allegations of: breach of trust; duress; resulting trusts; proprietary estoppel; unconscionability; undue influence and unjust enrichment. Natasha has also been instructed on numerous mediations and represented clients at joint settlement meetings.

### Examples of her experience include:

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| <ul style="list-style-type: none"> <li>▶ Adverse possession claims</li> <li>▶ Boundary disputes including those in the First Tier Tribunal (Property Chamber) Land Registration Division</li> <li>▶ Contracts for the sale of land</li> <li>▶ Dilapidations</li> <li>▶ Disputes involving managements companies</li> <li>▶ Easements (especially rights of way and prescriptive easements)</li> <li>▶ Estate rent charges</li> <li>▶ Forfeiture</li> <li>▶ Injunctions</li> <li>▶ Landlord and tenant disputes (especially deposit protection, possession claims, prescribed information, harassment, unlawful eviction validity of notices etc.)</li> </ul> | <ul style="list-style-type: none"> <li>▶ Land registration</li> <li>▶ Licences</li> <li>▶ Mortgage actions</li> <li>▶ Nuisance</li> <li>▶ Overage agreements</li> <li>▶ Professional negligence claims (for more information please see Natasha's professional negligence CV)</li> <li>▶ Restrictive covenants including applications to modify in the Upper Tribunal (Lands Chamber)</li> <li>▶ Restrictions on property development due to graveyards</li> <li>▶ Rights of light</li> <li>▶ Right to buy</li> <li>▶ Service charges</li> </ul> |
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- ▶ Trust disputes and ToLATA claims concerning constructive trusts, resulting trusts and proprietary estoppel
- ▶ Trespass

## Property Damage & Insurance

Natasha has a significant property damage practice in which she is instructed on an array of matters on behalf of large insurance companies and their clients. Natasha acts for Claimants and Defendants in relation to these matters which are frequently multi-party disputes concerning the Defective Premises Act 1972 and the Consumer Protection Act 1987.

Natasha has a solid understanding of insurance law principles and is also instructed to advise on coverage. A number of her real estate cases have been insurer funded but for details of her experience in that respect please see her Real Estate CV.

- ▶ Contribution claims and indemnity claims
- ▶ Defective works
- ▶ Flood damage
- ▶ Fire damage
- ▶ Pre-action disclosure applications
- ▶ Tree root damage
- ▶ Professional negligence claims (for more information please see Natasha's professional negligence CV)
- ▶ Subrogated claims
- ▶ Spooked horses
- ▶ Theft

## Wills & Trusts

Natasha has extensive experience of wills, trusts and probate matters. She is regularly instructed as sole counsel on matters of significant value from pre-action through to trial or mediation. Natasha advises on all aspects of estate administration and is particularly familiar with applications to remove personal representatives and trustees.

Natasha represented the defendants in *Sollis v Leyshon & Leyshon* [2018] EWHC 2853 (Ch) which was a complex 3-day trial concerning breach of trust, duress, proprietary estoppel, resulting trusts, unconscionability, undue influence and unjust enrichment. She was instructed as junior to Leslie Blohm QC in respect of the administration of the estate of the late Barry Pring, a case which received national press coverage. This concerned a millionaire who died intestate in the Ukraine and the issue of forfeiture.

Examples of her experience include:

- ▶ Allegations of duress and undue influence
- ▶ Applications for permission to bring a claim under the Inheritance (Provision for Family and Dependents) Act 1975 out of time
- ▶ Applications to consolidate proceedings
- ▶ Approval hearings
- ▶ Beddoe applications
- ▶ Claims against personal representatives and trustees including applications for their removal
- ▶ ToLATA claim
- ▶ Claims based on constructive trusts, proprietary estoppel or resulting trusts
- ▶ Claims under the Inheritance (Provision for Family and Dependents) Act 1975 by adult children, partners and spouses
- ▶ Court of Protection matters (for more information see Natasha's Court of Protection CV)
- ▶ Deeds of compromise and deeds of variation
- ▶ Derivative claims
- ▶ Disclosure requests
- ▶ Estate administration queries and applications for directions
- ▶ Forfeiture
- ▶ Intestacy inclusive of attempts to determine lineage
- ▶ Lifetime gifts
- ▶ Mirror wills
- ▶ Mutual wills
- ▶ Probate claims i.e. grant of probate, revocation of grant and will validity challenges
- ▶ ToLATA claims

## Recommendations

"Professional, knowledgeable, and with a good eye for detail."

LEGAL 500, 2020  
COMMERCIAL, BANKING, INSOLVENCY AND CHANCERY LAW

"Very sharp and responsive, with great attention to detail and a good way with clients."

LEGAL 500, 2020  
PROPERTY

"Natasha is extremely intelligent, with an eye for practical and innovative solutions."

LEGAL 500, 2019  
COMMERCIAL, BANKING, INSOLVENCY AND CHANCERY LAW

"A very sharp and user-friendly barrister."

LEGAL 500, 2018  
PROPERTY

## Professional memberships:

- ▶ Commercial Bar Association
- ▶ Chancery Bar

## Qualifications & awards:

- ▶ LLM International Commercial Law (Distinction), University of Nottingham
- ▶ BVC, BPP
- ▶ LLB Law (Hons), University of Hull
- ▶ Bristol Law Society's "Barrister of the Year 2017"
- ▶ Istituto di Studi Economici e per l'Occupazione Scholarship
- ▶ Ferens Scholarship

## Contact Natasha:

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