

Victoria Empson

Year of Call: 2016



ST JOHN STREET
CHAMBERS

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Victoria joined Chambers in September 2017 after successfully completing pupillage under the supervision of Simon Charles. She specialises in all business and property matters, including data protection, and is forging a busy practice as a member of the Business and Property team at 18 St John Street.

Property

Including boundary disputes, easements, restrictive covenants, adverse possession, nuisance, co-ownership, proprietary estoppel, and mortgages.

Recent experience includes:

- - Successfully defending a Defendant at trial in a TLATA claim for a beneficial interest in a family property by her daughter's ex-partner;
- - Advising a co-owner of a property as to issuing a possible TLATA claim and prospects for the same, which eventually led to settlement;
- - Advising an owner of a commercial property in respect of an easement at the rear of their property and trespass by a neighbour, and a construction of the Land Registry documents/deeds for the respective properties;
- - Advising a lender in respect of enforcement action in reliance on second charges and/or equitable charges.

Landlord and Tenant

Including possession claims, disrepair, forfeiture and leasehold enfranchisements

Recent experience includes:

- - Regularly appearing on behalf of landlords in contested s.8 possession proceedings;
- - Successfully acting for a vulnerable tenant in respect of an application for a stay of possession;
- - Pleading a defence and counterclaim to a s.21 possession claim on behalf of tenants, raising complex issues of disrepair, tenancy deposit compensation and statutory compliance.

Trusts, Wills, Probate & the Administration of Estates

Including contentious probate, administration actions, construction of wills and trusts, claims for breach of trust, and Inheritance Act claims.

Recent experience includes:

- – Acting on behalf of the Claimants in a three-day trial before His Honour Judge Haliwell QC, in a claim contesting the validity of their father's will on the grounds of undue influence, testamentary capacity and a lack of knowledge and approval;
- – Acting on behalf of an individual, with a power of attorney pursuant to a divorce settlement, seeking to be substituted in the place of a long inactive executor;
- – Drafting a claim to in respect of an inter vivos gift of a house, raising issues of mental incapacity and undue influence;
- – Advising a Defendant, a close friend of the deceased, in a claim under the Inheritance Act by the deceased's adult daughter, which eventually led to the matter settling.

Commercial

Including consumer credit actions, claims involving the sale and/or supply of goods, software disputes and partnership disputes.

Recent work includes:

- – Acting on behalf of the lender at trial for a PPI claim under ss.140A and 140B of the Consumer Credit Act 1974;
- – Acting on behalf of a large music retailer in respect of a claim for the supply of defective/sub-standard sales/stock management software.

Data protection

Including data protection compliance and contentious data protection actions

- – Advising a government department in respect of data protection compliance;
- – Advising, and acting on behalf of, a government department in respect of a claim for misuse of private information and GDPR/Data Protection Act 2018;
- – Acting on behalf of a large outsourcing firm in respect of a claim for misuse of private information and the Data Protection Act 1998.

Professional negligence

Including claims against surveyors, conveyancers, accountants and solicitors

Recent work includes:

- – Acting on behalf of a purchaser in a claim against their conveyancing solicitors in respect of negligent advice, ultimately leading to settlement.

Tax

Indirect taxes and business rates

- – Acting on behalf of HMRC as part of the Junior Junior scheme

- – Acting on behalf of businesses in respect of Magistrates’ summonses for unpaid business rates

Company & Insolvency

Including winding up petitions, bankruptcy petitions, restorations to the register, extensions of the period allowed for delivery of a charge, and applications to set aside statutory demands

- – Successfully acting on behalf of a Respondent in an application to set aside a statutory demand, whereby the debt amounted to over £1million;
- – Regularly appearing on behalf of petitioners and debtors in the winding up list;
 - Advising in respect of the technical requirements for a Part 8 claim for an extension of the period allowed for delivering a charge.

VIEW PRIVACY POLICY

Education

University: University of Warwick, BA (Hons) English and Latin Literature (First Class)

Postgraduate Study: Balliol College, Oxford, Master of Studies in English Literature

Schools of Law: BPP Law School, GDL (Distinction); City Law School, BPTC (Very Competent)

Professional Memberships

Middle Temple

Astbury Scholarship – Middle Temple (GDL)

Astbury Scholarship – Middle Temple (BPTC)

Northern Circuit

Norther Circuit Chancery Bar Association
