Five Pump
Court Chambers

5 Pump Court
Temple, London
EC4Y 7AP, UK
clerks@5pumpcourt.com
Tel: 020 7353 2532

Mikhail Charles



Barrister

Call: 2012

mikhailcharles@5pumpcourt.com

Please call 020 7353 2532 to instruct

Practice overview

Mikhail's practice incorporates commercial law, property law, landlord and tenant, insolvency, trusts, contract and general civil litigation wherein he appears in County Courts, tribunals and the High Court in England and Wales. Mikhail is one of the first 10 Chancery Bar Association Pro Bono Champions for 2025, being one of the first to undertake 3 pieces of pro bono work for the CLiPS insolvency scheme.

He is fully versed in all forms of ADR and accepts instructions in mediation and arbitration, both domestic and international.

He has extensive experience obtaining emergency injunctions, including freezing orders. He undertakes drafting and advisory work within his practice areas in all jurisdictions.

Mikhail's focus upon commercial litigation and upon the demands of HNW clients has meant that many of his cases have involved either an international or off shore element. Accordingly he is experienced in the international aspects of all of the areas in which he practices. He appears in the High Court and Court of Appeal in the Eastern Caribbean. Mikhail is Chambers and Partners ranked for Saint Vincent and the Grenadines, and he is admitted to and practising at the Bar of the British Virgin Islands and the Saint Kitts and Nevis Bar. He also holds the LEC, a credential which allows him to be admitted to the Bar of any Commonwealth Caribbean State as of right.

Mikhail's main international focus is cases involving off-shore companies, structures and international contracts/arbitration as well as enforcement of judgments. He also regularly provides expert evidence on matters of Commonwealth Caribbean company and corporate law.

Mikhail was educated at the Saint Vincent Boys Grammar School, did A-Levels in Saint Vincent and his LL.B at University of Wales (Cardiff), Bar at City University Law School and a Masters degree in Corporate and Insolvency Law at Nottingham Law School.

He lectures in commercial law, advocacy and professional ethics at the University of Greenwich and is a company law consultant at the British Institute of International and Comparative Law. Mikhail is also an author of the Lexis Nexis publication "International Trust Laws". In his spare time, he is also a 4th Dan (Master Grade) Taekwondo practitioner and was formerly world ranked. He coaches at Tan Gun Taekwondo and Mixed Martial Arts Academy.

Mikhail is a personable, confident and energetic advocate who is efficient and unflappable. He enjoys a challenge, and is a creative thinker whose strategy is always geared to the best solution for his client. A recent recommendation was "*The client is really pleased with your work and so am I. We would like to be able to revert to you for advice on this matter when we hit a brick wall or need that special blend of London and East Caribbean knowledge that you possess in abundance.*"





Property

Mikhail has substantial experience within this area, regularly advising, drafting and appearing in matters such as boundary disputes, trespass, easements, freehold and leasehold covenants, nuisance, rights of way, adverse possession and compulsory purchase orders, appearing in both Courts and Tribunals in England and Wales and in the offshore Caribbean.

Feedback from a client in a recent property case was: "*I just wanted to drop you a quick note to express our gratitude for the first-class representation you provided us at the County Court today. This was a case that had extended far longer than anticipated, and your good work in the courtroom has provided a much needed resolution.*"

Mikhail appears in courts and tribunals in England and Wales and in the Caribbean in relation to property disputes. He is also able to advise on disputes which touch on the two jurisdictions – for example contentious probate disputes in England and Wales where one of the assets of the estate is land in the Caribbean.

Landlord and tenant/housing

In conjunction with real property, landlord and tenant work constitutes an extensive part of Mikhail's practice. He undertakes commercial and residential work on behalf of both landlords and tenants (including legally aided work for tenants). Mikhail has experience dealing with many areas including the creation of leases, both equitable and legal, all manner of issues appertaining to the Landlord and Tenant Act 1954 and the forfeiture, surrender and determination of leases.

He is regularly instructed to conduct cases for both landlords and tenants relating to assured shorthold and assured tenancies, disrepair, the accelerated possession procedure and rent arrears.

Representative instructions include:

- Advising and preparing Defences to a variety of claims for unpaid rent which raised issues of disrepair, contractual interpretation, validity of Section 8 and Section 21 Notices.
- Appearing at a number of private rental possession proceedings (and advising on such proceedings)
- Advising on and preparing Particulars of Claim for a variety of circumstances, including the forfeiture of commercial leases, residential property etc.
- Representing Parties in diverse applications to the First Tier Tribunal.
- Representing landlords and property owners in residential possession proceedings against tenants and trespassers

Following a recent case, Mikhail's instructing solicitor reported back as follows: "*Thank you ever so much for a resounding result. I am extremely pleased. Sometimes you just have to put it before a judge. Not that results are always guaranteed but, I'm glad this one was a good call, thanks to you.*"

Contentious trusts and estates

Mikhail has developed a UK facing practice dealing with co-ownership of a home or other property in non-marital relationships, proprietary estoppel and undue influence under TOLATA 1996 and in the offshore Caribbean.

Representative experience includes:

- Advising personal representatives on the proper construction of a will and how the estate assets fall to be distributed;
- Representing the Claimant in Part 8 proceedings in relation to the administration of a

trust (the case settled prior to trial);
- Representing the Claimant in contested Part 8 (now Part 7 proceedings) for Section 15 TOLATA proceedings over a joint names property valued at £2 million.

Insolvency

He has considerable experience of appearing in court and advising on a wide range of corporate and personal insolvency matters. He welcomes instructions in this area of practice.

Representative instructions include:

- Appearing for petitioning creditors and companies at the hearing of numerous winding up petitions;

- Appearing for petitioning creditors and debtors at the hearing of numerous bankruptcy petitions;

- Representing a client in a contested injunction application relating to property;

- Advising and appearing on a variety of applications to set aside statutory demands.

Mikhail is part of the Chancery Bar CLiPs scheme and has volunteered pro bono on numerous occasions for those attending the insolvency courts without advice and representation.



Company and commercial

Mikhail has experience of advising on a range of company law matters and appearing at trials and hearings on behalf of companies and company directors. He welcomes instructions in this practice area.

Representative instructions include:

- Appearing at a hearing concerning a claim for rectification of a company's register of members;
- Advising on an application to restore a company to the register;
- Appearing on applications to extend time for the registration of a charge.

Offshore practice

Mikhail is qualified in a number of Caribbean jurisdictions, and is able to appear in the courts of the British Virgin Islands, St Kitts & Nevis and St Vincent and the Grenadines. His practice in those areas is primarily made up of property, corporate and commercial work and

insolvency proceedings. Mikhail regularly travels to the Caribbean to appear in courts there.

Mikhail is also able to accept instructions in the ADGM courts in Abu Dhabi.

Mikhail is also able to accept instructions in cases proceeding in England and Wales where there is an offshore element – for example where there is a judgment which may need to be enforced in the Caribbean. He can act as an advocate or an expert witness in such cases.

Expert witness

Mikhail is able to accept instructions as an expert witness for anyone requiring advice on the law in other jurisdictions where he is qualified. He can advise, for example, on the various methods of enforcing a judgment in the Eastern Caribbean and the correct procedure for each. Mikhail accepts instructions as a sole expert or single joint expert, and is familiar with the requirements under CPR 35.

Mikhail is also able to advise on the operation of English law in Caribbean jurisdictions, either in court or in arbitration proceedings.

Education

- LL. B (Hons) – University of Wales (2011)
- Bar Professional Training Course (PG. Dip Professional Legal Practice) – City University Law School, London (2012)
- LL.M Corporate and Insolvency Law – Nottingham Law School (2017)
- Advanced Certificate in Trust Disputes – Society of Trust and Estate Practitioners (STEP) (2019)
- Certificate in International Investment Law and Dispute Resolution – British Institute of International and Comparative Law (BIICL) (2020)
- Chartered Director (C.Dir) – Caribbean Corporate Governance Training Institute (CGTI) (2021)
- Postgraduate Certificate – Caribbean Community Law & The Caribbean Court of Justice, Caribbean Court of Justice (2022)
- Civil and Commercial Mediation – Phoenix Dispute Resolution Ltd., Civil Mediation Council, Chartered Institute of Arbitrators and International Mediation Institute Registered (2022)
- Legal Education Certificate – Eugene Dupusch Law School, Commonwealth of the Bahamas (2023)
- Eastern Caribbean (British Virgin Islands, St. Kitts and Nevis, St. Vincent and the

Grenadines, St. Lucia and Grenada): Barrister | Notary Public

Memberships

- Chancery Bar Association
- Commercial Bar Association
- Property Bar Association
- Freeman of the City of London (October 2023) – Juror of the Guildable Manor of Southwark
- Advocate
- OECS Bar Association
- Organization of Caribbean Bar Associations
- Saint Kitts and Nevis Bar Association
- Saint Vincent and the Grenadines Bar Association
- Grenada Bar Association

Notable Cases

England and Wales:

Successfully defended insolvency and breach of contract proceedings for a leading Indian data centre with an English subsidiary.

Secured the return of suspended funds to English domiciled luxury watch retailer against popular electronic money institution.

Secured success for defendant in contentious proceedings regarding set aside application after delay of 5 months 6 days.

Secured the withdrawal of winding up threat proceedings against luxury Central London restaurant by HMRC.

Successfully argued for the discharge of an injunction against a defendant against a Top 10 British Bank in possession proceedings and in contentious possession and trespass proceedings.

Secured for Appellant the discharge of fine for Improvement Notice by Manchester Council.

Caribbean cases:

Hill Junke v Sea Grape Limited and others (2022): Represented defendants in a personal injury claim with complex legal issues relating to the duty of care, and numerous overlapping applications.

Commercial Bank of Dubai v 18 Elvaston Place Ltd (2020): Commercial case involving a number of injunction applications.

Campbell v Campbell (2020): Complex application for a non-molestation order in contested children proceedings.

DPP v Karim Maynard (2020): Criminal proceedings re evasion of duty.

DPP v Wells and Liddie (2020): Representing a Defendant facing a death sentence, and successfully arguing that he should serve a lengthy custodial sentence instead.

LMN v QRS (2019): Application for a Norwich Pharmacal Order.

Digital Wings Ltd v Lekeicha Caesar Toney et al (2018): Successfully defended an application to strike out proceedings.

Antonio Gellizeau v The State (2014): Application for a stay of execution.