



# Ed Elliott

YEAR OF CALL: 2000



Ed Elliott is a specialist family lawyer with an extensive knowledge of the law who strives to obtain the best outcome for clients in each and every case.

Ed offers robust, practical and remedy-based advice and representation. Level-headed and focused on ensuring a good outcome, Ed is always candid with clients about their cases and prospects of success while applying his experience and expertise to fight their corner in court.

Ed is qualified to accept instructions directly from members of the public and has trained as a mediator. He represents clients for the Bar Pro Bono Unit and sits in the Family and County Court as a Deputy District Judge.

During the first seven years of his career, Ed had a mixed practice involving criminal law, housing and personal bankruptcy as well as family work. Although the Bar is becoming increasingly specialised, Ed has tried to use this experience to maintain a working knowledge of as many areas of law as possible.

Ed believes that *"whilst clients seek expert advice and representation, their problems do not always neatly fit into one legal pigeonhole. Any children lawyer needs a working knowledge of criminal, housing and immigration law. Enabling clients to understand, address and overcome such problems will give rise to better outcomes in children cases. Likewise, any matrimonial*

*finance lawyer needs to understand welfare benefits, tax and insolvency. Reaching acceptable and sustainable solutions in ancillary relief cases particularly where there are limited assets is all about understanding what is possible in practical terms."*

If you would like to get in touch with Ed please contact the clerking team:

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## CHILDREN LAW

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### Care proceedings

Ed acts for all parties in care proceedings, believing that the best advocates understand cases from all perspectives. He has frequently dealt with cases involving serious allegations of inflicted injuries from fractures to head injuries to sexual abuse.

### Private law matters

Ed has fifteen years' experience of "private law" (disputes between parents). He is an experienced negotiator, seeking to resolve cases wherever possible as best solutions to problems are those that are agreed rather than being imposed by the court. Equally, he is a tenacious and determined advocate who has been involved in intractable contact disputes and cases involving allegations of violence, abuse and, on occasion, factitious illness.

### NOTABLE CASES

#### ***Re SE Family Division* [July 2018]**

Application for a "deprivation of liberty order" – where a troubled teenager needed to a place with a strict regime to ensure her safety and the safety of others

#### ***Medway Council v Root (1)* [2017] EWHC 3791 (Fam) (17 July 2017)**

#### ***Medway Council v Root (2)* [2017] EWHC 3793 (Fam) (18 July 2017)**

***Medway Council v Root (3) [2017] EWHC 3794 (Fam) (30 August 2017)***

***Medway Council v Root (4) [2018] EWHC 1298 (Fam) (15 March 2018)***

***Medway Council v Root (5) [2018] EWHC 1299 (Fam) (11 May 2018)***

***Medway Council v Root [2019] EWHC 669 (Fam) (6 March 2019)***

***Root v Medway Council (Application to Purge Contempt) [2019] EWHC 1640 (Fam) (29 March 2019)***

Series of cases concerning the confidentiality in care proceedings where it was considered: What can be published on social media? What orders can the court make to stop publication? What are the consequences of breaching them?

***A, Re (Wardship: 17 year old: s.20 accommodation) [2018] EWHC 1121 (Fam) (07 March 2018)***

Care proceedings representing the “child” considering what orders the High Court can make to protect 17 year olds where there is no power to make a care order.

***London Borough of Lambeth v Z & Ors [2015] EWFC B9***

Representing a father on a ten-day fact- finding hearing where a baby was suspected of suffering a shaking or a shaken impact injury.

***R v SR: Family Division [July 2014]***

Dispute over the residence of twins where in the interim one child had resided with each parent. Historically there had been proceedings with national publicity where the mother had refused potentially lifesaving medical treatment for one of the twins.

## **DIVORCE AND FAMILY FINANCES**

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### **Matrimonial Finance**

Ed was a founder member of the Financial Remedies Team when he joined Garden Court Chambers in 2012 and its head until 2016. He undertakes all areas of matrimonial finance work including Trusts of Land Act, relief following foreign divorce, applications under schedule 1 of the Children Act 1989 (unmarried parents), and proceedings against the Child Maintenance Service (formerly the CSA).

He represents clients in complex, high net-worth cases involving other areas of law such as mortgage repossession and bankruptcy. He has also been asked to prepare expert reports in Confiscation Proceedings in the Crown Court

## **NOTABLE CASES**

### ***KC v WC* [May 2019]**

Complex proceedings involving assets held in Hong Kong and a dispute over the date of the end of the marriage with the wife alleging that the husband had a secret second family.

### ***TM v TM* [July 2018]**

Proceedings involving arguments over: (a) the validity of a separation agreement; (b) when it is possible to “add back” money already spent by one party; and (c) how to value a business where the business is said to owe money to the husband, its sole shareholder and director.

### ***FJ v LH* [May 2018]**

Application to reopen a financial remedies final order on the basis of material non- disclosure when the wife remarried 8 weeks after the final order.

### ***TH v FH and others* [2017 - 2018]**

Matrimonial finance proceedings involving eight properties, three interveners and arguments about whether signatures of trust deeds were obtained by undue influence and whether those trusts were in a fact a sham.

### ***FZ v SR* [December 2014 - March 2016]**

Complex Trusts of Land and Schedule 1 case involving arguments about foreign property, school fees and proprietary estoppel.

## **BACKGROUND**

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Prior to practice at the Bar, Ed worked in Parliament for Ross Cranston, MP for Dudley North and Martin Linton MP for Battersea. In his spare time Ed builds Lego with his son and is a member of Battersea band Clause IV and a tortured supporter of Arsenal FC.

## **TRAINING AND SEMINARS**

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Ed has taught civil evidence and litigation and has set exam papers for Higher Rights candidates at the BPP Law School. He has also taught Bar Vocational students at the College of Law and City Law School.

Ed presented the Matrimonial Finance Update for the Solicitors Group Conference in March 2016.

Ed has delivered presentations at the Financial Remedies Team Annual Seminar for the past three years on:

**Reopening final orders after Sharland & Gohil (October 2016)**

**Child Support Law (October 2017)**

**The Top Ten New Cases for 2017 -2018 (May 2018)**

## EDUCATION

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**LLB (Hons)**

**AKC (Kings College London)**

## PROFESSIONAL MEMBERSHIP

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**Family Law Bar Association**

**Society of Labour Lawyers**

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