

1GC | Family Law

Andrew Venables

Year of Call: 2013



Practice Overview

Andrew's practice covers all areas of family law (and some areas of traditional chancery), with a particular emphasis on matrimonial finance, cohabitation and cases involving the international movement of children. He is praised by clients for his attention to detail, his ability to analyse complex issues from multiple angles and his rigorous analysis of the legal issues.

Andrew has experience of appellate advocacy, having appeared on several occasions before the Court of Appeal both with and without a leader.

Family Finance & Property

Andrew acts in a wide range of financial remedy proceedings, including Schedule 1 Children Act and Part III MFPA proceedings. He regularly deals with allegations of non-disclosure of assets, insolvency, misconduct by company directors, misappropriation of funds held on trust, and domestic and international enforcement. He also regularly appears in family finance cases with an international element. He is skilled at combining a rigorous legal analysis of any property, company or insolvency law issues with a pragmatic family law approach. Andrew regularly appears on behalf of intervenors asserting a beneficial interest in property and on behalf of trustees, and is frequently instructed to draft statements of case in proceedings with intervenors.

Andrew is regularly instructed in cases proceeding under TOLATA, whether as between cohabitees or between members of the broader family. Andrew is regularly instructed at all stages from pre-action advice, settling letters before action, drafting statements of case and witness statements, and advocacy through to trial. Prior to specialising in family law, Andrew was a tenant at a large civil and family set where he developed significant experience of the strategy and practice of civil litigation.

Andrew has a detailed knowledge of the regulations governing statutory child maintenance. He regularly advises on and appears in appeals before the First Tier and Upper Tribunals in challenges to decisions by the child maintenance service. He has a particular interest in cases where diversion of income is in issue and where the tribunal is evaluating unusual income and capital resources as additional income (particularly where a maximum assessment is sought).

International Family Law

A significant number of Andrew's cases have an international element. He is regularly instructed in

applications under the 1980 Hague Convention, applications in wardship, and applications for recognition and enforcement under 1996 Hague Convention. Andrew also undertakes international relocation cases.

Andrew also has experience of forum disputes upon petition for divorce and applications for recognition of a foreign divorce. He has appeared in applications for financial remedies after a foreign divorce (under Part III of the Matrimonial & Family Proceedings Act 1984). He also has detailed knowledge of the recognition provisions contained within the 2007 Hague Maintenance Convention and the EU Maintenance Regulation

In 2015, Andrew was the Judicial Assistant to Lady Justice Black (as she then was). During his time in the Court of Appeal Andrew worked on a number of cases involving questions of international family law and developed a detailed knowledge of the various legal frameworks.

Children (Private Law)

Andrew is instructed in a range of private law disputes about children. He often deals with international issues (see above), cases where alienating behaviours are alleged and allegations domestic abuse.

Andrew has appeared in several applications relating to the publication of information by the media. He has a particular interest in this area.

Court of Protection

Andrew accepts instructions in both Health & Welfare and Property & Affairs cases. His health and welfare practice includes challenges to deprivations of liberty.

Andrew appears in and advises on property and affairs cases, primarily concerning challenges to LPAs, applications to remove attorneys, and statutory wills. He has a particular interest in cases involving alleged misconduct by Attorneys and Deputies, both in terms of applications to remove them and claims founded in breach of trust designed to recover misapplied assets.

In 2021, Andrew obtained the STEP diploma on Advising Vulnerable Clients.

Trusts and Probate

In addition to his work acting on behalf of cohabitants under TOLATA (see Family Finance and Property), Andrew also accepts instructions in probate cases and in matters concerning the administration of estates. Andrew has advised and appeared on behalf of both claimants and defendants in proceedings challenging the validity of wills and in applications under the Inheritance (Provision for Family and Dependents) Act 1975.

Andrew also has experience in advising the personal representatives of estates in matters concerning the administration of estates, and advising persons contemplating making claims against an estate.

Notable Cases

R v G [2022] EWHC 1428: Successfully opposed application for a stay on *forum conveniens* grounds following wrongful removal of two children to Jordan.

Re D [2022] EWCA Civ 641: Appeared for the Lord Chancellor, as intervenor in an appeal concerning the extent of appeal rights available under the 2007 Hague maintenance Convention.

Channel 4 & Others v M, F and Child [2020] (Not published): Successfully opposed an application by Channel 4 and Louise Tickle to publish information as part of the Dispatches TV programme about a long-running private law children dispute.

SA v FA [2017] EWHC 1731: Appeared on behalf of a mother applying to set aside a consent order in child abduction proceedings on the grounds of duress.

B v A & C (2017, unreported): Successfully acted for co-defendants in a proprietary estoppel claim brought by a member of the defendants' extended family.

Re Y [2016] EWCA Civ 971: Permission to appeal and successful appeal hearing in care proceedings concerning a mother with learning disabilities.

Re G [2016] EWCA Civ 297: Appeal arising out of Hague Convention 1980 proceedings. Cited in Family Court Practice as authority that a party cannot invite the Court of Appeal to introduce undertakings after an appeal has been withdrawn.

Re X [2016] EWFC B31: Acted for the mother in a Local Authority's application in the inherent jurisdiction for authorisation of a deprivation of liberty of a child in care. The key issue was the duration of the declaratory and how reviews ought to be conducted.

Education

BMus, Music, First, Newcastle University

GDL, Distinction, Northumbria University

BPTC, Distinction, Northumbria University

Appointments

Deputy District Judge, South Eastern circuit (2021)

Awards

Pegasus Scholar (2019), Uganda

Memberships & Associations

Society of Trust and Estate Practitioners (Associate)

Family Law Bar Association

Honourable Society of Middle Temple

Seminars, Publications and Training

"Challenging CMS Decisions Through the First-Tier Tribunal" , 1GC Family Law Webinar series (July 2020).