

# 1GC | Family Law

## Caroline Willbourne

Year of Call: 1970



## Practice Overview

Caroline specialises in financial remedy work, advising and representing both husbands and wives, with the intention wherever possible of resolving their disputes. If this cannot be achieved, then she will cross-examine fearlessly at final hearings, having identified the core issues. Her financial work includes Schedule 1 Children Act claims, Inheritance Act disputes and cases for financial provision for unmarried parties.

A significant part of Caroline's work is sitting at the Central Family Court, as a Deputy District judge where she is assigned to the Financial Remedies Unit. This involves hearing FDRs and well as the final hearing in financial cases. FDRs require the swift absorption of facts and the ability to indicate concisely to the parties what the likely outcome will be.

An increasing proportion of Caroline's work is now mediation/ENE.

She accepts instructions from Direct Access clients in suitable cases.

## International family law

In this arena, Caroline undertakes cases in which there is a jurisdictional clash, and where conflicts of laws principles are vital elements. These cases require consideration of the enforceability of orders made in other jurisdictions and the extent to which our courts will give effect to foreign orders: see for example, *O v P (Baker J)* from 2015 – 17, in which Caroline was led by Susan Jacklin QC (now HHJ Jacklin QC). An additional complication of that case was that the father was imprisoned in Australia throughout the various hearings whereas the case was being litigated in the High Court in London, that decision having been taken at a preliminary stage of the proceedings.

## Children (private law)

Caroline also does private law children work, advising and representing fathers, mothers and occasionally children too. She also represents those who seek Special Guardianship orders. She handles relocation cases whether Leave to Remove from the Jurisdiction is sought or internal relocation applications.

## ENE / Private FDR

Having qualified as a mediator in 1993, Caroline is a seasoned and experienced practitioner both in the UK and abroad: she can usually persuade people that a deal is better than a fight. Mediating their disputes allows each party to focus on what is important to them and to craft their own agreement, which Caroline can facilitate. An important part of mediation is Early Neutral Evaluation where Caroline draws on her judicial experience to advise parties of the likely result of their case. She also accepts instructions to conduct private FDRs, in the interest of both parties reaching settlement early in the process. This is a cost-effective process and emotionally less damaging for both parties.

## Education

BA Joint Hons in Classics & Philosophy, University of London 1967.  
Trained mediator 1993 to date, qualified in both sole and joint mediation.

## Appointments

Deputy District Judge, Central Family Court (originally Principal Registry of the Family Division), 1993 to date, assigned to the Financial Remedies Unit.

Court of Appeal mediator for family cases.

Bar Tribunal Appointments Body, 2012 (appointing tribunal members for disciplinary hearings), re-appointed 2017.

Royal Society of Medicine: training doctors in what courts are looking for in their evidence.

Accord (charity which provided a safe contact centre in Kilburn for children at risk of abuse or abduction by non-residential parents), Trustee, 2002-07.

General Commissioner of Taxes, 1998 until disbanded in 2008.

## Memberships & Associations

Member, [Family Law Bar Association](#) (committee member for 6 years)

Member, [International Bar Association](#)

Member, [Institute of Fiscal Studies](#)

Fellow, [Royal Society of Medicine](#) 2014 to date

Member, [Bar Council](#); served on Professional Standards Committee for 3 years and previously Bar Conduct Committee for 6 years.

Fellow, Oxford Symposium in School-Based Family Counselling, University of San Francisco.

### Publications

Occasional conference speaker and author of articles on family law topics.

Contributing editor to Butterworths Family Law Precedents 2013 to date.

Invited to give the annual lecture in the Inner Temple series, 2007, entitled . 'Marriage: but not as we know it – the Law Commission's proposals on financial consequences of cohabitation breakdown'.

Editor, 'Family Affairs' (the journal of the Family Law Bar Association), 2004-07.

Member of the Lord Chancellor's working party on the implementation of "Making Contact Work" - the Wall Report 2003.

Part-Author of Legal Supplement to 'Outcome of Placement for Children in Care' – a report to the Home Office 2000.

#### Personal

Opera, theatre, ballet, good food and wine.