

# 1GC | Family Law

## David Burles

Year of Call: 1984



## Practice Overview

Recognised in the legal directories for his expertise in matrimonial finance, David specialises in the whole range of family-related financial disputes as well as private law issues in respect of children, including international issues concerning children. His expertise includes applications for ancillary relief/ financial orders arising out of divorce or civil partnership dissolution; applications for financial remedies under Schedule 1 to the Children Act 1989 in respect of unmarried parents; property disputes under the Trust of Land and Appointment of Trustees Act 1996 ("TOLATA"), cases under the Inheritance (Provision for Family and Dependents) Act 1975 and family law-related professional negligence. David represents clients in courts and in mediations and acts for husbands, wives, mothers and fathers alike and, in appropriate cases, is happy to accept public access instructions.

### Children (private law)

### Family finance & property

### International family law

### What the directories say

**David is ranked as a Leading Junior in the Legal 500 2014, 2015, 2016, 2017 and 2018/2019.**

**2018/2019:** *'Has winning ways with judges and clients.'*

**2017:** *"One has complete confidence in him to check every detail"*

**2016:** *"He has all the attributes you would want from a barrister."*

**2015:** *"Exceptionally good with clients"*

**2014:** *"An excellent and attuned advocate in which the judiciary have confidence."*

**David has been consistently recommended in the legal directory 'Chambers UK' for his work in his areas of chosen expertise.**

**2019:** "David is always reliable, conscientious and most courteous, even when under pressure. He makes the most awkward situations pleasant, reassuring and even enjoyable for the client due to his lively sense of humour. In addition, he gets to the crux of financial issues quickly and pragmatically." **Chambers UK**

**2018:** "Utterly charming and someone with a real winning way with the judges. They obviously like him, which means they listen to him. He has a fantastic manner with clients too. He can talk to them in a way that is appropriate." **Chambers UK**

**2017:** A well-regarded matrimonial finance lawyer who focuses on disputes concerning the distribution of proprietary and monetary assets after relationship breakdown. He has a specialism representing cohabitants in unmarried couples, and also handles some private children work.

*"He is an absolute pleasure to work with; he is personable with clients, persuasive, and precise in drafting. He will regularly alight on the solution that everyone else has missed. He is unfailingly courteous and judges obviously respect him."* **Chambers UK**

**2016:** *"He is incredibly conscientious and has a superb eye for detail. His ability to distil complex facts is very impressive. Proactive and very easy to deal with, he always goes the extra mile for his clients, who can be assured of his commitment to their case."* **Chambers UK**

**2015:** *"Innovative, precise in his advice and a barrister who continually provides an excellent level of service. He understands high-value, complex cases, and has extensive knowledge of the interaction between company, trust and tax, and family law."* **Chambers UK**

**2014:** *"Comes highly recommended for a wide range of work, including children law, but is particularly highlighted for handling matrimonial finance matters." Expertise: "He is innovative and continually provides an excellent level of service. He understands high-value and complex cases."* **Chambers UK**

**2013:** *"the "very impressive" David Burles who is noted by sources for his expertise in matrimonial finance cases. His specific areas of focus include ancillary relief and Inheritance Act work."* **Chambers UK**

**2012:** *"a 'very experienced, helpful and approachable' lawyer who undertakes matrimonial finance matters involving significant assets. Sources praise his dedication to his clients, saying "He is prepared to fight hard, often against the odds, to achieve the best possible outcome."* **Chambers UK**

**2011:** *"David Burles is much in demand for his expertise in the less mainstream aspects of matrimonial finance such as TOLATA and Inheritance Act matters"* **Chambers UK**

**2010:** *"A very hard worker...musters all the facts."* **Chambers UK**

**2009:** *"Knows the law from back to front..."* **Chambers UK**

**2008:** *"Particularly well regarded...has a way of making the most complicated matters simple and accessible to the court."*

## Notable Cases

David has represented clients in a significant number of reported cases, including 'big-money' ancillary claims and complex cases under the TOLATA jurisdiction, and includes Family and Chancery Division decisions as well as cases decided by the Court of Appeal.

### His reported cases include:

*ABC v PM & Anor* [2015] EWFC 32

*N v N (Ancillary Relief)* [2010] 2 FLR 1093 (Ancillary relief case with assets of £16m, much inherited and held within a private limited company).

*4 Eng Ltd v Harper and others (No 2)*, [2009] EWHC 2633 (Ch); [2009] WLR (D) 307 (Acting for spouse of bankrupt in £8m bankruptcy case)

*Dixon v Marchant (CA)* [2008] 1 FLR 655 - (Appeal to the Court of Appeal concerning a wife's remarriage within a few months of her maintenance being capitalised)

*Young v Lauretani (Ch)* [2007] 2 FLR 1211 (Property dispute between cohabitants following relationship breakdown concerning the interpretation of their separation agreement)

*Re H (Abduction) (CA)* [2007] 1 FLR 242 (Hague Convention child abduction appeal concerning the weight to be attached the child's wishes and feelings)

*Re VB (Minors: Child Abduction) (Rights of Custody) (CA)* [1999] 2 FLR 192 (Hague Convention child abduction appeal concerning 'rights of custody')

*Re G (Secure Accommodation) (CA)* [2000] 2 FLR 259 (secure accommodation appeal);

*N v N (Jurisdiction: Pre-Nuptial Agreement) Times 12.7.99* [1999] 2 FLR 745 (ancillary relief - status of / enforceability of an undertaking to provide a Get in Orthodox Jewish divorce proceedings).

## Education

LLB Hons (Bristol)

Post Graduate Certificate in Sports Law (Kings College, London) 1998

Gilbert Cunningham Prize Winner - Middle Temple - 1990

## Appointments

David is a Deputy District Judge having been appointed in 2007. He sits in London and on the South East Circuit sitting in the civil jurisdiction. In 2010 David was one of only a small number of Deputy District Judges 'ticketed' to private law disputes concerning children. His expertise includes applications for ancillary relief/ financial orders arising out of divorce or civil partnership dissolution; applications for financial remedies under Schedule 1 to the Children Act 1989 in respect of unmarried parents;

From 2005 - 2007 David was a member of the Legal Advisory Group to the Law Commission's Cohabitation project thereby assisting in the Law Commission's 2007 report and proposals for statutory reform of the law regarding the property rights of unmarried cohabitants and relationship breakdown. His strong interest in this particular area of law is further reflected on David's role as the FLBA Member on the Resolution 'Living Together' campaign and as the FLBA representative invited to give evidence to a parliamentary committee on possible reform of the law governing property claims between unmarried partners.

## Memberships & Associations

Member [Family Law Bar Association](#)

Member [Common Law Bar Association](#)

Member of the Legal Advisory Group to the Law Commission Cohabitation Law Project 2005 – 2007. FLBA Member on the Resolution Advisory Group to Lord Lester's proposed Cohabitation / Co-Dependants bill.

### Publications

David has authored many articles in his area of specialist interest and has also contributed to text books and legal encyclopaedia's alike. His most recent work includes the following;

Co-author of DIY Divorce & Separation: The Expert Guide to Representing Yourself (Jordan Publishing), 2014 <http://diydivorce.familylaw.co.uk/1GC-Blog>

Applications under Schedule 1 to the Children Act 1989, Jordans, 2010 – David is the contributor of the chapter concerning the approach of the courts to the making of orders under Schedule 1.

Halsbury's Laws, Vol 5 (Children and Young Persons) [2007] – contributor on Schedule 1 claims, Child Support.

Butterworths Civil Court Precedents – (“children / family breakdown”) – contributor, Civil Partnerships.

Schedule 1 Cases – Recent Developments - Family Law Week – April 2006

The Footballer's Divorce – A Game of Two Halves - Sport and the Law Journal - (2005) Volume 13, Issue 3

“Burns v Burns” - 20 Years On - Family Law 2003, 834

s 37 MCA 1973 and shares - Family Law 1999, 578

Conduct and Ancillary Relief - Family Law 1997, 804

### Seminars and Lectures

David has delivered many seminars on specialist subjects within his expertise, including topics such as capitalising maintenance orders; ‘big money’ financial cases; Issues involving interests in privately limited companies in divorce; TOLATA disputes, Schedule 1 claims, International relocation of children. His seminars have been delivered for professional organisations such as Jordans and CLT as well as delivering and chairing many seminars for 1 Garden Court.

### Personal

Keen on sport, David plays hockey, golf and cricket and is a keen cyclist. He is married with three children and, when not in London, spends much of his time in Wales, where he indulges his passion for long-distance vegetable growing. He enjoys the theatre and is a keen supporter of The Bush Theatre, close to his home in Shepherds Bush.