

# 1GC | Family Law

## Harriet Stacey

Year of Call: 2021



## Practice Overview

Harriet's practice focuses primarily on financial remedy and property work. She is regularly instructed across the full breadth of matrimonial finance applications as well as in relation to applications under the Children Act 1989, Schedule 1, and in TLATA 1996 claims.

Harriet has a particular interest in cases where beneficial ownership or liquidity of jointly owned assets are in issue such as those involving trusts, family-owned businesses and farming/'quasi' farming cases where the family home is comprised within larger mixed domestic/commercial land. She is often instructed on behalf of Interveners both at an early stage providing advice as to whether, and if so when, to intervene as well as throughout proceedings. Harriet's experience with TLATA claims also places her in an ideal position to advise and act in relation to the costs risks following interim applications, such as those under s.37 MCA 1989 or for MPS/LSPO.

Harriet prides herself on producing written work of the highest quality, being ever conscious that the documentation is the first impression the court will form of clients. She is frequently instructed to advise in writing prior to issuing proceedings as well as to draft particulars in TLATA claims and points of claim/defence in financial remedy applications.

Harriet particularly enjoys working on matters from an early stage to help set clear and realistic expectations for clients and maximise opportunities for early resolution. Harriet has worked as consultant in-house counsel for a leading law firm in Leeds and is a strong advocate for the benefits for clients of solicitors and the Bar working closely together throughout.

Prior to joining the Bar Harriet worked as a College Supervisor at the University of Cambridge teaching both Equity and Land Law. Harriet was also privileged to act as Judicial Assistant to Mr Justice Cohen and Mrs Justice Knowles, gaining a breadth of experience in complex and high net worth financial remedies work including pre and post-nuptial agreements, MFPA 1984 Pt III applications, the non-disclosure of assets and applications for permission to appeal.

Harriet is President of the Harrogate and North Yorkshire Junior Lawyers Division.

She accepts instructions on a direct access basis.

## Family Finance & Property

Harriet accepts instructions across the full range of family finances, including financial remedy

proceedings, Schedule 1, Children Act 1989 applications and TLATA work.

Harriet is experienced in all stages of financial remedy proceedings, including medium and high value asset cases, and TLATA claims. She has particular experience of cases raising issues of:

- Disputed ownership of third party assets including acting on behalf of Interveners in relation to issues of common intention constructive trust, resulting trust and proprietary estoppel trusts as a substantial income source (including Thomas v Thomas and 'quasi' Thomas arguments)
- Family businesses including issues as to valuation and liquidity
- Mixed use property of shared ownership – often involving family-owned farming land or land of mixed commercial and domestic use incorporating the family home
- Post separation accrual
- Non matrimonial assets
- Pensions
- Pre and post nuptial agreements
- Interim applications including applications for set aside, MPS, further disclosure and joinder of third parties
- Costs applications

## Children (Private Law)

Harriet accepts instructions in private child matters and has a broad range of experience both advising and representing clients in such cases.

## International Family Law

Harriet has a growing practice in cases with a jurisdictional or international element. She has particular experience in cases incorporating foreign property holdings, including both the making and enforcement of orders, and private children disputes involving non-Hague jurisdiction countries.

## Domestic Violence & Injunctions

Harriet accepts instructions in relation to applications under the Family Law Act 1996. She has particular expertise in relation to occupation orders and consequential orders flowing therefrom.

## Publications

Harriet is the editor of Chapter 4, 'Cohabitation Law and Precedents'

Harriet assisted [Elizabeth Darlington](#) with research and editing in relation to volume 4 of Cohabitation and Trusts of Land vol. 4 2023 (Elizabeth Darlington and Laura Heaton)

Public Law Project Research Briefing Paper: Family Law and Access to Legal Aid [2018], (Emma Marshall, Sue Harper and Harriet Stacey)

## Education

University of Cambridge – BA (Law) – First Class Hons (2019)

BPP Leeds – BPTC – Very Competent (2020)

## **Awards**

Lord Denning Scholar, Lincoln's Inn (2019)

Charnley Prize for highest First Class honours, Hughes Hall (2019)

Commendation for highest First in Succession Law, Cambridge (2019)

Commendation for highest First in Landlord & Tenant Law, Cambridge (2019)

Commendation for joint-highest First in Private Law (dissertation), Cambridge (2019)

John Hall Prize for Family Law, Cambridge (2018)

E.M. Burnett Prize for Academic Excellence, Hughes Hall (2018)

## **Memberships & Associations**

The Honourable Society of Lincoln's Inn

Family Law Bar Association

Harrogate and North Yorkshire Junior Lawyers Division, President and co-Founder