

1GC | Family Law

Penelope Clapham

Year of Call: 2007



Practice Overview

Penelope specialises in both family finance and private law children matters. She is recognised in the legal directories in both disciplines for her formidable advocacy and hard working approach combined with excellent client care.

Penelope advises and represents client in all areas of family finance including disputes between cohabitants, division of matrimonial assets on divorce and financial arrangements for children. She has a particular interest and expertise in cases in Jersey.

Penelope is recognised for her skill in complex private law children matters which require a sensitive but robust approach. She has successfully represented clients in cases involving sexual abuse, domestic violence, intractable hostility and parental alienation. She enjoys cases with an international element and has developed a particular specialism in relocation matters (both external and internal).

Children (private law)

Penelope is recognised for her skill in advocating and advising clients from all walks of life on every aspect of private law children.

Penelope has acted in sensitive cases involving sexual abuse (of both adults and children), domestic violence, intractable hostility and parental alienation. She combines a robust and fearless court room style with a sensitivity to the difficult issues raised. Penelope has experience of working with vulnerable clients, including victims of abuse, those with addiction issues or clients who lack capacity.

Penelope is regularly instructed in cases involving relocation, both within the jurisdiction and internationally. She has experience of international relocation to countries who are signatories to the Hague Convention as well as those which are not. She has been involved in cases in which the recognition and enforceability of Orders in foreign jurisdictions is a particular focus, including to foreign territories that are not legally recognised by England.

Family finance & property

Penelope has expertise in the full breadth of family finance and property work.

Penelope is regularly instructed by clients in financial remedy matters. She has considerable

experience in high net worth claims involving complex business structures, trusts, offshore assets and international property as well as in more modest asset cases. She has also represented vulnerable clients including in which there is a concurrent Court of Protection issue.

She has advised and represented clients in international disputes involving jurisdiction and forum, financial relief after an overseas divorce (Part III claims) and international child maintenance obligations. Penelope has a particular interest in cases in Jersey and has advised and drafted documents for clients in the Royal Court in Jersey as well as providing representation at private FDR.

Penelope is equally competent in cases between former cohabitants, representing clients in resolving property disputes (TOLATA claims) and in resolving financial arrangements for children (Schedule 1 of the Children Act 1989 claims). Penelope has a particular enjoyment of Schedule 1 cases and has co-authored a book on the topic, to be published in March 2018.

Penelope appreciates that not all clients wish to litigate in Court. Penelope has successfully represented clients at Arbitration, private FDR and lawyer-led mediation and is happy to advise as to which may be the most appropriate forum in a particular case.

International family law

Penelope regularly represents clients in international matters, both financial and involving their children.

Financial claims commonly concern offshore assets, international property or international maintenance issues. Penelope is experienced in representing clients in jurisdiction or forum disputes regarding the country in which their proceedings should be heard. Penelope enjoys the intellectual challenges of the recognition and enforcement of foreign financial orders.

Penelope regularly advises and appears on behalf of clients in international relocation matters. She has experience of international relocation to countries who are signatories to the Hague Convention as well as those which are not. She has been involved in cases in which the recognition and enforceability of Orders in foreign jurisdictions is a particular focus, including to foreign territories that are not legally recognised by England.

Domestic violence & injunctions

Penelope is happy to accept instructions in case involving non molestation orders, occupation orders and other injunctive relief.

Penelope has represented a wide range of individuals both making and responding to such claims. She has expertise in handling vulnerable clients and in dealing with difficult or sensitive issues. Penelope brings a forensic rigour to these cases, complimented by her skill and experience in other practice areas, to advise and represent clients to the fullest extent.

What the directories say

2019: *'Has excellent attention to detail.'* and *'Always impresses when on her feet in court.'*
Legal 500 Children and Family Law

Has a mixed practice and handles both high-value matrimonial finance and sensitive children matters, both of which often feature a strong international element. She is noted for her deft handling of challenging abuse cases. She is experienced at handling TOLATA disputes and those relating to issues of complex relocation. *"She is one of the rising stars of the junior Bar, and is equally confident in finance and private law children work. She is vivacious and clients adore her energy, but she is also meticulous in her preparation."* **Chambers UK**

2018: Has a mixed practice and handles both high-value matrimonial finance and sensitive children matters, both of which often feature a strong international element. She is noted for her deft handling of challenging abuse cases. Her experience includes TOLATA disputes and those relating to serious allegations of sexual abuse.

"She stands her ground. She is very robust in her advocacy and she handles clients very well. Her preparation is excellent. Invariably when she is on her feet the other barrister is in her shadow." **Chambers UK**

2017: *"A fantastic, well-prepared advocate" and "She has an infectious passion for her work"*
Legal 500 Children and Family Law

2017: Has a mixed practice and handles both high-value matrimonial finance and sensitive children matters, both of which often feature a strong international element. She is noted for her deft handling of challenging abuse cases.

"Fearless advocate with excellent legal knowledge and a fantastic way with her clients. Her court documents are superb." **Chambers UK**

2016: *"Fiercely intelligent, amazingly well prepared and an excellent advocate; clients love her."* **Legal 500 Children and Matrimonial Finance**

2016: *"Thorough in her preparation, and liked by solicitors and clients for her engaging personality."* **Legal 500 Children and Matrimonial Finance**

2016: Has the impressive ability to carry out both financial and children matters to an equal standard. Her peers see her as an effective junior barrister with the potential to go far.

"She is extremely conscientious and hard-working. At court she is tenacious, she leaves no stone unturned and she gives clients a huge amount of confidence and support. She has boundless energy and that's part of why clients love her." **Chambers UK**

2012: Penelope was recommended and described as *"up-and-coming"* and *"developing a strong following"*. **Legal 500**

Education

MA (Hons) Jurisprudence, Somerville College, Oxford University
BVC Inns of Court School of Law

Awards

Duke of Edinburgh Scholarship, Inner Temple

Streuben Prize Winner, Inner Temple

Exhibition, Inner Temple

2013: Penelope was shortlisted for Young Barrister of the Year at the Jordans Family Law Awards.

Memberships & Associations

Member [Family Law Bar Association \(FLBA\)](#)

Associate Member of Resolution

Member of the Bar Pro Bono Unit

Penelope is Direct Access qualified

Publications

Penelope is a co-author of 'A Guide to Schedule 1 of the Children Act 1989', shortly to be published by Family Law (March 2018) and "DIY Divorce & Separation: The Expert Guide to Representing Yourself" (Jordan), 2014.' <http://diydivorce.familylaw.co.uk/1GC-Blog>

Penelope contributed to Key Authorities in Family Law, published quarterly by Nova Law and Finance.

Seminars and Lectures

'Interveners: Joinder of Trusts and Companies' Talk to a selection of firms (June 2017)

'Spousal maintenance: still a meal ticket for life' Talk to Trethowens Solicitors (May 2017) and TV Edwards (December 2017)

'The Proceeds of Crime Act 2002 and Family Assets' 1GC Seminar to solicitors (April 2016)

'TOLATA: A short guide to the Law': Talk to Trethowens Solicitors (October 2015)

'22 April 2014: what changed and how is it working out': Talk to Collyer Bristow (November 2014)

'Business Assets and Financial Remedy Proceedings': 1 Garden Court Seminar (March 2014)

'Schedule 1 of the Children Act 1989: the small to medium asset case': Talk to JMW Solicitors (November 2013), SG Events Seminar (May 2013) and Barlow Robbins (May 2013)

'Internal Relocation': Talk to young solicitors at Collyer Bristow (March 2012)

Personal Interests

Penelope enjoys a wide variety of sports including football, rugby and cricket. She runs, completing

the Paris marathon in 2015, and is a keen skier and scuba diver.