

1GC | Family Law

Philip Perrins

Year of Call: 2002



Practice Overview

Philip is ranked in the Legal 500 as a leading divorce and financial remedy law junior. His main area of expertise is acting for spouses or other third parties in matrimonial finance applications and in related preliminary issue hearings, including issues as to beneficial ownership of assets and the parties' marital status.

In addition to his matrimonial work Philip accepts instructions to advise and act in civil claims brought under: (i) the Trusts of Land and Appointment of Trustees Act 1996, albeit only in the 'domestic context'; and, (ii) the Inheritance (Provision for Family and Dependents) Act 1975.

Family finance & property

Philip has experience of contested applications where there are allegations of non-disclosure; where one party fails to engage in the proceedings; cases concerning complex financial structures, trusts and alleged 'shams'; disputes as to the beneficial ownership of property; and in cases where there is an international dimension, including disputed jurisdiction and enforcement applications.

Philip was junior counsel for the respondents in the leading case on the joinder of third parties to financial remedy applications of *Fisher Meredith v JH and PH (Financial Remedy: Appeal: Wasted Costs)* [2012] 2 FLR 536, which concerned the wife's solicitors' appeal against a wasted costs order made against them, *inter alia*, following the wife's application to adjourn a 5 day trial in order for her to take steps to join relevant third parties who had not been engaged in the proceedings prior to trial. The judgment of Mostyn J contains important guidance on the obligations on one spouse or the other to join relevant third parties to financial remedy proceedings.

In *JH & another v Fisher Meredith LLP* [2012] EWCA Civ 1544 Philip secured permission from Munby LJ (as he then was) to appeal Mostyn J's decision on appeal, although the case settled before the substantive second appeal.

Philip represented the successful respondent in *C v C (mental health, earning capacity and the needs of children)* EWCA Civ 8 October 2015 – reported on Lawtel and in FLW, which involved an appeal in relation to an alleged failure on the part of the trial judge to take account of the wife's mental health in assessing her earning capacity. Philip successfully argued that: any failure had not impacted upon the award where the housing needs of the child, who resides with her father, were the priority; and, the husband's financial position was such that he simply did not have the capacity to make periodical payments. An anonymity order was also secured to safeguard the interests of the child and

the parties.

International family law

Philip has a particular interest and expertise in complex matrimonial proceedings and has acted and advised in a number of cases concerning declarations as to status and the recognition of foreign divorces; these have included securing a 'Hudson v Leigh' declaration in respect of a ceremony in Goa, advising on the status in English law of a ceremony in Zanzibar and on the recognition of an alleged tribal marriage ceremony in Nigeria.

Philip appeared for the successful respondent in the case of *Dukali v Lamrani (HM Attorney General intervening)* [2012] 2 FLR 1099, in which Holman J considered whether the ceremony celebrated at the Moroccan Consulate in London constituted a valid, void or non-existent marriage between the parties under English law. There was also an issue as to whether the Moroccan divorce ought to have been recognised here, but it was not necessary to determine that issue in view of the Court's finding, as argued for the respondent, that this was a 'non-marriage'. This was the first occasion on which the interpretation of 'marriage' in s.12 of the MFPA 1984 has arisen in reported case law. The Court of Appeal subsequently approved this decision in the highly publicised case of *Sharbatly v Shagroon*.

What the directories say

2018/19: *'He is the perfect barrister for the nuanced cases with difficult legal points.'* Legal 500

2017: *"Clients can rest easily knowing that he is on the job."* Legal 500

2016: *"He is the most conscientious, hardworking and detailed barrister – a matrimonial finance expert"* Legal 500

Education

Monmouth School
LLB (Hons) 1st Class
LLM (Cantab)

Awards

Joseph Jackson Memorial Scholar
Caroline Lester Prize winner
Middle Temple Benefactors Scholar
Awarded the Lloyd Jacob Memorial Exhibition

Memberships & Associations

Member of the [Family Law Bar Association](#)
Member of the [Middle Temple](#)