

# 1GC | Family Law

## Elizabeth Hartnett

Year of Call: 2005



## Practice Overview

Elizabeth specialises and has extensive experience in family finance and private law children. She combines a robust approach with careful preparation to ensure that she obtains the best outcome for clients. She is frequently credited with being able to 'think outside the box'.

In financial proceedings, Elizabeth accepts instructions in financial remedy cases arising from divorce, including for third parties who assert an interest in marital property as well as spouses. She also acts in cases arising from cohabitation or other family disputes as to the ownership of property under TOLATA and is able to advise and act on any claims under the Inheritance (Provision for family and dependants) Act as well as on claims under Schedule 1 of the Children Act.

Elizabeth has received praise for her sensitive handling of complex private law children applications. These have included issues of sexual, physical and psychological abuse of children. She is known for her firm approach in cases of intractable hostility. She has a particular interest in cases of relocation, either within the UK or internationally.

Often a breakdown of a relationship can lead to the necessity of seeking injunctive relief in the form of non-molestation or occupation orders. Elizabeth is very experienced in dealing with these applications and the interplay between them and other children or financial applications.

In respect of international disputes, Elizabeth acts in cases of child abduction, enforcement and obtaining parental orders.

In appropriate cases Elizabeth is able to accept instructions directly from members of the public through the direct access scheme.

## Children (Private Law)

Elizabeth has a very clear understanding of the importance of obtaining the right orders that prioritise the welfare of children. She always ensures that the right points are brought to the attention of the judge and is not afraid to stand up for her clients.

Elizabeth has acted in complex applications including allegations of sexual and other forms of abuse.

Elizabeth receives regular instructions in relocation cases, which have included both Hague convention and non-Hague convention countries. She has secured the successful return of children that have been unilaterally removed both within the UK and abroad.

## Family Finance & Property

Elizabeth has experience ranging from being led on high-net-worth divorces in the High Court to trying to make modest means stretch. She is renowned for having a strong negotiation technique and being able to give thoughtful and sensible advice to assist in reaching settlement where possible. When it comes to advocacy and contested hearings, she is robust in her approach.

Elizabeth has a particular interest in TOLATA claims, whether arising as third party claims within divorce proceedings or as a result of cohabitation or family disputes. She is able to obtain successful results in complex scenarios.

Elizabeth is experienced in dealing with claims that arise out of separating unmarried parents including securing provision for children if one of the parents lives abroad.

Elizabeth also advises and represents clients bringing or defending claims under the Inheritance Act.

## International Family Law

Elizabeth provides advice and representation in matters concerning international issues including the appropriate jurisdiction for cases or how foreign assets are treated within financial proceedings. She also accepts instructions in relation to international child abduction cases.

## Domestic Violence & Injunctions

Issues of domestic violence or occupation of property are often the beginning of lengthier proceedings. Elizabeth is able to offer sensitive and thoughtful advice and representation not only at the outset of these difficult cases but also in subsequent applications.

## What the Directories Say

*"Elizabeth is an excellent barrister for children work – child focused but also very forensic."*

**Tier 5 – Legal 500, 2023**

*"Extremely knowledgeable and has excellent instincts for how a judge will respond to a case. She has a calming influence with clients. She listens well and allows clients to put forward their views but will then give solid guidance and advice on the way forward and in particular about which points are worth pursuing."* **Tier 5 – Legal 500, 2022**

## Education

MA (Cantab), Law, Magdalene College, Cambridge University

## Appointments

Deputy District Judge (Family Law), South Eastern circuit (2019)

Seminars, Publications and Training

Elizabeth gave a webinar on "**Hadkinson Orders**" as part of the 1GC Family Law Webinar Series (June 2020).

Personal

Elizabeth's interests include; swimming, fine wine (Le Pont de la Tour Wine Society), rowing (Cambridge University Women's Boat Club), skiing, travel and theatre.