

Zoë Saunders

Head of Divorce and Financial Remedy



YEAR OF CALL: 2003

INN: GRAY'S INN

JUDICIAL OFFICE: DEPUTY
DISTRICT JUDGE

“ Zoe is very sharp and knowledgeable whilst being understanding of a client's difficulties. She is an outstanding advocate in court. She's very thorough, very good with clients and effective at explaining things.”

CHAMBERS UK, 2022
FAMILY/MATRIMONIAL

Practice Overview

Zoë is a specialist family law barrister, and completed her pupillage with Falcon Chambers before moving to Bristol to practice family law in October 2004. This background gives her particular insight into cases involving chancery law issues.

Areas of Expertise

Family & Divorce

Zoë has extensive experience of cohabitation disputes involving ToLATA and Applications under Schedule 1 of the Children Act, and is often asked to advise both in writing and in conference as well as acting in disputed cases in the High Court, County Court and before the land registry adjudicator.

She has expertise in financial remedy cases involving multiple properties, trusts of land, complex pensions and insolvency. Zoe has experience in cases involving confiscation order and proceeds of crime act issues and international enforcement of maintenance orders.

Zoë has a fast-growing professional negligence practice dealing with claims involving solicitors arising primarily from cohabitant disputes including ToLATA, trusts and estates, divorce, financial remedies and general matrimonial work.

Recent work includes:

- ▶ A case in which a multi-million pound property portfolio was involved and there were disputed issues as to contributions.
- ▶ A farming dispute as to family ownership of various assets on the farm estate.
- ▶ A case in which the parties ran a successful international business and partnership / company law issues required resolution.

- ▶ Non-disclosure of significant sums of money requiring enforcement by way of judgment summons.
- ▶ A binding agreement between the parties was alleged to have taken place years before proceedings were issued.
- ▶ Enforcement of a children act order in which serious allegations of sexual abuse had been made but were found not to be true. An enforcement order of 40 hours of community service was made
- ▶ A child psychologist to assist with issues of serious emotional harm being caused to a child.
- ▶ Removal of children to Australia in which there were disputes as to the court's jurisdiction to make orders and the habitual residence of the children.
- ▶ A case in which the children were made wards of court as a result of risk of abduction to Syria.
- ▶ Change of residence as a result of difficulties with contact orders.
- ▶ A case relating to both constructive and resulting trusts involving multiple properties and complex issues of tracing of funds held on trust.
- ▶ A dispute over a farming estate involving contested probate and inheritance act claims as well as proprietary estoppel.
- ▶ A claim to set aside deeds of trust as a result of alleged duress.
- ▶ Conveyancing negligence as a result of which the property was not registered in the names of either party and the beneficial and legal ownership had to be determined.
- ▶ A case involving substantial payments by a parent to the purchase of a matrimonial home where the entitlement to beneficial interests were disputed.

Children Private Law

Zoë has extensive experience of private law children cases at all levels of the Family Court and in the High Court. She has particular experience in international cases involving the interplay between Brussels II and the Hague Conventions, as well as issues of Wardship and risk of abduction. She has also been involved in numerous cases involving applications for leave to remove children from the jurisdiction.

Zoë has experience of complex cases such as intractable disputes involving parental alienation and allegations of significant harm to children. Zoë also has experience of enforcement of children act orders.

Recent work includes:

- ▶ Enforcement of a children act order in which serious allegations of sexual abuse had been made but were found not to be true. An enforcement order of 40 hours of community service was made
- ▶ A child psychologist to assist with issues of serious emotional harm being caused to a child.
- ▶ Removal of children to Australia in which there were disputes as to the court's jurisdiction to make orders and the habitual residence of the children.
- ▶ A case in which the children were made wards of court as a result of risk of abduction to Syria.
- ▶ Change of residence as a result of difficulties with contact orders.

Divorce & Financial Remedy

Zoë is a financial remedy specialist dealing with complex cases involving significant assets as well as more modest asset cases. She has particular expertise in cases involving issues such as third-party intervenors, insolvency, complex pensions, trusts, and inheritance issues.

Zoë has dealt with numerous cases involving international disputes and assets based abroad.

Zoë also has experience in cases involving confiscation order and proceeds of crime act issues and international enforcement of maintenance orders. Zoë has also dealt with a number of cases in which serious allegations of conduct were relevant.

Recent work includes:

- ▶ A case in which a multi-million pound property portfolio was involved and there were disputed issues as to contributions.

- ▶ A farming dispute as to family ownership of various assets on the farm estate.
- ▶ A case in which the parties ran a successful international business and partnership / company law issues required resolution.
- ▶ Non-disclosure of significant sums of money requiring enforcement by way of judgment summons.
- ▶ A binding agreement between the parties was alleged to have taken place years before proceedings were issued.

ToLATA

Zoë has extensive experience of advising and representing clients in relation to disputes involving ToLATA and additional issues which often accompany them such as civil and partnership disputes, intervention in matrimonial financial remedy cases, Proceeds of Crime Act claims and claims for financial provision under schedule 1 of the Children Act.

Zoë has been involved in numerous multi-track trials in many different areas of the country and have successfully dealt with cases before the Land Registry Adjudicator, County Court, High Court and at appellate level. I have particular expertise in relation to farming cases and claims of proprietary estoppel.

Recent work includes:

- ▶ A case relating to both constructive and resulting trusts involving multiple properties and complex issues of tracing of funds held on trust.
- ▶ A dispute over a farming estate involving contested probate and inheritance act claims as well as proprietary estoppel.
- ▶ A claim to set aside deeds of trust as a result of alleged duress.
- ▶ Conveyancing negligence as a result of which the property was not registered in the names of either party and the beneficial and legal ownership had to be determined.
- ▶ A case involving substantial payments by a parent to the purchase of a matrimonial home where the entitlement to beneficial interests were disputed.

Professional Negligence

Zoe is usually instructed in relation to professional negligence claims involving solicitors arising primarily from cohabitant disputes including ToLATA, trusts and estates, divorce, financial remedies and general matrimonial work.

Wills & Trusts

As Head of the **Divorce & Financial Remedy** team and an expert in wills & trusts, Zoë has specialist expertise in complex cases involving Inheritance Act claims, probate disputes, disputes concerning Trusts, property ownership and interests relating to property and land.

Zoë handles a large amount of work relating to contested probate claims, involving allegations ranging from capacity to undue influence, duress and fraud. She also handles a wide range of Inheritance Act claims, often in relation to divorce, cohabitation and/or children.

Much of Zoë's work involves disputes relating to Trusts, especially in the context of financial settlement proceedings for husbands, wives and cohabitants. Zoe regularly handles cases involving multiple properties and/or funds held in trust, often with an international dimension and assets based abroad. She also deals with cases relating to the tracing of funds held on trust.

Zoe has particular expertise in relation to farming cases and claims of proprietary estoppel.

Inheritance Act 1975

As a financial remedy specialist Zoë is particularly well suited to dealing with complex cases involving husband and wife Inheritance Act claims.

Zoë has also dealt with a number of Inheritance Act disputes in the context of cohabitants and children. Zoë has experience of cases at all levels including in the Court of Appeal as well as in mediation.

Recent work includes:

- ▶ A dispute as to the validity of a foreign marriage in the context of contested inheritance act applications.
- ▶ Issues as to divorce and separation in the context of an inheritance act claim.
- ▶ Contested probate proceedings involving allegations of undue influence, duress and fraud.
- ▶ Allegations as to capacity and contested probate.

Proprietary Estoppel

Zoë has particular expertise in relation to farming cases and claims of proprietary estoppel. Zoë has been involved in a number of cases in the context of inheritance disputes and matrimonial disputes in which allegations of proprietary estoppel have been raised.

Zoë has extensive experience of advising and representing clients in relation to disputes involving ToLATA and additional issues which often accompany them such as civil and partnership disputes, intervention in matrimonial financial remedy cases, Proceeds of Crime Act claims and claims for financial provision under schedule 1 of the Children Act.

Zoë has been involved in numerous multi-track trials in many different areas of the country and have successfully dealt with cases before the Land Registry Adjudicator, County Court, High Court and at appellate level, as well as in multi-party mediation.

Recent work includes:

- ▶ A case relating to both constructive and resulting trusts involving multiple properties and complex issues of tracing of funds held on trust.
- ▶ A dispute over a farming estate involving contested probate and inheritance act claims as well as proprietary estoppel.
- ▶ A claim to set aside deeds of trust as a result of alleged duress.
- ▶ Conveyancing negligence as a result of which the property was not registered in the names of either party and the beneficial and legal ownership had to be determined.
- ▶ A case involving substantial payments by a parent to the purchase of a matrimonial home where the entitlement to beneficial interests were disputed.

Trusts

Zoë has particular expertise in trusts in the context of both financial remedy proceedings and in cohabitation disputes.

Zoë is a financial remedy specialist dealing with complex cases involving significant assets as well as more modest asset cases. She has particular expertise in cases involving issues such as third-party intervenors, insolvency, complex pensions, trusts, and inheritance issues.

Zoë has dealt with numerous cases involving international disputes and assets based abroad.

She has extensive experience of advising and representing clients in relation to disputes involving ToLATA and additional issues which often accompany them such as civil and partnership disputes, intervention in matrimonial

financial remedy cases, Proceeds of Crime Act claims and claims for financial provision under schedule 1 of the Children Act.

Zoë has been involved in numerous multi-track trials in many different areas of the country and have successfully dealt with cases before the Land Registry Adjudicator, County Court, High Court and at appellate level, as well as in multi-party mediation.

Recent work includes:

- ▶ A case relating to both constructive and resulting trusts involving multiple properties and complex issues of tracing of funds held on trust.
- ▶ A dispute over whether a trusts was a nuptial settlement for the purposes of financial remedy proceedings.
- ▶ A claim to set aside deeds of trust as a result of alleged duress.
- ▶ Conveyancing negligence as a result of which the property was not registered in the names of either party and the beneficial and legal ownership had to be determined.
- ▶ A case with substantial payments by a parent to the purchase of a matrimonial home where the entitlement to beneficial interests were disputed.

Mediation

Having practiced in family law Zoë is well aware of the toll that the stress and uncertainty of litigation can take on clients and how costs can escalate. As a mediator Zoë will draw on her experience of working as an advocate in numerous successful mediations and her observations of mediations in different contexts, include remote mediations by video, as well as her in-depth legal knowledge and practical experience of court proceedings to enable parties to reach mutually agreeable settlements. Zoë is known for her negotiation skills and her pragmatism and is well aware of the benefits of finding a client focussed solution which works.

Zoë is now able to provide mediation in civil and family cases.

Related Cases

- ▶ Hudson v Hathway [2022] EWHC 631(QB)
- ▶ AY v AS [2019] EWHC 3043 (Fam)

Related Articles

- ▶ Financial remedies in the time of Covid-19
- ▶ Jones v Kernott – into forbidden territory without a fig leaf?
- ▶ FPR 2010 – in defence of Barder

Recommendations

"Zoë is very willing to go the extra mile for your case."

LEGAL 500, 2022

DIVORCE AND FINANCIAL REMEDY

"A fierce advocate, Zoe is undoubtedly very bright and has mastered well before most the art of paperless working. Her advice is clear and backed by both a sound understanding of the law and a ready appreciation of the client's predicament."

LEGAL 500, 2021

DIVORCE & FINANCIAL REMEDY

"Zoë has a great manner with clients, excellent cross-examination skills and delivers advice in a sympathetic and honest manner. 'She's an excellent negotiator and is good on her feet. She is very down-to-earth and clients have been delighted with the results she has achieved on their behalf.' "

CHAMBERS UK, 2020

FAMILY/MATRIMONIAL

"She exudes authority and skill."

LEGAL 500, 2020

FAMILY AND CHILDREN LAW

"She is a fearless advocate."

LEGAL 500, 2019

FAMILY AND CHILDREN LAW

Appointments:

- ▶ Deputy District Judge

Professional memberships:

- ▶ Family Law Bar Association
- ▶ Resolution
- ▶ Professional Negligence Bar Association
- ▶ Western Circuit
- ▶ South Eastern Circuit
- ▶ Professional Negligence Lawyers Association, Gray's Inn (Bencher)
- ▶ Society of Mediators
- ▶ IFLA qualified arbitrator in financial matters

Qualifications & awards:

- ▶ BA Joint Hons (Bristol), PGDL (City)
- ▶ Scholarships David Karmel Award & Lord Justice Holker Scholarship (Gray's Inn)

Contact Zoë:

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