



# PUMP COURT

## CHAMBERS

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## ALBERT GIBBON

"I want to thank you for referring me to Albert. He has done a fantastic job...I am very grateful for the empathy he has given me in this case and for all the hard work he has put in."

Client

Call: 2021

For enquiries please call +44 (0)20 7353 0711 or email

Albert is a specialist family practitioner and has established himself as a thorough and persuasive advocate.

Albert accepts instructions across the spectrum of private family proceedings. He has developed a practice in proceedings for financial remedies and claims under Schedule 1 of the Children Act 1989. He acts in cases ranging from those with more modest assets to those with larger, more complex assets. He also accepts instructions regarding claims under the Trusts of Land and Appointment of Trustees Act 1996. Albert already has extensive experience in private children work, and in associated proceedings in which applications have been made for injunctions under the Family Law Act 1996. He frequently acts in cases involving serious allegations of domestic abuse, parental alienation, or significant drug and alcohol abuse problems.

Alongside his practice, Albert is a member of the Kent & SE London YRES committee. He is responsible for arranging seminars, training and social events for barristers, solicitors, members of the judiciary, and other family law professionals in the region. He has been invited to give a range of talks, seminars, and legal updates to organisations, including but not limited to Hampshire Resolution, Kent Resolution, and Legal 500 Leading Firms. Albert also writes case summaries for the Financial Remedies Journal.

Prior to coming to the Bar, Albert read Politics with Quantitative Research Methods at the University of Bristol before converting to law. Albert received major scholarships for both the GDL and the BTC from Middle Temple, achieving a distinction in both, and was awarded a Certificate of Honour for his performance on the BTC.

Albert is a volunteer for Advocate (formerly the Bar Pro Bono Unit).

## Children Law (Private)

Albert assists parents at all stages of private children's law disputes. This includes conducting fact-finding hearings where serious allegations of domestic abuse, including sexual violence and coercive and controlling behaviour, are tried.

Albert is comfortable dealing with cases where there are allegations of parental alienation and child abduction. He has often dealt with cases where the children with whom the court is concerned have particularly high levels of need, with life-limiting diagnoses. He has acted in several cases with Guardian appointments, including having appeared for Guardians, as well as for grandparents.

More recently, Albert has been receiving instructions, and takes a keen interest, in proceedings where applications have been made for permanent or temporary relocation, including to non-Hague Convention countries.

Albert often accepts instructions to seek or resist injunctions under the Family Law Act 1996, often in proceedings consolidated with Children Act proceedings.

## Selected Cases

### C v J

At a two-day fact-finding hearing, Albert successfully secured findings on behalf of his client that her ex-partner behaved in a controlling and coercive manner by way of monitoring her movements, reading her private messages, and also by sexually assaulting her.

### C v C

Albert successfully appeared on behalf of the Applicant at an urgent hearing ensuring the immediate return, on the same day of the hearing, of two of the subject children who had not been returned to the Applicant's care following a contact session in a different part of the country.

### H v T

A case in which the Applicant continued making unsubstantiated claims concerning the Respondent's ability to care for the child. Following Albert's cross-examination of the Cafcass Family Court Adviser, the Applicant elected not to give evidence, accepted that the Respondent could care for the child, and agreed to the Respondent's proposals for final arrangements.

## F v F

Albert was instructed to appear in proceedings whereby an application had been made to prohibit the Respondent from relocating to a non-Hague Convention country that they had previously temporarily relocated to.

## B v V

Albert was instructed in proceedings in which the Respondent has made a cross-application to prohibit the Applicant from travelling to a non-Hague Convention country.

## W v J

Albert remains instructed in proceedings which are approaching a fact-finding hearing at which, amongst other allegations, allegations of sexual abuse against the Applicant and inappropriate behaviour with the children are to be tested. Ancillary immigration issues have also required a Disclosure Request of the Home Office to be made.

## W v S

Albert represented the Respondent throughout proceedings, including at a final hearing, at which the court determined that the Applicant had a lack of insight into the child's welfare, had acted unreasonably both before and during the litigation, and had an inability to support the Respondent's relationship with the child. The court made a s91(14) order for a period of three years, and unusually awarded the Respondent ~80% of their costs.

## P v P

Albert represented the Respondent in a case where the Applicant's addiction to alcohol was in question. The court ordered numerous hair strand tests and Albert was able to successfully cross-examine the Applicant to persuade the court that despite the Applicant's most recent 'negative' test, the Applicant continued to have a problem with alcohol consumption, lacked insight into the same, and thus contact could never progress to overnights. The Applicant had also breached a non-molestation, was prosecuted in the criminal courts, and made subject to a restraining order.

# Family Finance

Albert has a busy matrimonial finance practice, consistently attending first directions appointments, FDRs and final hearings. He also has experience of preliminary hearings, involving the adding of intervenors and the hearing of applications under s37(2)(b) MCA 1973 to set aside dispositions. Albert has also appeared in proceedings brought pursuant to Sch1 to the Children Act 1989.

Albert is well versed in dealing with arguments relating to short marriages, non-matrimonial property, inherited assets, non-disclosure of assets, complex pension assets, and pre-nuptial agreements. Albert also has experience in contested divorce proceedings and proceedings for a nullity.

## Selected Cases

### S v S

Albert successfully opposed an application under s37(2)(b) MCA 1973 to set aside his client's disposition of almost all of his shares in a business to his father. He was also able to secure an order for costs against the Applicant, the court finding that they had unreasonably pursued the application following the filing of evidence.

### F v F

Albert appeared in proceedings whereby the other party attempted to rely on a defective pre-nuptial agreement, his client's case being that she was asked to sign it when inebriated in a foreign jurisdiction without having taken any legal advice.

### S v S

Albert was instructed by the Respondent for an early conference in Sch1 proceedings. The Applicant agreed to withdraw their Sch1 application at the first appointment, and consented to the Respondent's TLATA claim for an order for sale.

### B v B

Albert continues to be instructed in proceedings where the Respondent has failed to comply with a number of court orders, their duty of full and frank disclosure, and there are arguments to be had regarding the dissipation of matrimonial assets.

### F v F

Albert was instructed in enforcement proceedings; the original order being made over 15 years before enforcement proceedings were initiated. The Respondent resided outside of the jurisdiction, requiring consideration as to how to serve the Respondent. Albert, on behalf of the Applicant, secured an order pursuant to s39(1) of the SCA 1981 to allow for the sale of the FMH, as well as for costs.

### M v L

Albert appeared in proceedings in which one party had remarried, and the court was required to consider the relevance of s28(3) MCA 1973.

## Qualifications

- BPP University – Barrister Training Course (Outstanding)
- BPP University – Graduate Diploma in Law (Distinction)
- The University of Bristol – BSc Politics with Quantitative Research Methods (2:1)

### Awards and prizes

- Certificate of Honour (Middle Temple) (2021)
- Jules Thorn Scholarship for BTC year (Middle Temple) (2020)
- Jules Thorn Scholarship for GDL year (Middle Temple) (2019)
- Merit of Excellence (Examinations Board, University of Bristol) (2018)
- Dean's Commendation (Dean of Faculty of Social Sciences and Law, University of Bristol) (2017)

## Professional associations

- The Honourable Society of the Middle Temple
- Resolution
- Advocate – Bar Pro Bono Unit

## Professional activities

- Kent & SE London YRES Committee Member

## Outside Interests

Away from the law, Albert can be found hacking his way around a golf course or playing/watching cricket.