



PUMP COURT
CHAMBERS

3 Pump Court, Temple, London, EC4Y 7AJ

T: 020 7353 0711
F: 0845 259 3241
DX: 362 London, Chancery Lane

31 Southgate Street, Winchester, SO23 9EB

T: 01962 868161
F: 0845 259 3240
DX: 2514 Winchester

5 Temple Chambers, Temple Street, Swindon, SN1 1SQ

T: 01793 539899
F: 0845 259 3242
DX: 38639 Swindon 2

Contents

Family Finance	1
Selected Cases	2
Inheritance, Wills & Probate	3
Selected Cases	3
Court of Protection	4
Selected Cases	4
Children Law (Private)	5
Selected Cases	5
Qualifications	6
Professional associations	6



HELEN BRANDER

"Sterling work, very impressive. She did everything required to make an incredibly strong case."

Solicitor

Call: 2002

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

Helen Brander has extensive experience in all aspects of family law and specialises in family finance, inheritance and probate disputes, and disputes concerning children. She is able to advise, assist and provide representation at any stage of proceedings and welcomes requests for initial advice. She is a firm believer in the benefits of alternative dispute resolution, including mediation and early neutral evaluations / non-court dispute resolution appointments, and is a trained arbitrator under the IFLA (Children) scheme.

Clients have described Helen as well-prepared, articulate, firm, incisive and yet approachable, sensitive and considerate. She is qualified to accept instructions on a direct public access basis.

Helen has a professional interest in the application of family law in Italy and Germany, the experience of expatriate Britons in those countries, and their nationals living in England and Wales.

Family Finance

Helen provides advice and representation in all aspects of matrimonial and family finance disputes. She often deals with matters involving complex company structures, non-matrimonial property, pre- and post-nuptial agreements (including extra-jurisdictional arrangements), on- and off-shore trusts and complex pension arrangements. She has significant experience in applications for a financial remedy following a foreign divorce.

Helen is able to assist in cases involving cohabitation, relationship breakdown, and financial claims for provision for children under Schedule 1 of the Children Act 1989.

Helen has a particular interest in family work with a chancery slant and acts in matters involving implied and express trusts under the Trusts of Land and Appointment of Trustees Act 1996 and disputes concerning issues of

proprietary estoppel.

Helen has extensive experience of acting for parties in contested divorce applications and applications for decrees of nullity on the basis of a void or voidable marriage.

Selected Cases

C v C

Acting for the applicant in a complex financial remedy “big money” application in which the matrimonial “seed monies” derive from a third party and in which there are disputes concerning interests in complex company structures, the extent of the financial resources available to the couple, and the existence or otherwise and intended use of financial instruments.

S v S

Acting for the respondent in a financial remedy application where the applicant’s capacity to litigate fluctuates and where there are allegations of fraudulent behaviour regarding pension assets by that applicant.

H v M

Acting for the applicant in a “big money” case involving off-shore family trusts where the value of the assets available to the parties was in dispute. The matter settled before a High Court Judge after the respondent accepted the applicant should have sufficient funds to be able to purchase a reasonable home and retain a number of the parties’ investment properties.

A v W

Acting for the applicant in a Schedule 1 Children Act application where the respondent dispensed with the services of his legal representative following the making of a legal services provision order. The respondent owned numerous properties, both in his sole name and through two company vehicles. The matter settled at a financial dispute resolution appointment after the respondent agreed to sell all his solely-owned properties (including his home) in order to provide funds for the applicant to purchase a home for the parties’ children in which home she would retain an interest.

E v E

Acting for the respondent in the Family Division of the High Court in an application for financial provision after foreign divorce. The application was found by the High Court Judge to have been utterly without merit and a costs order was made against the applicant in favour of Helen’s client.

D v L

Acting for the respondent in a contested divorce and financial remedy application in which the issue initially concerned the date of separation of the parties (the relevance being whether the assets available for division were matrimonial or non-matrimonial in nature) but later became an application for a decree of nullity arising from the respondent's (contested) bigamy discovered during the course of proceedings. Helen obtained a decree of nullity in her client's favour and a much-reduced sum was granted to the respondent as a result of his behaviour.

S v H

Acting for the respondent in a Schedule 1 Children Act application wherein the applicant sought to displace the respondent from his home. Helen negotiated a settlement permitting the applicant to borrow monies from the respondent to purchase a share of a property suitable for herself and the children, which monies were protected by a trust structure.

M v M

Acting for the respondent in a "medium-money" case in which the dispute concerned whether the family's assets had been significantly depleted as a result of the financial crash on a foreign-monies mortgage, and whether the respondent had interests in a number of sports cars. Helen successfully obtained findings in her client's favour at trial.

Re K

Acting for the applicant in a financial remedy case involving property held overseas and issues involving ownership / control of embryos conceived through IVF.

Inheritance, Wills & Probate

Helen advises, assists and represents parties in contentious probate disputes and in applications for provision under the Inheritance (Provision for Family and Dependents) Act 1975. She has also advised charities, settlors and beneficiaries regarding charitable gifts made in life and in death.

Selected Cases

Re R

Acting for named beneficiaries in a claim by an estranged sibling against the estate of the deceased parent. Achieved

a settlement of proceedings which permitted the clients to retain their family home (part of which also formed part of the estate).

Re X

Advising an executor and beneficiary regarding the impact of charitable gifts provided for in the deceased's will and the effect thereof on any expectations the client would have under the will in circumstances where the charity acted aggressively in pursuing its gift.

Re J

Acting for the applicant in a claim under TLATA 1996 and proprietary estoppel regarding an interest in a property purchased by her former partner of 30 years. Successfully obtained a settlement which satisfied both parties.

B v C

Acting for the applicant in a TLATA / proprietary estoppel claim regarding a property in which the client lived in the respondent's home with the parties children, all of whom refused to engage with the respondent (there were connected Children Act 1989 proceedings in which Helen also acted and where there were allegations of parental alienation). Helen obtained a settlement by which the client remained in the family home with the children, with the home being placed into trust for the children's benefit and passing to them on the respondent's death.

Court of Protection

Helen can advise and represent parties in the Court of Protection and has extensive experience of acting for and in cases concerning vulnerable parties and those that lack capacity in the family and county court, and particularly where the Official Solicitor or a Deputy is involved.

Selected Cases

Re P

Acting for the vulnerable adult son of a protected party in proceedings in the Court of Protection concerning the application of the Deprivation of Liberty Safeguards and the actions, inaction and obligations of the local and housing authorities to both the client and the protected party. Helen achieved an arrangement whereby the client was able to remain in his home, together with the protected party, with an appropriate package of support put in.

Re A

Acting for a learning-disabled parent in care proceedings concerning likely risk of future harm in circumstances where the question concerned whether it was likely that significant harm would be caused in the future were the child to remain in Helen's client's care, which harm would arise solely as a result of the impact of the client's disability. The experts and professionals were in dispute as to whether the child would be harmed. Although the first instance judge found in favour of the Local Authority, Helen's arguments succeeded in the Court of Appeal and the child remains (as she did throughout the proceedings) in Helen's client's care with a package of support being provided to the family.

X v Y & Z

Acting for the first respondent, a protected party, in a proprietary estoppel claim made by a person alleged to be a confidence trickster regarding a property now owned by the protected party's child.

Children Law (Private)

Helen acts in children disputes (both private and public law) for all parties, including the children themselves, and in cases with complex factors, such as those concerning international families, vulnerable parties, allegations of domestic abuse and exploitation, parental alienation, child witnesses, and special guardianship.

Helen advises and represents parties in applications concerning exercise of parental responsibility, including internal and external relocation and change of name disputes, and adoption.

Selected Cases

S v L

Acting for the applicant in a Child Arrangements application where allegations of serious sexual abuse and coercion / control were made by her against the respondent. Helen supported and represented her client through a lengthy fact finding hearing after which all allegations were found to be proved. The Court, having considered an expert risk assessment, made final orders permitting only indirect contact. The respondent was subsequently prosecuted for the same serious sexual offences. Thereafter, she advised in the drafting of a separation agreement.

Acting for the first applicant grandparent in an application for a child arrangements order in circumstances where all the parties and the children had varying degrees of autism and in which the respondent parent with care of the children alleged that the applicants (grandparent and parent) had sexually abused the children. A lengthy contested

fact finding was held, which included challenging expert evidence and the evidence of social workers, and in which the allegations against Helen's client were dismissed and allegations of alienating behaviour by the parent with care were upheld. A plan was put in place for the children to resume a relationship with the applicant parent and grandparent, with the sanction of change of residence should the parent with care not comply.

B v B

Acting on behalf of the respondent in a case wherein the parties each alleged controlling and abusive behaviour and alienation of the children from the other parent. Following an inadequate assessment of the family by Cafcass, Helen successfully obtained a further assessment by an independent social worker, funded by the applicant, and which identified that the problems in the family stemmed from the applicant's behaviour. Helen obtained an order providing that the children live with her client and spend limited time with the applicant and their family.

Qualifications

- LLB (Hons) English and German Laws (Liverpool)
- Humboldt Universitaet zu Berlin (Klein BGB Schein)
- LLM by Research in Charity Law (Charity Law Unit, University of Liverpool)
- STEP certificate in Trusts and Estates
- Trained arbitrator under the IFLA (Children) scheme

Professional associations

- Association of Lawyers for Children
- British Italian Lawyers Association
- Family Law Bar Association
- South Eastern Circuit
- Resolution