



**Five Pump
Court Chambers**

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Michael Hayes

Barrister

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Practice overview

Michael has been a specialist family lawyer for over 25 years. His background as a solicitor means that he is particularly experienced in managing complex litigation, as well as being an accomplished and polished advocate. Courteous and empathetic, he is greatly in demand from solicitors as a reassuring presence in very stressful proceedings.

Michael has vast experience in dealing with a huge cross section of family law matters with a particular emphasis on matrimonial finance claims. He is also regularly instructed in private law children cases, and regularly deals with jurisdictional issues and cases involving an international element. He is also a trained collaborative lawyer and family arbitrator.

Michael has a reputation for being tough in court whilst still appreciating that his clients need support and understanding at a difficult time in their lives. He is efficient, approachable and highly sought after by solicitors and clients who recognise that he is one of the best in the business.

Family finances

Michael specialises in financial cases following the breakdown of a relationship, including high net value cases and cases with an international element. He also acts in applications to vary maintenance orders, for financial provision for children (Schedule 1 claims) and in family

provision claims. He drafts and advises on nuptial agreements.

Michael is experienced at dealing with cases concerning business assets and companies, pensions, trusts and overseas assets. He is also regularly instructed in cases involving allegations of non-disclosure of assets, misconduct by company directors, misappropriation of funds, and enforcement of orders.

As a solicitor Michael was accredited by the SRA under the Family Law Accreditation Scheme, and also by 'Resolution' in the areas of Advanced Financial Provision and Co-habitation.

Children law (private)

Michael has a thriving practice in private law children work where he has extensive experience of dealing with all types of issues relating to contact and residence including cases of alleged parental alienation, allegations of domestic violence, drug and alcohol misuse and fact finding hearings.

In court, Michael is a strong advocate for his clients but his expertise in collaborative law and mediation means that he is also confident in promoting a consensual way forward where appropriate.

Michael is also able to advise on the financial aspects of private children law cases, including applications for financial provision (Schedule 1 Children Act).

International family law

Michael acts in a significant number of cases with an international dimension. In both financial and children cases, he has experience of dealing with jurisdiction disputes. In financial disputes, he is regularly instructed in claims under Part III of the Matrimonial and Family Proceedings Act 1984 after a foreign divorce. He is also able to advise on how to deal with assets held abroad.

In proceedings involving children, he advises on applications to remove children from the jurisdiction, and on adoption proceedings which involve children moving in or out of the UK.

Property

Michael is experienced at dealing with co-habitation disputes and property disputes between unmarried couples under the Trusts of Land and Appointment of Trustees Act 1990. He is very familiar with the law relating to trusts, and is able to provide a full service to unmarried clients who are separating and having to deal with property and children issues.

Michael has been instructed to act on behalf of intervenors asserting a beneficial interest in

property and on behalf of trustees of assets. His analytical approach is particularly useful when dealing with this type of complex and specialist litigation.

Family ADR

Michael appreciates the value of settling difficult and contentious litigation out of court where possible and is able to advise and represent clients in most types of alternative dispute resolution. His involvement with separating families over many years means that is able to offer creative but practical solutions to resolve conflicts in the best way for his clients.

Michael is an experienced mediation advocate, and is also qualified in Collaborative Law – a process used by separating couples to reach legally binding settlements without the need for court proceedings.

Michael is a qualified family law Arbitrator, and accepts instructions both to arbitrate family disputes relating to finances, and to represent clients in the arbitration process.

Injunctions

Michael's thorough knowledge of the law and procedure relating to all aspects of family law mean that he is an excellent choice for injunction applications. He provides clear and practical advice, and is able to assimilate the facts quickly in order to effectively represent his clients.

Michael is instructed in injunction proceedings where there are allegations of domestic abuse. In respect of his financial work, he advises on injunctions to prevent dealings and/or disposals of assets in the UK and overseas.

Education

- Resolution training in Advanced Financial Provision and Co-habitation
- Trained collaborative lawyer
- Qualified family Arbitrator

Memberships

- Family Law Bar Association
- Chartered Institute of Arbitrators

Notable Cases

O v O – Highly contentious matrimonial finance proceedings involving assets in excess of £50m.

O v B – contentious Children Act proceedings successfully obtaining a change of residence of children to father's care.

P v P – representing wife in financial proceedings involving forensic analysis of husband's company assets.

D v D – representing husband dealing with significant jurisdictional issues (involving Japan and Hawaii)

H v H – representing mother in successful application for leave to remove (to Brazil).

O v O – successfully representing cohabitee in defeating claims made against her under TOLATA by former partner.