

Iain Large



YEAR OF CALL: 2016

INN: MIDDLE TEMPLE

Practice Overview

A specialist family barrister practising at St John's since completing pupillage in 2017, Iain has rapidly developed a strong practice in all areas of family law encompassing family finance (matrimonial and cohabitation) and both private and public law children matters. He has developed a reputation as a thorough and calm advocate who combines meticulous research and preparation, persuasive and fluent advocacy, and sympathetic but judicious advice. Iain has long been comfortable with a paperless practice and is equally prepared to deal with matters remotely as in person.

Areas of Expertise

Family & Divorce

Children Private Law

Iain represents parents and other parties in applications for child arrangements, specific issue and prohibited steps orders from first hearing dispute resolution appointments (FHDRA) through to fact-finding and final hearings. He is also experienced with applications under Part IV Family Law Act 1996 (non-molestation and occupation orders). He has experience handling issues including child arrangements, permission to apply (non-parents), drug and alcohol use, 16.4 guardians, section 7 and section 37 reports, expert psychological evidence, and domestic abuse.

Examples of recent work include:

- ▶ V v L (2020). Successfully opposed a contested application for non-molestation order at a final hearing, with further orders obtained for costs and wasted costs.
- ▶ F v F (2020). Representation of a father at a fact-finding hearing involving numerous allegations of abusive behaviour and substantial police and local authority evidence. Successfully resisted any adverse findings being made.
- ▶ K v N v S (2021). 4-day final hearing of complex proceedings involving extended family as parties and conflicting professional local authority welfare reports.
- ▶ T v T (2021). Successful appeal from a fact-finding hearing conducted by a Deputy District Judge who had erred in failing to consider allegations of controlling and coercive behaviour following the Court of Appeal decision in Re H-N [2021] EWCA Civ 448.

Children Public Law

Iain has experience of a wide range of public law children matters, regularly appearing for parents, children and local authorities at contested ICO, case management and final hearings at which special guardianship,

supervision, care and placement orders have been in issue. Iain has experience of being led in lengthy and complex fact-finding/final hearings, being required to marshal voluminous material in short periods of time. He has practical experience of the rapidly developing legal framework relating to deprivation of liberty of children and has co-authored a Family Law article on the issue with Abigail Bond.

Recent work includes:

- ▶ X [2019] EWFC B57: Junior counsel representing a mother at a 15-day composite fact-finding and final hearing following the death of a baby (sibling to the subject child), previous proceedings in relation to previous suspected non-accidental injuries to the child having been withdrawn.
- ▶ X [2019]: Junior counsel representing the children of three families up to and including an 8-week fact-finding hearing listed to determine the local authority's allegations of, inter alia, intergenerational child sexual abuse.
- ▶ X [2020]: Counsel for the local authority up to and including a 10-day composite fact-finding / final hearing to determine allegations made by the child of non-accidental injury, said by the mother to be the child's self-harm. Also handled complex welfare issues including conflicting expert psychological evidence, separation of siblings and a contested special guardianship application.
- ▶ X [2021]: Successfully sought a declaration of capacity at a contested hearing in respect of a father who had been assessed by an SJE clinical psychologist as lacking capacity to litigate.

Divorce & Financial Remedy

Iain regularly acts within financial remedy proceedings across and beyond the Western Circuit, including at FDR and final hearings. He has experience dealing with challenging lower value 'needs' cases with dependent children as well as those involving significant capital and pension assets. He is used to dealing with pensions and pensions reports, business assets, non-matrimonial property and issues of spousal and child maintenance. Iain aims to give constructive, clear advice early within or before proceedings in order to ensure effective case management and maximise prospects of favourable settlement where possible.

Recent work includes:

- ▶ P v P [2017]: Final hearing in which the chief issue was the impact of a deed of trust between the parties, by which W sought to protect her initial deposit on the FMH. Successfully argued that the trust deed be disregarded.
- ▶ I v I [2019]: Represented primary carer client in final hearing involving very limited assets. Successfully obtained order for delayed FMH sale with H paying mortgage in interim to build sufficient equity for W to rehouse.
- ▶ W v W [2020]: Representation in proceedings involving substantial business and pensions assets, which settled at FDR. Went on to advise and represent W in a successful notice to show cause application following H's attempt to resile from Rose v Rose heads of agreement with respect to purchase of W's shareholding; costs order made.
- ▶ C-E v E [2021]: Favourable settlement reached at FDR following successful argument that bulk of client's pension should be preserved on the basis of the parties' disparate income resources on retirement. Further issues of child maintenance raised due to both parties living abroad.
- ▶ A v A [2021]: Final hearing involving particular issues of conduct (alleged dissipation of assets), spousal maintenance, and a variety of pension sharing options in a case of substantial pension assets.

ToLATA

Iain has experience of advising (in conference and in writing) and representing clients in Part 8 and Part 7 applications on a range of cohabitation disputes involving declarations and remedies under ToLATA 1996 and issues of common interest constructive trusts and proprietary estoppel. Despite his predominant Family Court practice, he is comfortable with the relevant civil procedure and in dealing with issues of costs. He has a thorough working knowledge of the substantive and procedural law involved in these potentially complex disputes.

Recent cases include:

- ▶ H v G (2019): Representation of a respondent to concurrent Schedule 1 and ToLATA proceedings involving issues of constructive trusts and procedural complications relating to costs budgeting; settled on favourable terms by way of a Tomlin order following a quasi-FDR hearing.
- ▶ F v F (2019): Representation of a party to financial remedy proceedings on divorce involving third party intervenors and contentious issues of their beneficial ownership of matrimonial property.
- ▶ B v A (2020): Final hearing of a Part 8 claim for an order for sale of the family home. Dealt with procedural issues raised by respondent's failure to file an acknowledgment of service or any evidence and with issues of equitable accounting and costs.
- ▶ D v P (2020): Advising on potential claim for an order for sale in which both parties remained living in the property; advising on related and overlapping Schedule 1, Part IV FLA 1996, and s.8 Children Act 1989 applications.
- ▶ Y v R (2021): Advising from pre-action stage onwards in a sole legal ownership case involving potential common interest constructive trust and proprietary estoppel arguments.

Related Article

- ▶ What do children lawyers need to know about the Court of Protection? [2017] Fam Law 537 – 542

Professional memberships:

- ▶ Family Law Bar Association
- ▶ Association Member of Resolution

Qualifications & awards:

- ▶ BPTC (Bristol Institute of Legal Practice (UWE)) – Outstanding; GDL (University of Plymouth) – Distinction; MA History (Harvard University, USA); BA History (Balliol College, University of Oxford) – First Class
- ▶ Princess Royal Scholarship, Inner Temple; GDL Exhibition, Inner Temple; Faculty of Business and Law Prize for highest overall marks (BPTC); Sweet & Maxwell Vocational Law Prize for highest marks (GDL); Newman Scholarship and Exhibition in History, Balliol College, Oxford

Additional information:

Iain was born and raised in the South West. Prior to commencing pupillage at St John's in 2016, he studied History at both the University of Oxford (BA, first class) and Harvard University (MA). He then worked to set up a Lottery-funded legal advice partnership in Exeter. Turning to law, Iain undertook the Graduate Diploma in Law (GDL) conversion course in Plymouth followed by the Bar Professional Training Course (BPTC) in Bristol, achieving the highest marks in his cohort on both. His pupillage at St John's in 2016-2017 was supervised by Abigail Bond (children) and Nick Miller (finance). He is a regular contributor to the Family Law Week website and to seminars and talks within and outside chambers.

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