



Barrister

ASHLEIGH HERBERT

Call: 2021



Specialist in
Family

Experience

Ashleigh is a specialist family law barrister, her main areas of expertise include financial remedies, private law children matters, care proceedings and domestic abuse.

Ashleigh is also appointed as a qualified legal representative in cases involving cross examination of vulnerable parties and witnesses.

Ashleigh approaches her work with diligence, empathy and a commitment to excellence for her clients.

Prior to commencing her career at the Bar, Ashleigh worked as a paralegal at renowned law firms STEWARTS and Expatriate Law. Throughout this period, she assisted in various high-profile cases gaining invaluable experience in a diverse range of high-net-worth financial matters and children matters, including those with jurisdictional complexities. Notably, Ashleigh had the opportunity to contribute to cases presented in both the Court of Appeal and the Supreme Court.

Education

BPTC, BBP (Very competent)

LLB (Hons), University of Reading (First Class)

Memberships

Family Law Bar Association

The Honourable Society of Lincoln's Inn

CASES

Re C (A Child) (Care Proceedings – Publication of Judgment)

[2024] EWFC 228 (B)

Within this matter the court made significant findings of systemic failings against both the local authority and the police force, including that the local authority had improperly pursued findings of historic sexual abuse against the subject child's grandparents without proper evidence or analysis. As a result, the child was improperly placed in foster care for a total of 17 months. The local authority subsequently sought to withdraw the care proceedings, this judgment was handed down on 7th May 2024.

An issue then arose as to whether the substantive judgment should be published and if so, whether the police force and local authority should be named.

Within this case, Ashleigh Herbert represented the police force who argued that the initial judgment should not be published. The police force accepted the failings that were identified by the court, however argued: naming of the police force may impact on the ongoing investigation; there was a risk to the personal safety and privacy of individual officers and the police force should they be named; the police force required time to implement corrective measures; and there was a potential impact to the

child and their family ie. 'public gossip.'

The court undertook a careful analysis of the competing rights under Articles 6, 8, and 10 of the ECHR and determined the balance lay in the publication of the judgment with redaction/anonymisation. Following this judgment an application was made by Louise Tickle and Tortoise Media to revisit the issue regarding the naming of the local authority and the police force (Tortoise Media v A Local Authority in Wales & Ors [2024] EWFC 306(B)). The court opposed this application.

Area of Law:

Family, Care and Adoption

Related Barristers:

[Ashleigh Herbert](#)

PUBLICATIONS

The Pathfinder Scheme and Practice Direction 36Z: A New Approach to Private Law Proceedings.

In this article Ashleigh Herbert explores the Pathfinder Scheme and Practice Direction 36Z as a new approach to private law proceedings. She explores the purpose behind the new scheme and the differences between Pathfinder and the traditional Child Arrangements Programme.

Within this article Ashleigh also examines recent case law, and how this approach works on the ground, including a recent update from the Ministry of Justice.

Read the article here:

<https://www.familylawweek.co.uk/articles/the-pathfinder-scheme-and-practice-direction-36z-a-new-approach-to-private-law-proceedings/>

Area of Law:

Family Disputes

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