

Edmund Eldergill

Call: 1991

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Specialist in:

- Civil Law
- Dispute Resolution
- Family Law – Private
- Family Law – Public
- Direct Access
- Direct Access Trained
- Qualified Mediator



Experience

Edmund's specialism crosses several areas of law: Family, Property, Business, Revenue, Wills, Trusts and the Administration of Estates. One common theme binds them together: the bringing by one family member of a financial claim against another.

Much of his work deals with the financial aspects of marriage, divorce, cohabitation, civil partnerships and death. He has considerable experience of conducting financial cases which are complicated by the existence of features such as parallel bankruptcy or mortgage possession proceedings, third party intervenors, constructive and resulting trusts, proprietary estoppel and cases with a foreign element, such as applications brought under the Matrimonial and Family Proceedings Act 1974. Edmund is familiar with the capital gains and inheritance tax consequences occasioned by the death of a spouse or partner or occasioned by relationship breakdown.

Edmund has experience of claims challenging the financial provision made under a Will, including claims arising out of the Inheritance (Provision for Family and Dependents) Act 1975 or alleging the existence of a constructive trust or proprietary estoppel. Unsurprisingly, he also



has extensive experience of dealing with Children Act and Family Law Act cases, such as section 8 private law applications and those alleging domestic violence. Finally, Edmund also provides advice, drafting and representation in contract and partnership matters.

Since March 2010, members of the public have been able to instruct a barrister directly in Family and Civil Law matters. Edmund is licensed by the Bar to carry out Public Access work and has his own website that deals specifically with that part of his practice. It contains much useful legal information directed at the litigant-in-person in the form of legal blogs and they provide key information for the lay person acting without a solicitor. Inquiries can be directly to Edmund at ee@onepumpcourt.co.uk or through his clerks, clerks@onepumpcourt.co.uk.

During his career Edmund has written about 500 pages of articles on his subject areas. He has appeared at all court levels up to and including the Court of Appeal and has had cases reported in specialist legal journals in the areas of Family and Probate law. He is also fully accredited as a family mediator for both children and finances.

Memberships

Family Law Bar Association

Awards

Legal 500

Cases

Re A (a child) (breach of court order: committal)

[2007] All ER (D) 243 (Feb)

I represented the Respondent father. On the facts of the instant case, the mother had deliberately attempted to frustrate contact arrangements between her son and his father and had removed the child from the court's reach and from his relationship with his father contrary to clear orders of the court backed with penal notices. In those circumstances, the sentence of ten month's imprisonment for her breach of court orders which had been imposed had plainly been within the judge's broad discretion and had not been manifestly excessive.



Benjamin v Bennett and others

[2007] All ER (D) 243 (Feb)

The claimant applied for grant of probate in solemn form where the issue arose as to whether or not a revocation clause contained in a subsequent will dealing with the deceased's property in Barbados had the effect of revoking the will made in England. The application was allowed on the basis that the deceased had not intended to revoke the English will and that the revocation clause was limited to wills made in Barbados only.

