



Frances De Navarro

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Year of Call: 2005

“Prolific family law junior who specialises in financial remedy proceedings, particularly those involving high net worth individuals. Her cases concern a variety of matters, including company valuations and freezing orders, and often have cross-border aspects.”

Strengths: “She tackles a case with both hands, and is extremely personable but also very technical. She gives clients practical, tactical and reasonable advice.” “She works very much as a team, and is very supportive. All of her written work is brilliant, and she’s really good on her feet.” **Chambers UK Bar 2020**

“Extremely bright, with a keen analytical eye for finance matters.” **Legal 500 2020**

Frances read Law with Australian Law and Politics at the University of Nottingham, spending a year studying at the University of Melbourne on a scholarship. She was called to the Bar in 2005 by the Inner Temple and specialises in Family Law.

Memberships

- Family Law Bar Association

Directory Recommendations

“She has excellent client care skills and is sensible in her advice.” “Always well prepared and very good in court advocacy-wise.” **Chambers & Partners 2019**

“Intelligent, calm, wise, thorough and no push-over in court.” **Legal 500 2019**

“A good negotiator, with a firm yet friendly style.” **Legal 500 2017**

Appointments

- Accredited for Direct Public Access instructions

EXPERTISE

Family - Finance

Frances is a family law specialist. She has a particular interest in cases dealing with the financial division on divorce and is regularly instructed in high asset cases.

Frances regularly advises in cases involving:

- Freezing Injunctions
- Setting Aside Dispositions
- Complex Pension Issues
- Inherited Wealth and Arguments Surrounding Non-Matrimonial Assets
- Pre-Nuptial Agreements
- Business Valuations
- Enforcement of Orders
- Variation of Periodical Payments Orders

Frances also deals with cases involving property disputes between unmarried former cohabitants under TLATA 1996, financial provision for children under Schedule One Children Act 1989 and child support appeals.

Cases

S v S (2018) St Helens Family Court

Acted for the wife in a case in which the majority of the assets derived from the sale proceeds of the husband's shareholding in a company.

The husband sought a departure from equal division on the basis that his shareholding was acquired prior to the marriage. He also sought to argue that he had settled a large proportion of the sale proceeds of the shares into a trust in favour of his adult children from a previous relationship.

Result – The assets were divided 50:50. The Court rejected to husband's arguments in relation to the trust and non-matrimonial property.

R v D (2017) Manchester Family Court

Acted for the wife in a case in which was factually complex due to the basis upon assets were held and the tax consequences of any order.

The parties were joint shareholders in a company, which traded from land that was personally owned by the parties. The company had been financed using a large, personal, commercial loan.

The husband sought an immediate sale of all of the assets, including the company and the land and the division of the any net sale proceeds. The wife sought to argue that such an approach would trigger large tax charges but with careful planning these immediate tax charges could be avoided. The wife sought a transfer of the company and the land into her name.

Result – Land and company transferred to the wife upon a lump sum being paid to the husband.

R v R (2017) Liverpool Family Court

Case involving confirmation of Canadian order for child support and spousal maintenance via REMO.

Re: MS and DK (2017)

Instructed by to draft a nuptial agreement on behalf of a party who had previously suffered a severe brain injury and who had a Financial Deputy appointed by the Court of Protection to manage his financial affairs. The party had previously been awarded c. £2 million in damages following a personal injury claim.

Re: S (2017)

Instructed to draft a pre-nuptial agreement on behalf of a Premier League footballer.

B v B (2016) Central London Family Court

Acted for husband who was seeking variation of a joint lives spousal periodical payments order of c. £5,000 per month following the loss of his job.

Result: Periodical payments order varied to a nominal order and a term imposed so that order would expire at husband's retirement age.

I v I and Others (2014) Blackburn Family Court

Acted for the wife in financial proceedings in which an application was made to set aside the transfer of properties worth approximately £1 million by the husband to his associates prior to the commencement of divorce proceedings. Case settled on day four of five following cross examination of the husband and the third parties leading to a substantial award to the wife.

Re W (2014)

Advised on and drafted a pre-nuptial agreement in circumstances in which the parties' assets were approximately £10 million.

H v H (2014) Blackburn Family Court

Financial proceedings that included issues over the valuation of the husband's business interests and complexities in relation to pension sharing. The husband held a substantial pension fund within a SIPP that owned the company's business premises. Settlement obtained.

Family - Children

Frances is a family law specialist. She has a wealth of experience of dealing with private law children cases in relation to Child Arrangements Orders.

Frances also deals with applications for financial relief for unmarried parents under Schedule One Children Act (see practice profile Property and Private Client).

Frances regularly advises in cases involving:

- Emergency and without notice orders
- Allegations of domestic violence
- Allegations of sexual abuse
- Enforcement of Child Arrangements Orders
- International relocation
- Internal relocation within the UK
- Special Guardianship Orders
- Urgent hearings seeking summary return of children following wrongful retention or removal.

Cases

M v C (2017) Manchester Family Court

Acted for a father who had been served with a prohibited steps order, which had been obtained without notice, the terms of which prevented him from exercising contact with his child.

Result – Successfully challenged order at return date hearing and previous shared care regime was reinstated.

D v D (2014) Manchester Family Court

Acted for a mother in proceedings in which serious allegations of sexual abuse had been made by the children against their father. The matter proceeded to a fact finding hearing which led to substantial findings being made against the father.

A v A (2014) Lancaster Family Court

Proceedings involving an issue over whether a party should be granted temporary leave to remove children to a non-Hague Convention country.

H v H (2013) High Court

Acted for grandparents who lived in the USA who had applied for residence of the children and leave to remove them from the UK to the USA. The application was granted.

D v S (2013) Preston County Court

Acted for mother who wished to relocate to France with the parties' child. Application for leave to remove from the jurisdiction granted following contested hearing.

Property and Private Client

Frances regularly deals with property disputes between unmarried former cohabitants under TLATA 1996. This includes cases in which there are issues as to:

- The beneficial ownership of a property that is held in the sole name of one party
- Disputes in relation to the parties' share of the equity in a jointly owned property
- Occupation rent and equitable accounting
- Orders for sale

Frances also regularly acts in cases in which third parties to divorce proceedings assert a beneficial interest in property owned by one of the divorcing parties. She also acts in cases involving claims for financial provision by unmarried parents under Schedule One Children Act 1989.

Cases

D v D (2016) Aberystwyth Family Court

Acted for father in Schedule One Children Act proceedings in which the majority of his assets derived from damages he had received for a serious injury.

I v I and Others (2014) Blackburn Family Court

Acted in proceeding in which third parties to a divorce alleged beneficial ownership of properties worth approximately £1 million. Case settled on fourth day of five-day hearing.

B v G (2014) Central London Family Court

Advised and drafted pleadings in case between former cohabitants involving disputed ownership of property held in the sole name of one party.

B v M (2014) Altrincham County Court

Proceedings pursuant to Schedule One Children Act 1989 in which housing was secured for the mother and child to live in for the duration of the child's minority.

Public Access

Frances has extensive experience of dealing with cases under the direct public access scheme. She is

a specialist in family law with a particular emphasis on the following areas:

Financial Provision

Frances has a particular interest in cases dealing with the financial division on separation and is regularly instructed in high asset cases.

Frances regularly advises in cases involving:

- Complex Pension Issues
- Inherited Wealth and Other Non-Matrimonial Assets
- Pre-Nuptial Agreements
- Business Valuations
- Enforcement of Orders
- Variation of Periodical Payments Orders
- Financial Provision for the Children of Unmarried Parents
- Child Maintenance

Please see practice profile “Family Divorce” for more details.

Property Disputes

Frances regularly deals with property disputes between unmarried former cohabitants. This includes cases in which there are issues as to:

- The beneficial ownership of a property that is held in the sole name of one party
- Disputes in relation to the parties’ share of the equity in a jointly owned property
- Occupation rent and equitable accounting
- Orders for sale
- Housing and capital provision for children under Schedule One Children Act

Please see practice profile “Property and Private Client” for more details.

Child Arrangements Orders

Frances is a family law specialist. She has a wealth of experience of dealing with private law children cases in relation to Child Arrangements Orders.

Frances regularly advises in cases involving:

- Disputes over which parent the children should live with
- Disputes as to the level of contact between children and their non residence parent

- Allegations of domestic violence
- Allegations of sexual abuse
- Enforcement of Child Arrangements Orders
- International relocation
- Internal relocation within the UK
- Special Guardianship Orders.

For more details please see practice profile "Private Children".