

RICHARD YORKE

Year called 2006

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OVERVIEW

Richard provides advice and advocacy in all areas of children law, in public and private international law concerning children and in all areas of financial remedies work; he is regularly instructed in cases involving jurisdiction arguments, in those concerning Articles 6 and 8 of the European Convention on Human Rights and has a burgeoning practice in privacy cases within the family law jurisdictions. In addition, he's a resolution-trained and accredited collaborative lawyer: a collaborative and mediated approach is central to his private client work.

PRACTICE AREAS

Court of Protection
Children Private
Children Public
Family Finance
Human Rights
International

EXPERIENCE

Richard began his career as a paralegal in the family department of Manches LLP where he gained valuable experience in several high-profile finance and Hague Convention cases. His pupillage took place at the human rights set Garden Court Chambers and included work assisting in the appeal of *Re: B* [2008] UKHL 35 in the Supreme Court and acting and advising in public law cases. Richard joined Coram in 2008.

An experienced and effective advocate with honed skills across the areas of public, criminal, and family law, he is noted for his adroit and sensitive approach to issues when representing clients with a mental health diagnosis and those who have limited cognitive function.

Financial remedies

Richard acts and advises in all areas of ancillary relief and matrimonial finance cases (including applications under MPFA 1984), Schedule 1 Children Act applications, and in co-habitation and TOLATA cases in addition to all related enforcement proceedings.

Notable cases include the following:

- High net worth clients including cases with business assets in Dubai or other Emirate jurisdictions
- Applications under MPFA 1984 including a case with original matrimonial proceedings concluded in Nigeria and total assets in excess of \$10 million
- Cases involving the valuation of complex business asset including obtaining third party disclosure orders
- Freezing injunction application both under the inherent jurisdiction and under s. 37 MCA for world-wide freezing orders
- Advising both insurance clients and in solicitors in professional negligence claims arising from financial remedies cases
- Advising on the drafting and interpretation of pre-nuptial agreements including cases where international assets are involved
- Acting in financial remedy proceedings with co-joined criminal confiscation proceedings under the Proceeds of Crime Act relating to a multi-million-pound heroin supply conspiracy.

International

Richard regularly acts and advises in private international law cases including under the Hague Convention 1980, applications involving jurisdictional issues under Brussels II Revised and in forum non conveniens applications.

Notable cases include the following:

- Representation in high-profile child abduction work and in domestic Children Act cases involving applications to permanently remove a child from the jurisdiction
- Advising the UK Foreign and Commonwealth Office on consular assistance to a British national implicated in child abduction
- Advice to Local Authorities in cases of contested jurisdiction under Article 15 Brussels II Revised.

Children

In public law children cases, Richard is regularly instructed for local authorities, parents, and Guardians ad litem in care proceedings, at all levels up to Court of Appeal, often in cases involving complex medical evidence. Richard also often advises on public law breaches of human rights on behalf of children and for young parents in relation to pathway plans for children leaving care.

In private law cases, Richard often represents parents and children through their Guardians ad litem under rule 16.4, often under instruction from National Youth Advocacy Service (NYAS).

Notable cases include the following:

- Acting for and advising Local Authorities in cases of disputed designation under care and supervision orders
- Cases involving complex care needs including for subject children with severe learning disabilities
- A case involving complex two-week fact-finding hearing of sexual abuse allegations acting for intervenor
- A case involving a parent who was a long-term heroin user in which he made a successful application to adjourn care and placement orders for long-term drug detoxification and rehabilitation.

Adult and Social Care

Richard regularly undertakes a range of Court of Protection work including “best interest” disputes about residential arrangements, contact and moving overseas for protected persons; he also acts and advises in deprivation of liberty cases, including applications under s21A MCA 2005 and in damages claims.

He also regularly undertakes instructions in finance cases in the Court of Protection, including appointment and discharge of welfare and / or property and affairs deputies.

EDUCATION AND PROFESSIONAL MEMBERSHIPS

Inns of Court School of Law (Very Competent)
Graduate Institute Geneva, LLM International Law (Cum Laude)
City University (Dip. Law)
University of Sheffield BA (Hons) Politics and Philosophy

Member of Chatham House (Royal Institute of International Affairs)
Member of the England and Wales Bar Human Rights Committee
Member of the Family Law Bar Association
Member of the Honourable Society of the Middle Temple 2006 Call

LANGUAGES

French
Spanish
