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James Tillyard QC

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Practice Overview

James Tillyard has been in silk since 2002. James is Head of the Family@30 team. He has considerable experience in all aspects of Family Law but in particular care and matrimonial money. James is also a member of the Public@30 team.

Notable and Reported cases

- R v Egan (1992) 4 All ER 470
- Wychavon DC v NRA (1993) 2 All ER 440
- NRA v Wright Eng. Co.Ltd. (1994) 4 All ER 281
- R v D (1996) 2 WLR 1
- Environment Agency v Short (1998) EWHC Admin 743
- Marlow Child and Family Services Ltd v DPP (1999) 1 FLR 997
- Re S (2001) 1 Fam Law 505
- Re E (A Child) (2001) All ER (D) 208
- Cole v Secretary of State (2003) EWHC 1789 Admin
- Re BR and C (Care: Duty of Disclosure: Appeals) (2002) EWCA Civ 1825
- Re L (Care: Assessment: Fair Trial) (2002) 2 FLR 730
- D v Secretary of State for Health (2002) EWCST 118
- Re J (2003) 1 FLR 114
- LM v Medway Council (2007) 1 FLR 1698
- A County Council v MF (2008) EWHC 3320 (Fam)
- Re K (2009) EWCA Civ 987
- Re MW (2010) 1 FLR 1093



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- Bridgend CBC v GM (2013) 1 FLR 987
 - Controlled Demolition Group v Lane and others 1991 UKEAT 418-91
 - A County Borough Council v M 2008 EWHC 3320 (Fam)
 - City and County of Swansea v MB 2014 EWHC 2842 (Fam)
 - Donovan v Gwent Toys Ltd. (HL) 1990 1 All ER 1018
 - Re C (Children) [2016] EWCA Civ 374
 - Carmarthenshire CC v Y and Ors 2017 EWFC 36

Child Care

Wide experience of both fact finding and disposal hearings acting for parents, other alleged perpetrators including children, Guardians and Local Authorities. He has particular experience in cases involving complex medical issues which require detailed cross-examination of medical experts. Having said that, he is never happier than when cross-examining on the facts. He likes a "who done it?"

By way of example he has dealt with:

- Salt poisoning
- Poisoning with drugs
- Factitious and induced illness
- Baby shaking leading to death
- Other fatal injuries
- Sexual abuse by parents, third parties and other children
- Organised paedophile rings
- Chronic neglect leading to very serious physical and emotional harm
- Again, by way of example only, at disposal hearings:
 - Issues surrounding barely adequate parenting vs adoption
 - Where should the child be brought up - within this jurisdiction or abroad?
 - Is there a safe parent?
 - Do the carers necessarily have to be open and honest with the LA in order to care for a child under a care order?
 - How should the Court approach the balance of risk?
 - The position of a foster carer who wants to be a long-term carer under a Special Guardianship Order or adoption

Child Abduction and Removal from the Jurisdiction

James has wide experience in child abduction and in Hague Convention cases. He has also undertaken many cases on removal from the jurisdiction - both for and against removal.



Cohabitee & Matrimonial Finance

Throughout his practice James has specialised in proceedings involving financial remedies following relationship breakdown, and in silk he has been in constant demand to undertake high value cases that involve complex issues surrounding companies, foreign assets, pension sharing and inherited wealth.

He is experienced in unravelling family trusts and tracing assets that were thought to be 'hidden'.

He is regularly involved in cases in the High Court where the net worth is in excess of £20m and he is renowned for his thorough preparation, meticulous attention to detail and realistic advice.

Public

- Care Standards Tribunal
- Judicial Review
- Breach of Art 6 & 8

Recommendations

- 'He's always well prepared and has a firm hand on the tiller when handling cases.' (Chambers and Partners, 2018)
- 'Noted for his expertise in matrimonial finance and care cases.' (Legal 500, 2018)
- 'One of the most impressive silks in Wales. He has the gravitas and the experience that makes you feel you can rely on him.' (Chambers UK, 2018)
- 'Recommended for care and matrimonial finance cases' (Legal 500, 2017)
- 'Highly respected family practitioner with an exceptional reputation in financial matters. Regularly undertakes high-value work with complex asset issues, including international elements. Sources praise his problem-solving abilities during heavyweight cases.' Strengths: "He provides clear advice, good representation and reasonable solutions. Very able in money and child law work. He is tenacious and a good fighter - you would want him in your corner." (Chambers UK, 2017)
- 'A powerful advocate with an expert grasp of the subject.' (Legal 500, 2016)
- 'A leading family silk with exceptional experience and a UK-wide reputation in the area. Regularly instructed on high-value finance cases and care proceedings. He is praised by commentators for his technical knowledge.' "A very good-quality barrister with a proven record - highly skilled and knows his stuff." (Chambers UK, 2016)
- 'A leading practitioner in the family finance arena' (Legal 500, 2015)
- 'Strong across the board when it comes to family matters, with a particular focus on children's welfare proceedings and financial disputes after a relationship breakdown. He is typically instructed on complex, high net worth cases involving international elements and hidden assets. He is also noted for his expertise in child care cases involving contentious medical evidence "He is extremely tenacious and robust." "He is very good at calculations and presenting cases. Most importantly, he establishes a good rapport with clients." (Chambers UK, 2015)
- "Experienced in both high-value financial remedy matters and complex children cases" (Legal 500, 2014)
- "He is very approachable and very well respected by the judiciary." (Chambers UK, 2014)
- "James Tillyard QC is an equally praised silk at the set, who centres his practice on matrimonial finance



matters and childcare work. Sources comment that he is "robust and confident, and makes the client feel comfortable" (Chambers UK, 2013)

- 'Two of its strongest silks, Jonathan Furness QC and James Tillyard QC, are "both top-rate and comparable to the top London barristers." They are both experienced in all areas of family work, although Furness is particularly associated with childcare work and Tillyard with matrimonial finance'. (Chambers UK, 2012)
- 'Also attracting a number of important cases is James Tillyard QC who "reassures clients with his experience and robust courtroom manner"'. (Chambers UK, 2011)
- 30 Park Place's James Tillyard is an "exceptional lawyer, who prepares well and always makes the most of a case".(Legal 500, 2010)
- '30 Park Place is the top set for law on the Wales and Chester circuit and has James Tillyard QC a key figure at the Welsh Family Bar. He is known for his fierce cross examination and his experience in high net worth disputes'. (Chambers UK, 2010)
- 'James Tillyard is the "first choice silk in Wales by a long way. His popularity stems from the fact that he fights hard for his clients and never gives the case away. Praised for his children and finance work, he is the toast of solicitors as he can smell blood at 100 yards"' (Chambers UK, 2009)
- 'James Tillyard QC is head of chambers at 30 Park Place and Wales' best known family barrister for "excellent preparation, a hands on proactive approach and great presentation in court" make Tillyard first choice for Welsh solicitors in big money divorce cases'.(Chambers UK, 2008)
- '...James Tillyard QC, noted for skilled and sensitive advocacy'.(Legal 500, 2007)
- 'The "excellent" James Tillyard QC of 30 Park Place is "one of the best advocates in Cardiff". He does his preparation thoroughly and knows his subject matter "inside out". He was recommended especially for tough cases that require difficult cross-examination'.(Chambers UK, 2007)

Appointments

- Bencher of the Middle Temple (2014)
- Deputy High Court Judge (Section 9) (2004)
- Recorder (1998)
- Queen's Counsel (2002)

Education & Qualification

- B.Sc. (Chem. Eng.) (Leeds)

Memberships

- Family Law Bar Association

Published articles

- 'The role of the medical expert in care proceedings'