

TANFIELD

PROPERTY & REAL ESTATE BARRISTERS



Catriona MacLaren

Year of call

1993

Catriona MacLaren's practice is divided between private client and employment law.

Catriona is qualified to accept Direct Public Access work.

Private Client

Catriona specialises in private client work and has a particular interest in matrimonial and quasi-matrimonial finance. She has acted for separating civil partners and has considerable experience of Schedule 1 claims on behalf of unmarried parents of children. In addition, Catriona provides advice and representation in private law child arrangements, trusts of land disputes and Inheritance Act claims.

Catriona's cases often involve complicating features such as third parties, opaque financial arrangements, international elements, linked litigation (including Court of Protection involvement and civil claims for damages), persistent non-disclosure and other forms of litigation misconduct. Whether dealing with significant wealth or stretching more limited assets to meet needs, she aims to provide clarity of analysis and robust, persuasive argument both on paper and in Court.

From advising in the immediate aftermath of separation to cross-examination at final hearing, Catriona's focus is always on identifying what is important to the client and developing the best strategy to achieve those objectives.

Employment

In addition to her private client work, Catriona also practises in employment law. She appears regularly in employment tribunals and has represented clients in professional conduct hearings, the Employment Appeal Tribunal and the Court of Appeal. In addition to representation and advice on litigation, Catriona has advised on contracts, internal policies and procedures and other non-contentious matters.

Notable Cases

Serial Non-Discloser

Catriona achieved a significant award for W in bitterly contested proceedings involving s37 and FLA 1996 injunctions, third party summons of H's accountant, an application for his committal and criminal sanctions. The case was further complicated by disputes over assets in other jurisdictions, business assets in the UK and a linked HMRC investigation.

Court of Protection Involvement

After commencement of proceedings, H sustained serious brain damage in a failed suicide attempt. Catriona successfully resisted W's argument that, because a fair share of the assets was inadequate to meet H's care costs for life, he should take less and be forced to rely on what was thought to be inappropriate state-funded care. H's affairs are overseen by the Court of Protection and the Family Court had to factor in the uncertainty of a potential PI claim against H's physician.

Family Trust

Catriona was instructed to represent a finance industry professional in a case involving multi-million pound assets, some of which were held in a discretionary family trust. H's fluctuating mental health necessitated the involvement of a litigation friend. As well as navigating the differing family interests in various properties and the features of the trust, Catriona had to represent the best interests of an individual who was knowledgeable and interested but not always rational.

Appeal Against a Consent Order

Catriona provided advice and drafting in respect of an appeal out of time against an order which appeared to have been made by consent. Following grant of permission and service of her skeleton argument, the parties were able to agree a satisfactory compromise.

Second Retrial

In a long-running claim for automatically unfair dismissal by reason of trade union activism and 'ordinary' unfair dismissal, Catriona successfully defended the employer's decision to dismiss an employee on the grounds of redundancy. She did so again at a retrial before a differently constituted ET and awaits the outcome of the employee's second notice of appeal.

Qualifications

- MA (Cantab)

Memberships

- Employment Lawyers Association
- Employment Law Bar Association
- Family Law Bar Association
- Resolution