

Stuart Whitehouse

Call: 1987

Contact Stuart Directly: 020 7353 6802 or clerks@goldsmithchambers.com



Stuart is a very experienced civil and family practitioner.

Stuart is qualified to undertake direct access work and is happy to offer fixed fee initial case assessments.

Family

Stuart advises and appears in non – matrimonial property disputes (TOLATA cases), Inheritance disputes, residential landlord and tenant and disrepair cases and general common law cases including professional negligence, professional conduct and disciplinary proceedings, actions against the police, inquests, personal injury and contractual disputes.

Stuart is a qualified family mediator and is able to conduct MIAMs.

Notable Cases

- *Patel v Vigh & Another* [2013] EWHC 3403 (Ch), [2013] All ER (D) 81 (Nov): Represented the First Defendant on a direct access basis and successfully defended claims by the Claimant for a beneficial interest in the deceased's home pursuant to a constructive trust argument (TOLATA) and an Inheritance Act claim for reasonable provision from the deceased's estate. Interesting issues at the trial were the weight the court should put on promises by a deceased person who obviously could not give evidence and defend herself at trial, the effect on the Claimant's Inheritance Act claims of material non-disclosure of his own financial position, the new hot-tubbing procedure for experts (in this case handwriting experts) and confirmation that the court is not bound to make findings based on a choice between the parties submissions but may hold that the claiming party has not satisfied the burden of proof and therefore had not proved its case.
- *G v G* [2013] PRFD (HHJ Altman): Successfully defended an application to set aside an order dismissing a petition for a decree of nullity in divorce proceedings on the basis that the statements and evidence originally put before the court was forged and/or fraudulent. The case involved cross examining a lawyer

Location

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in Ghana by video link on the procedure for a valid customary divorce in Ghanaian Law and the validity of the documents placed before the English Court. Consideration of experts' reports' on customary divorces in Ghana, the validity of the procedure of the customary divorce alleged in Ghana in English law and consideration of whether the procedure would be recognised as a valid divorce in English Law pursuant to the Family Law Act 1986.

Civil

He regularly appears in public law care cases on behalf of parents, local authorities and guardians, in private law proceedings (including domestic violence injunctions) and in financial disputes (ancillary relief proceedings, trusts of land applications, Inheritance Act applications and Schedule 1 Children Act proceedings etc).

Memberships

- Family Bar Association
- Police Action Lawyers Group

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