



# Reflections on YRes National Conference - November 2024

We were so pleased to attend the conference in London this year as newly appointed YRes National Committee members. The hard work that went into planning and co-ordinating the conference was immense, and huge thanks are due to the Resolution staff, guests and committee members who made the event possible and as amazing as it was.

## Opening address

The day started with an opening address from Grant Cameron (National Chair of Resolution) and Polly Dallyn (Co-Chair of National YRes Committee). Grant and Polly highlighted the very important work that was carried out by Resolution in 2024 in furtherance of Resolution's Vision for Family Justice: the publication of the Domestic Abuse in Financial Remedy proceedings report, the continued campaigning for cohabitation reform and more public funding for legal advice for families facing separation and change, just to name a few examples. Now we are into 2025 and the Year of the Code, so watch this space for ways in which Resolution will be spreading the word!

## Wellbeing/breathwork

The first session had a focus on wellbeing and was presented by Dr Judith Mohring (Natural Psychiatrist) and Oliver Layton (Spira Breath). Dr Mohring explained how lawyers suffer disproportionately from mental health vulnerabilities as a result of higher rates of perfectionism, the nature of our work and vicarious trauma, which all predispose to stress. We were introduced to the concept of the "4Rs" in respect of building resilience in our legal careers: rest, raising awareness, recognising stress and reaching out for help. Oliver led us all through a breathwork session providing us with techniques to bring us back to the now and to really relax and rest.

## Interview with Rising Star winner



Zhenja Cann (National YRes Committee co-chair) hosted a conversation with Natasha Khalique (Exchange Chambers) who was Resolution's *"Rising Star"* award winner of 2024. The award recognised Natasha as *"an emerging talent who demonstrated their potential as a future leader of family justice"*. During her conversation with Zhenja, Natasha shared her non-linear/unconventional route into family law, and spoke candidly of her fairly recent ADHD and autism diagnosis and the interplay of this with her career at the bar. Natasha highlighted the importance of role models to help break down barriers and the stigma around being neurodiverse.

## Pensions

Who knew pensions could be so interesting?! Sarah Hoskinson (Burgess Salmon) and Joe Rainer (QEB Chambers) as PAG experts treated us to a session on demystifying pensions. We were grateful to them for going back to basics as they explained the different types of pensions, and the pensions on divorce options. They also offered practical tips for what to do when drafting a Form E and how to avoid mistakes when dealing with pensions. Their ultimate advice? Read the PAG reports, send out your pension enquiry form (Form P) as soon as possible, remember your Part 18 applications, and use the Galbraith tables when considering offsetting.

## Career insights

Felicia Munde (Stewarts and National YRes Committee) hosted a career insights panel discussion with the family law legends that are Barbara Mills KC (4PB Chambers), Nigel Shepherd (Ampla Finance) and Oluwapelumi Amanda Adeola (BHP Law). The key themes were the importance of looking after our wellbeing, having confidence in your abilities and giving back to the next generation of lawyers. Nigel shared that the biggest changes he has seen to the profession in his career so far have been the introduction of the Children Act 1989, the Resolution Code of Practice and no-fault divorce. Barbara shared that she wished she had relaxed more as a junior as you will get more work as you go. Oluwapelumi referred to the analogy of not being a tree in that you can move and adapt so you should be open to what comes your way.

## Cohabitation reform

The next topic was a review of the law on cohabitation rights, presented by Dr Andy Hayward (Durham University) and Nazia Rashid (Raydens Solicitors). While the hope for reform is growing, it



remains a distant goal. Dr Hayward shared some compelling statistics, including that cohabitation is the fastest-growing family form – one in five couples now cohabit. Reform efforts date back to 2002 with the Law Commission’s report on “*Sharing Homes*”. Recently, Labour MP Emily Thornberry has been advocating for changes in the law, highlighting Labour’s commitment to reform and stating it as a gendered issue. Although this initiative was included in Labour’s manifesto, progress seems to have stalled. It is crucial to keep raising this issue to maintain momentum, though the specifics of the reform remain uncertain. Nazia addressed how cohabitation law reform would impact non-legally binding ceremonies. She raised questions about the appropriate model for marriages that are religious but not legally binding. Should there be an eligibility requirement, or should the scheme allow for opting out? Nazia cautioned that an opt-out scheme must be carefully considered to avoid creating additional platforms for controlling abuse. She also touched on the complexities of polygamy and how to address these families within the framework of the reform.

## Nuptial agreements

The session on nuptial agreements, led by Georgina Howitt (1 Hare Court), Sarfraz Ali (Withers and National YRes Committee), and Amy Radnor (Farrer & Co), provided valuable insights into the tips and traps of these agreements. Key takeaways from the session included:

- If marrying abroad in a jurisdiction with a matrimonial property regime, it is advisable to have a bespoke PNA in addition to the standard tick-box election.
- The court retains discretion to adjust unfair PNAs and can provide for more than just basic needs (as seen in the *Brack* case). The E&W court’s view of fairness may significantly exceed that of the country where the PNA was signed.
- It is challenging to argue against a PNA that seeks to limit the sharing of matrimonial property, as demonstrated in *BI v EN* [2024].

## NCDR



Sarfraz Ali then hosted the final session of the day on the recent changes to the Family Procedure Rules (FPR) and the importance of dispute resolution to avoid court proceedings. The discussion, featuring DJ Dewinder Birk, Tricia Ashton (Cambridge Family Law Practice) and Rachel Chisholm (4PB and The Mediation Space), emphasised that solicitors should increasingly consider non-court dispute resolution (NCDR) at every stage of a case. While a client may not initially be ready for NCDR, circumstances can change, making it relevant later on. The speakers noted a growing trend of clients opting for mediation as a first step, where appropriate, and questioned whether solicitors should more frequently consider hybrid mediation. They also highlighted the importance of judges reviewing the FM5 form and probing for adequate reasons if NCDR has not been fully explored. While there has been an increase in private financial dispute resolution (PFDR) hearings, the use of arbitration, particularly in children's cases, remains limited. The session concluded with a discussion on costs, stressing that failing to utilise NCDR could result in financial penalties.

## Closing address

Zhenja concluded the day by expressing gratitude to all attendees, speakers, and committee members who contributed to the success of the conference. The event was a great success and Zhenja reminded us all that juniors really are at the heart of Resolution and play a huge role in driving reform. Following the formal sessions, attendees enjoyed drinks, providing an opportunity to network, reconnect with old friends, and forge new connections.

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## What are the benefits of attending the YRes National conference?

There has been some amazing feedback to the conference this year; so many said how engaging the content was and commented on the varying styles of the sessions, which made for a better event. If you are wondering whether to attend the conference next year, perhaps some of the feedback from this year will help inform your decision and can be shared with more senior colleagues in your team:



*“Once again, a fantastic National YRes Conference. A good balance of training seminars and other relevant topics for practice. The focus on wellbeing is so important and I’ve learnt so much from the conference this year and last year.”*

*“The variety of topics covered was excellent, and the sessions were very topical and relevant, and appropriate for junior practitioners. The speakers were fantastic at engaging the audience and made the whole day interesting and enjoyable.”*

*“Enjoyed the variety of sessions and speakers, especially having solicitors/barristers/judges and other professionals, which felt very well rounded. Quality of sessions was excellent.”*

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*Annie and Lauren both sit on the YRes National Committee. Co-authored with Lauren Guiler of Birketts*

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