



# Charles Hogan

**Year of Call:** 2016

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## Overview

Charles Hogan joined 3PB in November 2021 as an established family law specialist, having built a busy practice at a small chambers in Northampton. He brings experience of complex matters beyond his year of call.

Charles combines outstanding academic ability with a pragmatic approach. He has an easy rapport with both lay and professional clients and works hard to achieve the desired outcome.

He welcomes instructions in all areas of family law and TOLATA, with a particular focus on family finance and private Children Act applications.

Charles has a background in business, having worked in an account management role at a communications company for four years before reading law at the University of Buckingham. He is also frequently involved in the award-winning family business, Hogan's Cider in Alcester, Warwickshire.

He is the author of "*Trust and Confidence: do we need it? Commonwealth Bank of Australia v Barker [2014] HCA 32*" which was published in the Buckingham Student Law Review 2015 Vol 1 pp 19-28.

Outside of work, Charles plays guitar and writes songs in a rock band. He follows football and cricket, reluctantly keeps fit and enjoys anything powered by internal combustion.

## Recommendations

"I just wanted to express my sincere gratitude for your support, advice and guidance.

You instantly put me at ease and, with the information you received, how well you directed the proceedings to ultimately do the best for my son in the interim.

Thank you again, I'm eternally grateful." - **Lay Client**

## Academic qualifications

- LLB Law, 1st Class Hons, University of Buckingham
- BPTC, Very Competent, University of Law, Birmingham

## Scholarships

- Edgar Palamountain Medal for Excellence, awarded on graduation to the top undergraduate, University of Buckingham
- Rachel Lawrence Prize for Mooting and Legal Skills, Law Society
- Subject prizes in Intellectual Property, Company Law, Public Law and Employment Law
- BPTC Discretionary Bursary award

## Professional bodies

- Lincoln's Inn
- Family Law Bar Association

# Expertise

## Family

Charles Hogan is an established family law specialist, and brings experience of complex matters beyond his year of call.

### Financial remedies and TOLATA

Charles has substantial experience in financial remedies, including the dealing with the following issues:

- international assets
- freezing injunctions
- interveners
- applications under Part III of the Matrimonial and Family Proceedings Act 1984
- separation agreements
- applications to vary an order for periodical payments
- disputes as to whether sums advanced by a third party was a loan or a gift
- pension sharing, including cases involving the instruction of a PODE
- personal injury damages.

He is alive to issues at the early stages of First Appointment, focuses on presenting the client's case succinctly and powerfully at FDR in order to obtain the best indication and settlement, and provides effective representation at final hearing where a settlement is impossible.

Charles can assist with drafting questionnaires and practice direction documents.

Charles also advises and represents clients on TOLATA disputes, from the pre-issue stage to final hearing.

### Significant cases:

**N v N** – Charles represented the wife in a long-running dispute between two Iranian nationals, with competing divorce petitions in Iran and England. There were substantial assets both in the UK and Iran, a freezing injunction in the UK, and an application under Part III of the Matrimonial and Family Proceedings Act 1984 for financial remedy in the UK after a divorce settlement in Iran.

**F v F** – Charles represented the husband in a case where the wife did not engage with financial proceedings. He secured an order for her committal, an order for sale of the family home, and costs at all stages of proceedings, as well as providing advice as to how to obtain a warrant for possession of the family home under CPR 83.

**C v C** – Charles represented the wife in a case where the husband claimed that the mortgage had been paid off by a loan from his father. At final hearing, the court heard the evidence of the father and the parties, and Charles persuaded the court that the sum advanced was in fact a gift.

### Private child

Charles has extensive experience in private Children Act applications, including:

- Relocation, both internally and internationally
- Allegations of serious physical and sexual abuse

- Parental alienation
- Section 91(14) orders
- Parentage disputes between same-sex couples
- Drug and alcohol issues
- Enforcement applications

Charles is very experienced at all stages of proceedings, and has a record of successfully challenging professional recommendations at final hearing.

#### **Significant cases:**

**M vs RB and R** – Charles represented the second respondent civil partner of the birth mother in an application by the birth mother’s former partner for contact and parental responsibility.

**A vs T** – Charles represented the father accused of historic sexual offences against children in his application for contact, and was successful at the fact-finding hearing in achieving no findings against the father, and ultimately an order for unsupervised contact.

**K vs M** – Charles represented the mother in an application by the father for contact, where the father had made threats to kill the mother, and numerous applications to enforce child arrangements orders. Charles secured an order for the father to have supervised contact only.

#### **Injunctions**

Charles has considerable experience in representing both applicants and respondents in applications for non-molestation orders and occupation orders, and is aware and provides advice at all times as to how these matters interact with other parts of a wider dispute.

Charles has also represented a defendant in an application for a gang injunction.

#### **Significant cases:**

**B v B** – Charles successfully represented the respondent husband, allowing him to return to the family home after an occupation order was granted at an interim stage;

**K v K** – Charles successfully represented the wife at the final hearing of her application for an occupation order, securing her occupation of the family home;

**West Midlands Police v M** – Charles represented a defendant in an application for a gang injunction brought by a Chief Constable under The Policing and Crime Act 2009, settling the matter with undertakings given by the client on favourable terms.

#### **Care and adoption**

Charles has significant experience representing parents at all stages of care proceedings, including multi-day final hearings involving complex issues, including:

- Drug and alcohol issues, including those heard in the Family Drug and Alcohol Court
- Mental health issues, including representing clients assisted by intermediaries and advocates
- Allegations and findings of serious sexual abuse
- Allegations and findings of serious physical abuse

- Non-accidental injuries
- Interim removal
- Applications for independent assessment
- Expert psychological and psychiatric evidence
- Cases where placement abroad is a realistic option

**Significant cases:**

**Re V** – Charles represented the mother as junior counsel in a fact-finding hearing to determine allegations that she committed serious sexual abuse against her children, and had large amounts of indecent images of children on her devices. The evidence included evidence provided by the FBI.

**Re T** – Charles represented the father in the final hearing of his application to discharge a care order, and was instructed on day two of the four-day hearing after the father had ceased instructing his previous solicitor and barrister. The application was unsuccessful, but Charles succeeded in preserving the father's current favourable contact arrangements.

**Re A** – Charles secured an culturally appropriate independent social work assessment of a Ghanaian father in care proceedings after the parenting assessment prepared by the Local Authority did not take sufficient account of the father's cultural identity and beliefs.