



Stewart Leech QC

CALL: 1992

QC: 2011

clerks@qeb.co.uk

“Very clever, very calm, fantastic with clients and good with judges.”

Chambers & Partners

Stewart specialises in ancillary relief, civil partnership and cohabitee disputes as well as Inheritance Act claims. His cases involve significant wealth and complex financial arrangements, often with an international dimension and/or involving jurisdictional disputes. He is bilingual in French and English and has a particular interest in cross-channel cases. He is regularly instructed by trustees both to advise and to represent them in proceedings. He also routinely drafts pre- and post-nuptial agreements, again often involving multiple jurisdictions.

He is consistently rated in Chambers & Partners, Legal Experts, and the Legal 500 in the top tier of leading silks at the family bar. Recent editions of Chambers & Partners quote solicitors as saying he is “very clever, very calm, fantastic with clients and good with judges”. He is also praised for “his expertly prepared addresses”, being described as “excellent”, a “fierce advocate” who “continues to amass a huge following

among solicitors due to his superb judgment.” He is “an extremely hard-working, elegant and intelligent advocate” with “superb client care skills”; “he has a real ability to cut to the core of the issues and to present complex arguments in an accessible way.”

Read More...

Stewart is a very popular choice of tribunal for private judging for financial cases of all levels. He regularly conducts private FDRs and is a qualified arbitrator.

He prides himself on being approachable and user-friendly.

Appointments and Memberships

In February 2009 Stewart was appointed by the Attorney General as Junior Counsel to the Crown (A Panel), a post he held until taking silk. He is a member of the Family Law Bar Association and was a Committee member for many years. He is a Fellow of the International Academy of Family Lawyers and a member of the Franco-British Lawyers Society. He is also a Member of the Chartered Institute of Arbitrators.

Cases and publications

Pierburg v Pierburg [2019] EWFC 24
Quan v Bray [2017] EWCA Civ 405
AB v FC [2016] EWHC 3285 (Fam)
E v E (Art 19 and Seisin BIIa) [2015] EWHC 3742 (Fam)
WD v HD [2015] EWHC 1547 (Fam)
Joy v Joy [2014] EWHC 3769 (Fam)
Y v Y (Financial Remedy - Marriage Contract) [2014] 2920 EWHC (Fam)
Joy v Joy [2014] EWCA Civ 520
HMRC v Charman [2012] EWHC 1448 (Fam); [2012] 2 FLR
FL v Registrar General [2011] 2 FLR 630
Lykiardopulo v Lykiardopulo [2011] 1 FLR 1427
H v H (pensions) [2010] 2 FLR 173
M v V (Art 23 Brussels 1) [2010] All ER (D) 216
Judge v Judge [2009] 1 FLR 1287
Mahon v Mahon [2008] EWCA Civ 901
CR v CR [2008] 1 FLR 323
Moore v Moore [2007] 2 FLR 339
Sulaiman v Juffali [2002] 1 FLR 479

Khreino v Khreino (No 2) [2000] 1 FCR 80

Joseph v Joseph [1998] All ER (D) 653

Stewart is a seasoned and popular choice as a speaker. He has lectured extensively on family and human rights law, and on the law relating to same-sex partners. He was heavily involved in training the judiciary, the bar, solicitors, and the Lord Chancellor's Department on the Human Rights Act when it first came into force. Please click on the following link to see an extract from his lecture *The Right to Marry: A Universal Right?* given to the International Academy of Matrimonial Lawyers in Salzburg in May 2013. [Webinar link.](#)

He has written numerous reviews and articles including:

"Palm Tree Justice": The Distribution of Chattels on the Breakdown of a Marriage, *Christie's Bulletin for Professional Advisers* (1996)

"With All my Worldly Goods I Thee Endow"? The Status of Pre-Nuptial Agreements in England and Wales, *Family Law Quarterly* (American Bar Association), (2000) vol 34

Marriage, Divorce and Ancillary Relief under the Human Rights Act 1998: An Introduction, *European Human Rights Law Review* [2001] issue 3

The Demise of the Interrogatory [2011] *Fam Law* 1014

He is also a specialist contributing editor (family law) to *Jowitt's Dictionary of English Law* (3rd edition)

Education & Personal

Stewart read Modern Languages (French & German) at Christ Church, Oxford and taught for four years at Shrewsbury School and Eton College before qualifying as a lawyer.

PROFIL DE PRATIQUE EN FRANÇAIS

Sommaire

Stewart Leech QC est avocat au Barreau d'Angleterre depuis 1992. Son activité est exclusivement centrée sur le droit de la famille. Il est « Queen's Counsel » (voir ci-dessous) depuis 2011. Il est reconnu comme un des premiers avocats anglais surtout pour son expertise en questions financières liées au divorce et en matières qui relèvent des conflits de juridiction. En tant qu'avocat il plaide devant tous les tribunaux anglais. En même temps il est impliqué dans d'autres juridictions pour faciliter des négociations internationales, pour fournir des conseils spécialisés sur le droit anglais, ou bien en tant que témoin expert quand la loi anglaise s'applique.

Il est bilingue français/anglais et parle couramment l'allemand.

Domaines d'Intervention

Validité des mariages

Le divorce et la séparation

Incidences financières des séparations et divorces (partages, prestation compensatoire, obligations alimentaires etc.)

Les contrats de mariage internationaux

Les conflits de juridiction

Le droit international de la famille

Le droit européen de la famille (le Règlement Bruxelles II bis, le Règlement en Matière d'Obligations Alimentaires, la Convention de Lugano etc)

Contentieux post-divorce

Contentieux financiers entre concubins

Trusts

Fondations familiales

Arbitrage

Médiation

Résolution des conflits.

Education

Oxford University (français et allemand)

City University, London (droit)

Inns of Court School of Law (droit).

Autre

Family Bar Association

International Academy of Matrimonial Lawyers

Association des Juristes Franco-Britanniques

Que veut dire « Queen's Counsel » ?

Littéralement « Conseiller de la Reine », c'est un titre honorifique accordé aux avocats les plus expérimentés et spécialisés. Les QCs ne constituent pas un ordre professionnel séparé, mais leur statut, qui remonte au début du 17ème siècle, est conféré par des lettres patentes de la Reine et est reconnu comme un signe d'excellence et de distinction. Souvent en parlant d'un QC on va l'appeler un « Silk ». Ce terme fait

référence au fait que, contrairement aux autres avocats, un QC porte une toge en soie quand il plaide.

Privacy Statement

Dear Client

Please read the following information carefully. This privacy notice is addressed to individuals whose personal data I process, and it contains information about: the data I collect, record, store and use; the reasons for this processing; who I share these data with; the security mechanisms I have put in place to protect them; and how to contact me in the event you need further information.

1. Who Am I?

- a) I, Stewart Leech, collect, record, store, use and am responsible for personal information about you.
- b) When I do this by automated means or a filing system and, alone or jointly with others, determine the purposes and means of the processing, I am a “controller” of this information for the purposes of the GDPR and the Data Protection Act 2018.
- c) When I do this by automated means or a filing system on behalf of another data controller and without determining the purposes and means of the processing, I am a “processor” of this information for the purposes of the GDPR and the Data Protection Act 2018.
- d) This privacy notice relates to processing carried out by me as a data controller. e) If you need to contact me about your data, or the processing I carry out, you can use the contact details at the end of this privacy notice.

2. What do I do with your information?

Personal information collected from you when providing legal services or references or participating in the operation and management of my chambers, the assessment, recruitment and supervision of its clerks and staff, the assessment, mentoring and recruitment of its mini-pupils, pupils and members and the delivery of its marketing and training programmes.

I may collect personal information in the following categories from you: a) biographical information; b) biometric data; c) criminal convictions, disposals, offences, proceedings and sentences and related security measures; d) education, training and employment details; e) family details; f) financial details; g) genetic data; h) goods and services; i) lifestyle and social circumstances; j) other personal data relevant to instructions to provide legal services, including data specific to the case or instructions in question; k)

personal details; l) physical or mental health details; m) political opinions; n) racial or ethnic origin; o) relationships; p) religious, philosophical or other beliefs; q) trade union membership; r) sex life or sexual orientation.

3. Information collected from other sources.

I may also collect information in the same categories from third parties, such as: a) clerks, members, mini-pupils, pupils and staff in/of my and other chambers; b) current, past or prospective employers or referees; c) education and examining bodies; d) government departments and other public authorities, including investigators; e) ombudsmen, prosecutors and regulators; f) lay and professional clients and their staff; g) members of the public; h) other legal professionals or experts; i) publicly accessible sources of information, including databases, law reports; j) records and registers and the mainstream and social media; k) the intended recipient, where you have asked me to provide a reference; l) the members and staff of courts, tribunals and inquiries; m) professional advisers, associations and trade bodies, e.g. Bar Associations, the Bar Council or the Inns of Court; o) witnesses; p) your associates, family and friends.

4. Purposes

I may record, store and use your personal information for the following purposes: a) as permitted or required by law and by my professional obligations, including b) under the Bar Standards Board Handbook and Code of Conduct; c) to carry out anti-money laundering and terrorist financing checks; d) to check for actual or potential conflicts of interest in connection with actual or potential cases or instructions; e) to keep accounting and professional records and carry out office administration; f) to participate in the operation and management of my chambers, the assessment, recruitment and supervision of its clerks and staff, the assessment, mentoring and recruitment of its mini-pupils, pupils and members and the delivery of its g) marketing and training programmes (in such circumstances, I may be acting as a data processor on behalf of my chambers); h) to participate in the operation and management of professional associations and trade bodies, e.g. Bar Associations, the Bar Council or the Inns of Court (in such circumstances, I may be acting as a data processor on behalf of the body in question); i) to promote or market my services; j) to provide legal services to my clients, including taking instructions and providing legal advice and representation in arbitrations, courts, inquiries, mediations and tribunals; k) to publish judgments or decisions of courts or tribunals; l) to respond to potential complaints or make complaints; m) to respond to subject access requests; n) to take or defend actual or potential legal or regulatory proceedings or to exercise a lien; o) to train other barristers, mini-pupils and pupils and when providing work experience or work shadowing opportunities; p) to train students and qualified or trainee legal professionals or experts

using personal information which is already in the public domain; q) to respond to requests for references; r) when procuring goods and services.

5. Whether information has to be provided by you, and why

If I have been instructed by you or on your behalf, if you have asked for a reference or if you have applied to be or are a clerk, member, mini-pupil, pupil or staff member in/of my chambers, your personal information may have to be provided, to enable me to: a) provide you with legal services or a reference; b) participate in the operation and management of my chambers, the assessment, c) recruitment and supervision of its clerks and staff, the assessment, mentoring and recruitment of its mini-pupils, pupils and members and the delivery of its marketing and training programmes; d) comply with my legal or professional obligations; e) keep accounting records.

6. The legal basis for processing your personal information

I rely on the following as the lawful bases on which I collect, record, store and use your personal information: a) If you have consented to the processing, then I may carry it out for the purposes set out above to the extent to which you have consented to me doing so. b) If you are a client, the processing may be necessary for the performance of a contract for legal services or in order to take steps at your request prior to entering into a contract. c) I rely on my legitimate interests and/or the legitimate interests of third parties in carrying out the processing for the purposes set out above as a provider of legal services and references and when participating in: a. the operation and management of my chambers, the assessment, recruitment and supervision of its clerks and staff, the assessment, mentoring and recruitment of its mini-pupils, pupils and members and the delivery of its marketing and training programmes; b. the operation and management of professional associations and trade bodies, e.g. Bar Associations, the Bar Council or the Inns of Court. d) In certain circumstances, the processing may be necessary for the performance of a task in the public interest, e.g. if I am assisting a pro bono organisation. e) In certain circumstances, the processing may be necessary in order that I can comply with my legal or professional obligations, including accounting to HM Revenue and Customs, carrying out anti-money laundering or terrorist financing checks, checking for actual or potential conflicts of interest and complying with common law duties of care and other legal or professional obligations and subject access requests. f) The processing may also be necessary when publishing judgments or decisions of courts or tribunals. g) In relation to information which is in categories (2)-(3), (7), (12)-(14) or (16)-(18) at para.2.1 above, which are considered particularly sensitive: * I rely on your consent for any processing for the purposes set out in purposes (4)-(7), (10)-(13) and (15) at para.2.3 above, but if you do not consent to processing for purposes (4), (10)-(12) and (15), I will be unable to take

your case or instructions or provide a reference. This is because I need to be able to retain material about your case until there is no prospect of a complaint, fee dispute, legal or regulatory proceedings or subject access request being made and to provide an informed and complete reference.* I am further entitled to process such information in accordance with (1), (2), (3), (4), (5) and/or (6) above, where this is necessary for the purposes legal proceedings, legal advice, or otherwise for establishing, exercising or defending legal rights or where it has been manifestly made public by you or for reasons of substantial public interest connected with the administration of justice.

7. With whom will I share your personal information?

Some of the information I collect as set out above, will be protected by legal professional privilege unless and until it becomes public in the course of any proceedings or otherwise.

As a barrister I also have an obligation to keep personal information confidential and private, except where it otherwise becomes public or its publication or disclosure is necessary as part of the case or proceedings. It may be necessary to share your information with the following: a) clerks, members, mini-pupils, pupils and staff in/of my and other chambers; b) current, past or prospective employers or referees; c) education and examining bodies; d) the general public in relation to the publication of judgments or decisions of courts or tribunals; e) government departments and other public authorities, including investigators, f) ombudsmen, prosecutors and regulators; g) in the event of complaints, my head of chambers, other members of my chambers who deal with complaints, my clerks and chambers director, the Bar Standards Board and the Legal Ombudsman; h) in the event of legal proceedings, my head of chambers, my clerks and chambers director, my insurers and my own legal advisers; i) IT support staff, email providers and data storage providers; j) lay and professional clients and their staff; k) other legal professionals or experts; l) the intended recipient, where you have asked me to provide a reference; m) the members and staff of courts, tribunals and inquiries; n) professional advisers, associations and trade bodies, e.g. Bar Associations, the Bar Council or the Inns of Court; o) witnesses; p) your associates, family and friends or those of my clients. I may be required to provide your information to regulators, such as the Bar Standards Board, the Legal Ombudsman, the Financial Conduct Authority or the Information Commissioner's Office. In the case of the latter, there is a risk that your information may lawfully be disclosed by that Office for the purpose of other civil or criminal proceedings, without my consent or yours, which includes privileged information. I may also be required to disclose your information to the police or intelligence services in accordance with my legal or professional obligations.

8. Transfer of your information outside the European Economic Area ("EEA")

This privacy notice is of general application and as such it is not possible to state whether it will be necessary to transfer your information out of the EEA in any particular case or for a reference. However, if you reside outside the EEA or your case or the role for which you require a reference involves persons or organisations or courts or tribunals outside the EEA, then it may be necessary to transfer some of your personal information to that country outside of the EEA for that purpose. If you are in a country outside the EEA or if the instructions you provide come from outside the EEA, then it is inevitable that information will be transferred to those countries. If this applies to you and you wish additional precautions to be taken in respect of your information, please indicate this when providing initial instructions. Some countries and organisations outside the EEA have been assessed by the European Commission and their data protection laws and procedures have been found to provide adequate protection. Most do not. If your information has to be transferred outside the EEA, then it may not have the same protections and you may not have the same rights as you would within the EEA.

I may transfer your personal information to the following which are located outside the EEA: 1. Cloud data storage services based in the USA who have agreed to comply with the EU-U.S. Privacy Shield, in order to enable me to store your data and/or backup copies of your data so that I may access them when I need to. The USA does not have the same data protection laws as the EU, but the EU-U.S. Privacy Shield has been recognised by the European Commission as providing adequate protection. If I decide to publish a judgment or decision of a court or tribunal containing your information then this will be published to the world. I will not otherwise transfer personal information outside the EEA except as necessary for providing legal services or for any legal proceedings.

9. Security measures

Publication of details about my security arrangements would risk their compromise, but my accounts, equipment, premises and records are all backed-up, encrypted, locked, password-protected, secured and/or subject to anti-virus and firewall protection as appropriate and having regard to Bar Council guidance on IT issues

Furthermore, where my chambers acts as a data processor on my behalf it does so in with GDPR-compliant constitutional, contractual, technical and organisational arrangements, policies and procedures and subject to guarantees and obligations of confidentiality. In this regard, the clerks and staff in my chambers and my chambers' IT support staff provide me with assistance and support and communicate and liaise with others on my behalf and I also use my chambers' IT systems, including email servers, fee, diary, practice-management and record-keeping software, internet and intranet, network and other shared drives and servers.

10. What is my retention policy with respect to your personal data?

I will normally store your information for a maximum of 25 years from whichever is the latest of: the date of the last item of work carried out by me on the case; the date on which time for any further appeal expired; the date of the last payment received by me; or the date on which all outstanding payments are written off. Further retention is likely to occur where: a longer limitation period applies (e.g. the case involved a minor); the case involved an order which remains effective, contains an injunction or undertakings to the court and is subject to a penal notice; or connected complaint, legal or regulatory proceedings are active or reasonably in prospect. In such circumstances, I will carry out as much minimisation as is practicable and set a date for a further review on a case by case basis.

Deletion / destruction / minimisation will be carried out (without further notice) as soon as reasonably practicable after the information is marked for this to be done.

I will store some of your information which I need to carry out conflict checks for the rest of my career in practice as a barrister. However, this is likely to be limited to your name and contact details, solicitors and outline information relating to the case or instruction.

This will not include any information within categories (2)-(3), (7), (12)-(14) or (16)-(18) at para.2.1 above. Information related to anti-money laundering checks will be retained until five years after the completion of the transaction or the end of the business relationship, whichever is the later.

11. Consent

I am relying on your consent to process your information as set out above. You provided this consent when you agreed that I would provide legal services, you asked me to provide a reference or you applied to be or became a clerk, member, mini-pupil, pupil or staff member in/of my chambers. You have the right to withdraw this consent at any time, but this will not affect the lawfulness of any processing activity I have carried out prior to you doing so. Furthermore, where I also rely on other legal bases for processing your information, you may not be able to prevent me doing so.

12. Your rights

Under the GDPR, you have a number of rights that you can exercise free of charge in certain circumstances. In summary, and subject to certain legislative exemptions and restrictions, you may have the right to: 0a) ask for access to your personal information and other supplementary information; b) ask for correction of mistakes in your data or to complete missing information; c) ask for your personal information to be erased; d) receive a copy of the personal information you have provided to me or have this information

sent to a third party in a structured, commonly used and machine-readable format, e.g. a Word document file; f) object at any time to processing of your personal information for direct marketing; g) object in certain circumstances to the continued processing of your personal information; h) restrict my processing of your personal information; i) ask not to be the subject of automated decision-making which produces legal effects that concern you or affect you in a significant way (albeit that I do not myself carry out any such decision-making).

If you want more information about your rights under the GDPR, please see the Information Commissioner's guidance.

If you want to exercise any of the above rights, please: a) use the contact details at the end of this privacy notice; b) provide proof of your identity and address; c) provide a contact address; d) state the right(s) you wish to exercise.

I may need to ask you to provide other information so that you can be identified and, provided I am not on leave, I will respond within one month from receipt of your request.

13. How to make a complaint

The GDPR also gives you the right to lodge a complaint with the Information Commissioner's Office if you are in the UK, or with the supervisory authority of the Member State where you work, normally live or where the alleged infringement of data protection laws occurred.

The Information Commissioner's Office can be contacted

Information Commissioners Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

14. Future Processing

I do not intend to process your personal information except for the reasons stated within this privacy notice. If these reasons change, this privacy notice will be amended and placed on my/chambers website.

15. Changes to this privacy notice

This privacy notice was first published on 8th October 2018 and last updated on 8th October 2018. I continually review my privacy practices and may change this policy from time to time. When I do it will be placed on my/chambers website.

16. Contact Details

If you have any questions about this privacy notice or the information I hold about you, please contact me (or my chambers' Data Protection Officer)

Details dpo.@qeb.co.uk

My contact details s.leech@qeb.co.uk

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