



## Fiona Hay MCI Arb

Call: 1989

Fiona is an experienced family law specialist with a reputation for measured pragmatism and calm authority in her advocacy. She focuses exclusively on financial remedy cases where she applies her widely recognised financial expertise to secure practical solutions for her clients, particularly in cases featuring disputes over pension entitlements. Her approach balances empathy and support for her clients with robust and skilful advocacy.

Fiona has a strong interest in Alternative Dispute Resolution. She is an experienced Financial Dispute Resolution (FDR) advocate and her calm, pragmatic approach has earned plaudits. Fiona also sits as a judge in Private FDRs – a mechanism that she strongly favours for its effectiveness in delivering workable agreements with minimal distress to the parties involved.

Since January 2013, she has been authorised to sit in the High Court, pursuant to s9 Senior Courts Act 1981 and she has been a Recorder on the Midland Circuit since 2009.

Fiona lectures for Jordan's Family Law on issues relating to pensions and divorce and is author or co-author of several of the leading guides on this topic (see below).

She is also a panel member for Advocate, the Bar's pro bono unit.

## Family Finance

Fiona is an experienced matrimonial finance practitioner and has developed a particular expertise in cases featuring disputes over pension entitlements and family businesses following separation and divorce. She has a strong interest in Alternative Dispute Resolution.

Fiona is an accomplished FDR advocate and a member of the Chartered Institute of Arbitrators. She is also available for \_\_\_\_\_

### London

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private financial dispute resolution appointments and early neutral evaluations. She recommends the private FDR route as an effective and time-efficient means of resolving disputes away from the potentially intimidating and adversarial formality of the courtroom.

Her practice also boasts a strong international element, particularly with regards to Part III proceedings.

## Notable Family Finance cases

- **AZ v BZ (financial remedies appeal) [2020] EWFC B86**  
Represented Appellant husband. Appeal by husband against financial remedies order which awarded 90% of the assets to Wife, on the basis of her needs. Appeal allowed, and order made awarding Wife 60% of the assets.
- **Shokrollah Babae v Shokrollah Babae [2019] EWHC 2975**  
Cohen J. Enforcement (committal and property transfer) and variation issues following financial remedy orders made by Baker J.
- **NN v AS & Ors [2018] EWHC 2973**  
Roberts J judgment in financial remedy proceedings involving beneficial ownership of properties, intervenors, a pre-existing agreement in Egypt and meta data and handwriting evidence.
- **M v M [2015] EWFC B63**  
Judgment involving the impact of a party's potentially substantially reduced life expectancy in financial remedy proceedings particularly with regard to pension sharing.

## Alternative Dispute Resolution

Fiona has a strong interest in Alternative Dispute Resolution. She is an experienced Financial Dispute Resolution (FDR) advocate and her calm, pragmatic approach has earned plaudits. Fiona also sits as a judge in Private FDRs – a mechanism that she strongly favours for its effectiveness in delivering workable agreements with minimal distress to the parties involved.

*“A wise and experienced private FDR judge who understood the client and how to tailor her indication to maximise the chance of a settlement. Meticulously prepared, she offered to stay late into the evening to help the clients reach settlement. Both clients and both sets of lawyers were very impressed.”* – Chambers UK Bar 2024

*“She’s very good both at establishing an excellent atmosphere during the FDR and explaining to the clients what can be quite tricky concepts.”* – Chambers UK Bar 2024

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## Direct Access

Fiona is qualified to accept instructions directly from members of the public under the Direct Access Scheme in appropriate circumstances.

## Appointments

- Recorder (Midland Circuit) (2009)
- Authorised to sit in the High Court pursuant to s.9 Senior Courts Act 1981

## Publications

- Pensions on Divorce: A Practitioner's Handbook, the leading textbook on pensions and divorce, published by Sweet and Maxwell, 2018.
- A Guide to the Treatment of Pensions on Divorce –The report of the Pension Advisory Group –Fiona is a committee member of the Pension Advisory Group and a co-author of the report
- Pensions and Equality [2007] Family Law 310.
- Pension on Divorce–Practical Law, Thomson Reuters
- Pensions on Divorce –Westlaw
- Capitalising periodical payments; lump sum or pension share?–Sweet and Maxwell White Paper 2013

## Memberships

- Chartered Institute of Arbitrators
- Pensions Advisory Group
- BSc Chemistry and Law, Exon
- BA Law Exon

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