

Kate Miller

Head of Chambers (Call Date: 2003)



Kate Miller is Head of Chambers and is a family law specialist who accepts instructions from children, parents, or any other family member finding themselves caught up in legal proceedings relating to family breakdown. She also acts on behalf of Local Authorities, Guardians, Special Guardians and the Official Solicitor.

With expertise in Matrimonial Finance, including farming and family company cases, clients will benefit from her experience and knowledge of the distribution of pension assets. Kate also accepts instructions in Schedule 1 and ToLATA cases (applications for financial support for a child, or relating to a property between parties who are not married). Kate deals with the full range from the 'no money' case to the wealthy and the lottery winners.

In a wide-ranging public and private law 'Children' practice she has experience of cases involving: domestic violence including non-accidental injury and murder, sexual abuse, neglect, drug and alcohol addiction, child abandonment, intractable contact disputes, parental alienation and international relocation.

Kate has concern and understanding for her clients and can be relied upon to give firm and realistic advice based on thorough preparation. In court she is forthright and tenacious and widely respected by her colleagues.

When not in court Kate is an enthusiastic gardener and beekeeper and is kept fit walking her

terriers around the beautiful landscape of Constable Country



Qualifications/Education

BA (Dunelm)
PGDL (City University)

Memberships/Appointments

FLBA
South Eastern Circuit
Pupil Supervisor

Cases

W v S (temporary relocation to non-Hague country) – Represented a mother opposing father’s application to take the child on holiday to a non-Hague country of which all parties (and the child) are citizens. Dealt with the issues of the status of a country which has signed the Hague Convention but has not been accepted by the EU, the force and impact of the UK-Pakistan Protocol and whether the father is able to provide sufficient assurances/safeguards under circumstances where abduction is a real risk

Re X (a child) – Represented a local authority in care proceedings where the child had sustained a skull fracture under circumstances where the experts agreed an accidental explanation was plausible, but assessment of the parents had revealed a host of significant deficits in their parenting. Arguments centred over whether the threshold was made out under circumstances where the factors which turned out to be the most significant only came to light after ‘the relevant time’

P v P (internal relocation) – Represented a father opposing the mother’s application to relocate within the jurisdiction but some 300 miles away which would inevitably alter the relationship between the children and the ‘absent’ parent. The mother remained determined to move, despite contrary recommendations from Cafcass and the court ordered change of residence so that the children would live with the father

S v S (matrimonial finance) – Represented H (a senior hospital consultant) in proceedings where W contended that H should not be permitted to retire and, if he did, should continue to pay spousal maintenance as if he was still working so as to support her preferred lifestyle. Arguments around the appropriate quantum and duration of spousal maintenance after a long marriage during which W never worked and whether W should be expected to adjust to reduced circumstances upon H’s retirement.

B v B (matrimonial finance) – Advised W on the effects of an unusual order, made many years ago, where her application for a lump sum was adjourned as there was uncertainty as to the future value of H’s company – the company subsequently failed, but H has prospered while W is impoverished. Nothing on the face of the order to limit her claims to the value of the company, will the court make provision for W from assets acquired by H long after divorce?

W&C v Prospective Adopters (permission to oppose) – Represented Local Authority in application by natural parents for permission to oppose the making of an adoption order. Both parents have enduring issues which mean they lack litigation capacity. Despite extensive enquiries, it was not possible to find anyone to act pro bono so neither was represented during the proceedings. The legal issue was relatively straightforward; ensuring the parents had a fair trial was less so.

Re S & K (children) and *Re L (a child)* – Represented a local authority in two sets of concurrent care proceedings for a 14 year old and her 12 year old sister on the one hand and the child of the 14 year old by her 15 year old boyfriend on the other. Case management was the complex issue as the cases could not be consolidated but a lot of the evidence cut across both sets of proceedings.

Re J & L (children) - Represented a local authority in care and wardship proceedings involving two teenage girls caught in the middle of warfare between rival drugs gangs who had taken over their mother's home (cuckooing) - the inherent jurisdiction of the High Court was exercised as one of the girls was too old for a care order.

Legal 500 and other endorsements

Legal 500 - 2022

'Kate gets to grips with the papers and issues quickly and provides pragmatic, realistic advice at the client's level.' and '*Kate Miller handles a broad range of children law matters, including cases involving allegations of neglect and sexual abuse, domestic violence, parental alienation and contact disputes.*'

Legal 500 - 2021

'Kate is very accessible and responsive to queries and is excellent at handling cases involving 'difficult' litigants in person.' and '*takes a no-nonsense approach both with her fellow advocates and her clients, but without ever losing a sense of compassion*'

Legal 500 - 2020

'A persuasive and thoughtful advocate who puts clients at ease.'

Legal 500 - 2019

'Robust, skilled on her feet, and speaks the clients' language.'

Legal 500 - 2017

'Forthright yet sympathetic with clients'

Legal 500 - 2016

'Very sharp and always well prepared; she instils a lot of confidence in clients'

Legal 500 - 2015

'always well prepared, and takes a genuine interest in each case'

Legal 500 - 2014

'easy to get on with and approachable'

Price Transparency Statement

Public access price transparency statement

This statement sets out Kate Miller's price transparency information for advice and representation under the Direct Public Access scheme. The clerks at East Anglian Chambers can provide more information in relation to fees.

Pricing model used:

For advice, which may be written advice, document drafting and/or advice in conference (in person or by telephone or video) Kate generally charges on the basis of an hourly rate, which will include any time needed to prepare by reading papers in advance of providing advice. Her hourly rate is £225 plus VAT.

For representation at a hearing a fixed brief fee will be agreed to cover attendance at the hearing and will include all preparation. This will not include further dates if the hearing is adjourned or vacated by the court.

The fixed brief fee will be based on how much preparation and reading is required and how long the hearing is expected to take. For example, where it is necessary to draft a position statement, note, or skeleton argument to submit to the court, the brief fee will be calculated factoring in the time required to prepare this.

Some typical examples of such fees: -

A First Hearing Dispute Resolution Appointment (FHDR) in a Children Law case with no more than 150 pages of documentation to read = £800 - £1000 plus VAT

A Final Hearing in a Children Law case with a bundle of papers running to no more than 850 pages = £2,500 - £3,000 plus VAT brief fee for first day's attendance and preparation and then £1,000 plus VAT refresher fee for each additional day. The refresher is a fee charged at a fixed rate for every day at which the hearing is attended after day 1.

A Financial Dispute Resolution Appointment in the Financial Remedies Court with a bundle of papers running to no more than 850 pages = £2,000 - £3,000 plus VAT

Additional costs:

There may be court fees to pay, depending on the nature of the application. You may incur

additional costs in printing documents and preparing court bundles. Kate does not provide these services.

VAT:

Kate charges VAT in addition to all fees quoted.

All information is correct as at July 2021, but fee examples are estimates and illustrations only. If your case is particularly complex, fees may be higher.

For a quotation, please contact the clerks on 01473 214481 or email clerks@ealaw.co.uk

Further information about instructing a barrister under the public access scheme can be found here:

<https://www.barstandardsboard.org.uk/for-the-public/finding-and-using-a-barrister/how-to-instruct-a-barrister/public-access-guidance-for-lay-clients.html>
