

Tom Burgess

Senior Associate

"Tom Burgess is kind and understanding with clients, always providing sensible and practical advice. He is organised and reliable when it comes to court documents and deadlines."

(The Legal 500, 2024)



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Tom has specialised exclusively in family law since qualifying as a solicitor in 2014 and has been with Freeths since 2015. He takes a pragmatic approach, focusing on guiding his clients to resolve matters as quickly, constructively and cost-effectively as possible, by identifying the best approach for their individual circumstances at the earliest possible stage.

Tom deals with all aspects of family law, including divorce, pre- and post-marital agreements, arrangements for children, cohabitation agreements and resolving financial matters between divorcing spouses and separating cohabitants. He also has a particular interest in issues surrounding legal parenthood and parental responsibility arising out of fertility treatment, donor conception and surrogacy arrangements.

Tom has considerable experience of complex financial matters, for example those involving businesses and substantial inherited assets. He has worked on many cases with an international element, dealing with property, pensions and other assets in jurisdictions including the US, Europe, and the UAE.

Tom advises on a wide range of disputes over arrangements for children, including those involving special educational needs health issues, or changes of school, and cases where one parent wishes to relocate with the children, either within the UK or overseas. He is experienced in dealing sensitively but robustly with cases involving mental health issues, allegations of domestic violence, including physical and emotional abuse. Tom deals with these matters in child proceedings, particularly where they involve parental alienation, and controlling behaviour. His cases have also concerned injunctions and urgent applications in relation to children.

In addition to his work as a solicitor, Tom qualified as a family mediator in 2022 and is working towards accreditation by the Family Mediation Council.

He is a member of Resolution, a family law professionals' group committed to resolving family disputes in a constructive, non-confrontational way that puts the best interests of the children first.

Tom is listed as a Recommended Lawyer and recognised as a Rising Star in The Legal 500 (2024 edition) in Family.

Learn more about our [Family Law services](#)

Legal Services

Family Law

Selected Cases

- Acting for the husband in a matter involving a substantial group of jointly owned and complex farming businesses worth over £5 million.
- Acting for the wife in a matter involving significant property assets in France and complex tax issues relating to property assets in the UK.

Arrangements for Children

Tom has advised on a wide range of disputes over arrangements for children – including those involving health issues and cases where one parent wishes to relocate, either within the UK or overseas.

Tom has experience of cases involving financial support for children through child maintenance, (often referred to as 'child support'). He also provides advice on pre- and post-nuptial agreements and on obtaining court orders in cases involving domestic violence, harassment or threatening behaviour.

Selected Cases

- Acting for parents seeking to relocate with their children within the UK, and overseas to countries such as France and Australia, , and also for parents wanting to prevent relocation.
- Successfully securing a change of residence for two children from one parent to the other, in circumstances where there were allegations of domestic abuse and coercive control, and where one parent had sadly become unable to meet the children's emotional needs as a result of mental health issues.
- Achieved a financial settlement on the basis of voluntary disclosure and agreed arrangements for a child, in a highly contested matter, without the need for court proceedings to be issued.
- Tom secured a successful outcome in acrimonious private law children proceedings. This case involved allegation of serious violent abuse against the child by the other party, resulting in the involvement of the police and social services.

- Helped to settle a long-running and at times bitter dispute over the arrangements for a child, without the need to attend court.

How to get a Divorce

Tom advises on all aspects of relationship breakdown and separation, including divorce, financial disputes between divorcing spouses and unmarried couples who have been cohabiting, and arrangements for children (previously referred to as 'residence', 'contact' or 'custody').

He also has considerable experience of more complex matters, for example those involving businesses and substantial inherited assets, and matters involving net assets of £5 million or more. He has also worked on many cases involving properties and other assets overseas.

Selected Cases

- Assisted a woman to reach a financial settlement at mediation after direct discussions between her and her husband had broken down; avoiding the need for her to issue court proceedings.
- Successfully negotiated a financial settlement in a matter where court proceedings had already reached an advanced stage, avoiding the need for a contested final hearing.

Civil Partnerships

Tom can advise on Civil Partnerships.

Cohabitation Agreements

Tom can help cohabiting couples.

Pre & Postnuptial Agreements

Tom also works with couples interested in preserving wealth with the preparation of pre and post-marital agreements.

Financial Issues - How do I Resolve?

Tom can assist you if you have to resolve financial issues.

Pensions & Divorce

Tom can advise on pensions and divorce.

What if I have to go to court?

If you are dealing with financial issues in court, Tom can advise on what factors the court would take into account.

Taking a Child Abroad

Tom can advise on taking a child abroad.

Fertility Law & Donor Conception

Tom has a particular interest in the legal issues surrounding children born through surrogacy, donor conception and fertility treatment, including 'co-parenting' and parental responsibility.

Surrogacy Law

Tom has a particular interest in the legal issues surrounding children born through surrogacy, donor conception and fertility treatment, including 'co-parenting' and parental responsibility.

Selected Cases

- Advising on obtaining a parental order following a surrogacy arrangement, in circumstances where the court needed to be satisfied that the prospective parents were domiciled in the UK.

School Appeals

We can guide you through the process, from completion and preparation for the hearing to ensure your best possible case is presented to the tribunal.

Child Maintenance & Appeals

Sorting out the financial consequences arising from divorce can be difficult and confusing. There have been various attempts to simplify the system and improve the quality of the service given to families through the

Child Maintenance Service (CMS). However, calculating payments isn't always straightforward.

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Tom is responsible for Freeths' fixed fee divorce and financial settlement services.

Making a Will after Divorce

If you are in the process of getting divorced or your civil partnership dissolved, we would always recommend that you discuss whether it is appropriate for you to either update your Will or make a new Will if you do not have one.

Sectors