

Karl Rowley QC
List of reported cases

Re A (Children) (Remote Hearing: Care & Placement Orders) [2020] EWCA Civ 583 – succeeded for appellant father in a case which gave guidance as to the approach of courts hearing cases during the viral pandemic.

Re T (Jurisdiction: BIIR: Cyprus) [2020] EWFC 37 – successfully argued that a person could not retain habitual residence in a country which they had left under a deportation order and to which they could not lawfully return.

Re AA (Children) & 25 others [2019] EWFC 64 – Karl led 2 counsel for the lead local authority in the largest public law family case that has been litigated.

Re C (A Child) [2019] EWCA CIV 1777: appeared for the appellant in the Court of Appeal and was successful in arguing that the first instance decision should be overturned.

A Local Authority v (1) A Mother (2) A Father (3) A, B, C, D & E (by their Children's Guardian)[2018] EWHC 1841 (Fam): appeared for father accused of holding radical views; local authority withdrew proceedings part way into hearing.

Re M (Children) [2018] EWCA Civ 607: appeal in high-profile case representing a mother seeking the admission of fresh evidence not sanctioned by the court.

M v (1) St Helens Borough Council (2) F (3) C (A Child) [2018] EWFC 1: appeared for the mother in reopened proceedings where an infant had suffered 26 fractures.

Re T (A Child: Adoption or Special Guardianship) sub nom T (A Child by his Guardian) v Wirral Borough Council [2017] EWCA Civ 1797: represented child in finely-balanced adoption/SGO case where different orders had been made in respect of siblings in the same placement.

Re H-C (Finding of Fact: Rehearing) [2016] EWFC 48: rehearing of case following Court of Appeal overturning findings against client. Local authority failed to establish case at retrial of smothering and other alleged injury against him.

Re Z (A Child: Egyptian fostering & UK adoption) [2016] EWFC 48: represented child fostered abroad and brought to UK. Carer applied to adopt here; Egypt sought child's return. Child adopted.

Re K (Children) [2016] EWHC 1606 (Fam): Representing a mother accused of support for ISIS: local authority withdrew its application for care orders as no evidence of radicalisation of children.

Re Y (Children) (No 3) [2016] EWHC 503 (Fam): Appeared for a mother accused of attempting to take her children to Syria; President of Family Division did not make the finding sought by the local authority and the applications were dismissed.

Re H-C (Children) [2016] EWCA Civ 136: Acted for the appellants in the Court of Appeal. The Court overturned a finding of fact that a person caused a child's death and went on to give guidance as to the use of a finding of a lie in family cases.

Wigan Borough Council v Fisher & Ors (Rev 1) [2015] EWFC 34 (21 April 2015): A fact finding hearing in respect of the death of a baby who had been shaken.

Wigan BC v M and Others (Veracity Assessments) [2015] EWFC 8 (06 February 2015): The use of veracity assessments in cases where children have been ABE interviewed.

Wigan Council v M & Ors (Sexual Abuse: Fact-Finding) [2015] EWFC 6 (30 January 2015): A fact finding hearing in respect of exceptionally serious step father and inter sibling sexual abuse.

In the matter of X (Children) (No 3) [2015] EWHC 3651 (Fam): Appearing for a mother accused of attempting to take her children to Syria; the President of the Family Division did not make the central findings sought and the care proceedings were dismissed.

Re K-L (Children) [2015] EWCA Civ 992: Appeal by mother following a fact-finding hearing to determine allegations against the father. The appeal concerned difficulties including (i) the question as to which effective decision was under appeal and (ii) that there was no order giving effect to the judgment that the mother wished to challenge. Represented mother: appeal succeeded.

Re X (Children) & Y (Children) (Emergency Protection Orders) [2015] EWHC 2265 (Fam): interim return of children to parents who were suspected of attempting to travel to Syria with them.

Re P (A Child) [2015] EWCA Civ 777: bar to permission under s.47(5) not higher where proposed adopters were child's foster carers, but the court had to weigh not only the effect of ceasing to be a member of his birth family on the child but also the value of a relevant relationship continuing.

Re BR (Proof of Facts) [2015] EWFC 41: statement of the judicial approach to evidence in cases of alleged multiple fractures to a child and parental explanations or lack thereof.

CM v Blackburn with Darwen Borough Council & M (A Child) [2015] 1 WLR 2441; [2015] 2 FCR 116: Re B-S had not changed the statutory test for dispensing with parental consent to placement for adoption – dual planning remains permissible.

Re JA (A Minor sub nom (1) An NHS Trust (2) A Local Authority v (1) Mr A (2) Mrs A (3) JA (4) his Children's Guardian [2015] Med LR 26; [2015] Fam Law 139: HIV+ 14-year-old boy not competent to decide not to take anti-retroviral therapy.

Re A (Children) [2013] EWCA Civ 1611: Established that courts have no jurisdiction to impose preconditions as to the nature of adopters with whom a local authority might place a child.

Lancashire County Council v (1) R (2) W & (3) N [2013] EWHC 3064 (Fam): Alleged NAHI, Mostyn J determined not inflicted by father.

Re L-B (Children) [2013] UKSC 8: Leading case establishing the principle that judges may change their minds.

Re A & D (Children: Religious Upbringing) [2011] 1 FLR 615 : (2011) PTSR 602: Leading case on s.33(6) Children Act 1989.

Re F (A Child) (Interim Care Order) [2011] 2 FLR 856: Court of Appeal case affirming first-instance judge's dismissal of care proceedings where only issue had been a finding that the child's father was a 'possible perpetrator' of injuries to a previous child.

Staffordshire County Council v (1) A (2) B (3) C (A Child by his Guardian) (Respondents) & (1) D (2) F (3) F (Interveners) [2010] 3 FCR 7: Parents found not to have inflicted multiple injuries to their child.

Ofsted v GM & WM [2009] UKUT (AAC): Appeal concerning the correct test to be applied when considering the exercise of Ofsted's power to suspend the registration of childminders pending investigations into the harm that may have occurred to a child in the childminder's care.

Re M-H (A Child) [2007] 1 FLR 1715 (CA): Successfully overturned first instance judge's refusal of an independent social work assessment of a proposed carer for the child.

Oldham MBC v GW, PW, KPW (A Child) & W St C Forbes (Intervenor) [2007] 2 FLR 597; [2007] BMLR 146: Appeared for the mother whose child was returned, allegations of shaking rejected by the Court; guidance given on the instruction of experts in such cases.

W v Oldham MBC [2006] 1 FLR 543 (CA): Leading case on obtaining second opinions in family cases, appeared for the mother.