

1GC | Family Law

Alev Giz

Year of Call: 1988



Practice Overview

Alev is a Child Law specialist whose busy practice encompasses the spectrum of private and public law proceedings in which she acts for all parties and appears at all levels of court. She has particular expertise in cases involving the international movement of children and the separate representation of children and has appeared in landmark Court of Appeal decisions in both these areas. Alev also specialises in Court of Protection and High Court proceedings concerning the mental capacity, deprivation of liberty, personal welfare and property of vulnerable and incapacitated adults.

Children (Private Law)

Alev is regularly instructed on behalf of parents and children (whether separately or through their Rule 16.4 Guardian) in cases where there are significant and often entrenched disputes about where children should live and how much time they should spend with a non-resident parent. She has particular experience and expertise in cases where serious allegations of abuse (physical, sexual or emotional) and parental alienation/hostility are made. Alev also acts in cases with an international dimension.

Notable Private Law Children cases in which Alev has acted include:

N v J (Power to Set Aside Return Order) [2017] EWHC 2752 (Fam)

Re F (A Child) (International Relocation Cases) [2015] EWCA Civ 882

H v S (Surrogacy Agreement) [2015] EWFC 36

Re A and D (Children) (Removal Outside Jurisdiction: Habitual Residence) [2011] EWCA Civ 265; [2011] 1 FLR 2025

ES v AJ [2010] EWHC 1113 (Fam); [2010] 2 FLR 1257

Children (Public Law)

In the Public Law field, Alev regularly acts for parties in care proceedings, adoption and Wardship. She has particular expertise in cases involving catastrophic non-accidental injury where there is complex and conflicting medical opinion, factitious illness and sexual abuse. Alev brings skills from

her Court of protection practice to her Public Law work enabling her to sensitively represent parents who have mental health issues. Alev regularly advises on the placement of children abroad and local authority obligations, particularly to care leavers.

Alev is particularly successful in the sensitive representation of children, either separately or through their court appointed Guardian and appeared on behalf of the child in the landmark Court of Appeal case of *W (A Child)* [2016] EWCA Civ 1051, which provided much needed guidance on the circumstances in which the separate representation of a child is appropriate and the statutory provisions which enable separate representation to be put in place.

Alev is also instructed in cases in the High Court concerning serious medical treatment or withdrawal of life sustaining treatment.

Notable Public Law Children cases in which Alev has acted include:

Somerset County Council v NHS Somerset Clinical Commissioning Group & Ors [2022] EWFC 31

Somerset County Council v NHS Somerset Clinical Commissioning Group & Anor [2021] EWHC 3004 (Fam)

Local Authority v A Mother & Ors [2020] EWHC 3496 (Fam) (18 December 2020)

PR v JS & Another (Appeal: Sexual Abuse, Fact-Finding) [2019] EWHC 791 (Fam) - a significant decision in the body of case law concerning the approach to be taken in fact-finding hearings where sexual abuse is alleged, highlighting the extreme complexity of such cases and the importance of focusing on a chronological survey of any allegations made by the child and how they develop over time.

PR v JS & TER (Re-opening of Fact-Finding: Allegations of Sexual Abuse) [2019] EWFC 69

A Local Authority v AB, CD, EF, GH, IJ, KL, MN & OP [2019] EWFC 75 - a multi-party and extremely complex fact-finding hearing where teenage children made allegations which were held to be patently and obviously untrue which involved them giving evidence.

Z County Council v M, F & C [2019] EWFC B72 (Comm) - an important decision on the use of the High Court's inherent jurisdiction to authorise the deprivation of liberty of young people in care.

Re M-Y (Children) [2018] EWCA Civ 1306

HK (Serious Medical Treatment) (No.3) [2017] EWHC 2991

HK (Serious Medical Treatment) (No.2) [2017] EWHC 2581

An NHS Hospital Trust v GM and Others [2017] EWHC 1710 (Fam)

W (A Child) [2016] EWCA Civ 1051

Re J (A Child) [2014] EWCA Civ 875

Re B (A Child) (Care Proceedings: Habitual Residence) [2013] EWCA Civ 1434; [2013] WLR(D) 461

Re E-F (A Minor) [1998] EWCA Civ 97

Re M (Section 94 Appeals) [1995] 1 FLR 546

International Family Law

Alev is frequently instructed in High Court cases relating to the international relocation of children (she appeared in the landmark Court of Appeal decision of *Re F (A Child) (International Relocation Cases)* [2015] EWCA Civ 882) in child abduction matters, both within and outside the provisions of the Hague Convention and other cases with cross-border jurisdictional issues.

N v J (Power to Set Aside Return Order) [2017] EWHC 2752 (Fam)

Re F (A Child) (International Relocation Cases) [2015] EWCA Civ 882

Re B (A Child) (Care Proceedings: Habitual Residence) [2013] EWCA Civ 1434; [2013] WLR(D) 461

Re A and D (Children) (Removal Outside Jurisdiction: Habitual Residence) [2011] EWCA Civ 265; [2011] 1 FLR 2025

ES v AJ [2010] EWHC 1113 (Fam); [2010] 2 FLR 1257

Court of Protection

Alev is regularly instructed by the Official Solicitor to represent vulnerable adults who lack capacity in proceedings concerning their health, welfare, property and deprivation of liberty. She also regularly represents local authorities and family members in cases where best interests, property or deprivation of liberty issues are before the court.

Notable Court of Protection cases in which Alev has acted include:

London NHS Trust v CD & Ors (Withdrawal of Life Sustaining Treatment) [2021] EWCOP 727 (24 March 2021)

VE v AO, Royal Borough of Greenwich & South East London CCG [2020] EWCOP 23

Essex County Council v RF and Others (Deprivation of Liberty and Damage) [2015] EWCOP 1

YLA v PM & MZ [2013] EWHC 3622 (Fam)

Re MIG and MEG [2010] EWHC 785

What the Directories Say

"Alev is an incisive and strategic advocate, who maintains a calm composure and inspires confidence in clients." Tier 3 – Legal 500, 2022

"Alev is a commanding presence in the court room. Child-focused, tenacious and a solid negotiator." Tier 3 – Legal 500, 2022

"Very thorough and well-informed advice. Excellent advocacy skills." Tier 4 - Legal 500, 2021

"Is an excellent and assured advocate, her preparation is flawless, and she presents a case with poise. She really holds the court's attention." Tier 3 - Legal 500 2021

"Her written and oral advocacy are exemplary, and her subtle, stylish and skilful presentation gives your client's case the edge." "Alev is popular with the judges, excellent with clients and easy to instruct." "Empathetic at all times but also firm and fair in her approach, she provides realistic advice in a sensitive way." Band 3 - Chambers and Partners, 2021

"She has an incredibly calming demeanour, yet in court is a force to be reckoned with." Legal 500, 2019

"She is extremely bright and knowledgeable." Legal 500, 2019

"She can be extremely smooth and persuasive, and has one of the best bedside manners I've seen with a client. She's also capable of being ferocious in her cross-examination." Chambers and Partners, 2019

"Very bright, she always takes a good position in a case, and is an experienced and wise counsel." 2018

"She deals with very sensitive cases very skillfully and sensitively." 2018

"She's a firm presence in court and very good with child clients." 2018

"An experienced barrister who maintains a broad children practice covering both public and private issues. She is instructed to act for guardians, local authorities, children and parents. Giz has particular expertise in matters concerning the relocation of children internationally and domestically." Chambers and Partners, 2018

"Her calm, gentle manner belies her thoroughness and rigour." Legal 500, 2017

"Recommended for deprivation of liberty cases." Legal 500, 2017

"Her advocacy is calm and measured but behind it sits an authority and determination." Legal 500, 2016

Education

LLB (Hons), Kings College, London

Appointments

Recorder on the North Eastern Circuit to sit in Family matters (2022)

Awards

Shortlisted for Family Law Awards Junior Barrister of the Year 2021

Memberships & Associations

Court of Protection Bar Association

The Association of Lawyers for Children

The Family Law Bar Association

The Honourable Society of Gray's Inn

The Human Rights Lawyers Association

Seminars, Publications and Lectures

Alev has spoken at a number of training events and seminars arranged by chambers. She has recorded podcasts and webinars (for Jordans and Sweet and Maxwell) and writes regularly for Family Law, most notably providing a regular Children Public Law update.

She recently gave a webinar on "**The Right to Die at Home: A Discussion of VE v AO and Others**" as part of the 1GC Family Law Webinar series (June 2020).

Personal

Travelling in Turkey and Italy and the cuisine of both nations, playing the piano, literature, theatre and her family (she is married with two sons).

Languages

Fluent in spoken and written Turkish