

1GC | Family Law

Charles Geekie QC

Year of Call: 1985 Year of Silk: 2006



Practice Overview

Charles is joint Head of Chambers at 1GC Family Law. His practice centres on legal issues concerning children. He acts in both public and private law and international cases. He has great experience in dealing with complex residence cases and those involving relocation. In the public law field he represents local authorities, parents and Guardians. He has particular experience in complex care cases involving fatalities, serious injuries, fabricated illness and sexual and emotional abuse. Charles has a special interest in the presentation and investigation of expert medical evidence and cases involving a conflict of medical evidence.

He sits as a Deputy High Court Judge and is a qualified Arbitrator. He is currently engaged in a major review of historic child sexual abuse. He appears regularly in the Court of Appeal and has acted in a number of seminal family law cases. In 2010 Charles succeeded in persuading the Supreme Court to bring about a change in the law relating to children giving evidence in family proceedings.

Children (public law)

Charles has extensive experience of the most complex issues arising in public law cases. He undertakes fact finding hearings in cases involving the most serious allegations. He has always acted for local authorities, parents, children and Guardians so is accustomed to assessing each case from every angle. The reported cases below illustrate the breadth of unusual issues connected with public law proceedings in which Charles has been involved.

Re W (A Child) [2016] EWCA Civ 1140

Appeal by witnesses against findings made following unfair process. Findings set aside as the result of unlawful judicial act contrary to s7 HRA 1998.

County Durham & Darlington NHS Foundation Trust v SS [2016] EWHC 535 (Fam)

Declaration of lawfulness of refusal of life-sustaining treatment for child aged 7 with life-limiting illness.

Re E (Adoption Order: Proportionality of Outcome to Circumstances) [2013] EWCA Civ 1614, [2014] 2 FLR 514.

Decision by judge to approve plan of adoption not proportionate in a case where otherwise caring and loving mother had not broken off relationship with perpetrator of injuries.

Re W [2013] EWCA Civ 1277, [2014] 2 FLR 431.

A detailed exposition by Ryder LJ of the role of a local authority in the course of care proceedings (as

opposed to the differing role either before issue or after conclusion of the proceedings). In a short judgment the President describes the decision as complementing the recent Court of Appeal judgment in *Re B-S*. The two cases together, the President remarks, "will for the future inform practice in all care cases".

Re X and Y (Executive Summary of Serious Case Review: Reporting Restrictions) [2012] EWCA Civ 1500, [2013] 2 FLR 628.

Duty of Safeguarding Board to report executive summary of Serious Case Review following child death.

Re B (Transfer of Foster Placement) [2013] 1 FLR 633.

Refusal of Guardian's application to prevent local authority from moving children to local foster carers.

Re L and B [2013] UKSC 8 [2013] 2 FLR 859.

Supreme Court decision upon the legal test in a case where a judge has a change of mind.

Re R (Care Proceedings: Appeal) [2011] EWCA Civ 1795, [2013] 1 FLR 467.

Appeal against judge's findings in case of sexual abuse.

TW v A City Council [2011] 1 FLR 1597:

Court of Appeal authority on use of videotaped and ABE interviews in children's proceedings.

Re W (Children)(Abuse: Oral Evidence) [2010] UKSC 12, [2010] 1 FLR 1485.

Supreme Court decision on the test when considering whether a child should give oral evidence in family proceedings.

Re W (Children)(Abuse: Oral Evidence) [2010] EWCA Civ 57, [2010] 2 FLR 256.

Court of Appeal decision on the above.

Re M-W (Care Proceedings)(Expert Evidence) [2010] EWCA Civ 12, [2010] 2 FLR 46

Reliance by a judge upon expert evidence.

Re MA (Care Threshold) [2009] EWCA Civ 853, [2010] 1 FLR 431

The meaning of "significant" in the expression "significant harm".

A Local Authority v S [2009] EWHC 2115 (Fam); [2010] 1 FLR 1560

High Court decision upon sufficiency of expert evidence.

Re P (Placement Orders: Parental Consent) [2008] 2 FLR 625

The proper legal test in cases of placement order and adoption orders.

Children (private law)

Charles acts for parents and independently represented children in the most difficult and sensitive private law disputes. In relocation cases he is accustomed to advising upon the preparation of cases where a parent wishes to move to a distant location or one that is not trouble free. He is very familiar with the factual and legal issues that can arise in a finely balanced case. He has extensive experience of representing children or other vulnerable parties in private law proceedings. The reported cases below illustrate that some of the issues that can arise.

In the Matter of the Human Fertilisation and Embryology Act 2008 (Case L) [2016] EWHC 2266 (Fam)

Declaration of “non-parentage” by the President of the Family Division and guidance on amendments to a birth certificate.

Re S (Findings of Fact: Honour Based Violence) [2013] EWHC 15 (Fam), [2013] Fam Law 386. Complex case of allegations of honour based violence perpetrated overseas.

Re C (Direct Contact: Suspension) [2011] EWCA Civ 521 [2011] 2 FLR 912: Court of Appeal review of test for cessation of contact in context of Convention law

M v M (Stay of Proceedings: Return of Child) [2006] 1 FLR 138

Re N (Sexual Abuse Allegations: Professionals not Abiding by Findings of Fact) [2005] 2 FLR 340

Re R (Wardship: Medical Treatment) [1992] 1 FLR 190

Re M (Care: Leave to interview child) [1995] 1 FLR 825

Re M (Child Abuse: Video Evidence) [1995] 2 FLR 571

Judicial review & administrative law

Charles acted for the complainant children in the challenge to Cafcass suggesting that the organisation was not providing the services required.

R (R, E, J and K by their Litigation Friend, the Official Solicitor) v Cafcass [2011] EWHC 1774 (Admin) [2011] 2 FLR 1206 and [2012] EWCA Civ 853, [2012] 2 FLR 1432: Judicial review of provision of services by CAF/CASS.

International family law

International issues frequently arise in both public and private law cases. Charles is highly experienced in tackling these issues, particularly in relocation cases.

X v Y and Another [2014] EWHC 2147 (Fam), [2015] 1 FLR 1463
Relocation; mirror orders; Art 12 BIIR prorogation

Bridgend County Borough Council v GM and Another [2012] EWHC 3118 (Fam), [2013] 1 FLR 987. Parental flight from child protection agencies - habitual residence – BIIR.

Arbitration

Charles is a qualified Arbitrator and is able to bring his experience both as an advocate and part time judge to the task of assisting parties to settle cases without resort to the courts. He maintains a strong focus on avoiding conflict and conducting proceedings in a way that satisfies the parties.

ENE / Private FDR

If a case is not suitable for Arbitration or that is not a route that the parties wish to pursue, Charles is able to offer Early Neutral Evaluation of a case. This can be done in whatever way suits the needs of the parties: by written evidence alone or by a hearing with written materials and oral representations.

What the directories say

Charles has consistently been listed as a leader in his field since 2004.

First tier in 2013, 2014, 2015, 2016, 2017, 2018 and 2019 directories.

Legal 500

2018/2019: *'He is a fantastic children's silk – warm, immensely likeable and so skilled.'*

2017: *"Renowned for his handling of extremely complex and sensitive children matters, public and private, such as international adoption, relocation and abduction. He co-leads chambers and routinely engages in cases relating to sexual, emotional and physical abuse."*

2016: *"An incredible cross-examiner; he is the classical understated but deadly advocate."*

2015: *"It is an utter joy to watch his cross-examinations; he is a hugely knowledgeable advocate".*

2014: *"He leaves no stone unturned, and his cross-examination is formidable."*

2013: *"advocacy skills that are second to none, and outstanding judgement".*

Chambers UK

2019: *"His cross-examinations are a joy to watch – he's eloquent, yet unassuming, and suddenly comes out with a question that pins it all down." "He has an excellent knowledge of the law, a good client manner and a clever tactical brain."*

2017: *"Charles is an absolute leader in the field of children work. He is a great strategist who is highly intelligent, charming and reassuring to clients in difficult situations. He commands the greatest respect from both solicitors and the court."*

2016: *"He's extremely knowledgeable and a real authority, who's incredibly hard-working. He inspires confidence in his clients and solicitors, judges really like him and his written work is excellent. He is absolutely a first-choice barrister for any tricky children case".*

2015: *"He picks things up and spots things early, gently guiding the case in the direction that he wants it to go." "Completely up on the law, he's very good with the clients, and has quiet authority".*

2014: *"A very well-versed barrister, he is to the point, courteous and succinct. He's a terrific and highly effective advocate," who's "a top children's silk".*

2013: *"well-prepared, measured and thoughtful" advocacy... "he presents cases very clearly to the court and is very communicative with solicitors".*

2012: *"extremely highly regarded for his involvement in the most complex of children cases. His work often involves sexual abuse and the death of children, and sources describe him as 'assured, knowledgeable and supportive'".*

2011: *"He's got it all - the ability to cross examine, a thorough grasp of the law and concise but extremely powerful written documents".*

2010: *"has thrived in silk and has particular skill in child abuse cases and those with medical issues attached".*

2009: *"a solicitor favourite who has won the respect of innumerable industry figures with his calm and authoritative demeanour" "Solicitors beat a path to his door as he understands his clients and makes them feel safe and confident".*

2008: *"a formidable opponent"*

2007: *"very good at presenting difficult material in a comprehensive way" "forensically excellent".*

2006: *"thoughtful about the law and thorough in his preparation of the arguments"*

Education

LLB Bristol University
MCI Arb

Appointments

Silk 2006
Recorder 2006
Head of Chambers 2013
Deputy High Court Judge 2016
MCI Arb 2017

Memberships & Associations

Family Law Bar Association
Association of Lawyers for Children

Member of the Chartered Institute of Arbitrators

Seminars, publications and training

Charles lectures regularly both in chambers seminars and for external providers. In the recent past he has spoken on topics such as adoption, child abuse, medical evidence, relocation of children, the evidence of children in family proceedings, vulnerable witnesses and has delivered a master class on cross examination of expert witnesses. He regularly undertakes the training of expert witnesses for the Royal College of Psychiatrists and has been jointly responsible for setting up a mentoring scheme for experts in psychiatry. Charles has lectured, produced training videos and podcasts for Butterworths, Family Law, the NSPCC, the FLBA and Bond Solon. In 2010 he took part in a Foreign Office sponsored judicial conference in Rabat, Morocco.

Personal Interests

When not at work Charles is most likely to be found in an open space, whether climbing a hill, gardening, sailing a dinghy or cycling. The best of days combine these activities with foreign travel and good food.