

1GC | Family Law

Charles Geekie QC, MCI Arb

Year of Call: 1985 Year of Silk: 2006



Practice Overview

Charles' 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, particularly where this evidence is conflicting.

He sits as a Deputy High Court Judge and is a qualified Arbitrator. 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. In August 2019, Chelsea Football Club published the review led by Charles into historic sexual abuse at the Club.

Charles was recognised as Family Law QC of the Year at the Lexis Nexis Family Law Awards In November 2019. In March 2020, he was featured by The Times as Lawyer of the Week. He appears as selected counsel in the Spear's 500 Family Law Index 2021.

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:

Williams v London Borough of Hackney [2018] UKSC 37

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

Appeal by witnesses against findings made following unfair process. The findings were 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 1227, [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 described 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 & Ors [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 to be used 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 in conflict. Charles 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 some of the issues that can arise.

AI M (Fact Finding) [2019] EWHC 3415 (Fam) (11 December 2019)

AI M (Publication) [2020] EWHC 122 (Fam) (27 January 2020)

AI M (Assurances and Waiver) [2020] EWHC 67 (Fam) (17 January 2020)

AI M (Children) [2020] EWCA Civ 283 (28 February 2020)

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 FLR190

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 CAFCASS

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.

AI M (Fact Finding) [2019] EWHC 3415 (Fam) (11 December 2019)

AI M (Publication) [2020] EWHC 122 (Fam) (27 January 2020)

AI M (Assurances and Waiver) [2020] EWHC 67 (Fam) (17 January 2020)

AI M (Children) [2020] EWCA Civ 283 (28 February 2020)

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. He has been listed in the top tier since 2013.

'Charles has a great analytical mind and is able to plot out a strategy for the case from the very beginning.' Tier 1 – Legal 500, 2022

"Superb in every facet of what he does, he is a strategic thinker, who remains calm under fire. He is absolutely brilliant on the papers, his written work is incredible, and he is a fine cross-examiner." "A team-player who can speak the language of the child." Chambers and Partners, 2021

"Statesmanlike, with the ear of the Court. Rolls Royce of children's silks. Clients love his bedside manner and Judges his silken advocacy and mastery of his brief." Legal 500, 2021

"Operating at the forefront of private and public law children matters; his written work and advocacy are exceptional and his cross-examination is a joy to behold." Legal 500, 2020

"He has been able to deliver the most fabulous service. He is incredibly persuasive and measured and he absolutely knows how to win the court over." Chambers and Partners, 2020

"A fantastic lawyer with a big brain, he is always calm and collected and doesn't get ruffled easily. Extremely good on his feet, he sets just the right tone depending on the judge he's in front of and he's adept at dealing with a wide variety of the personalities you see on the other side of a case." Chambers and Partners, 2020

"He is a fantastic children's silk – warm, immensely likeable and so skilled." Legal 500, 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." Chambers and Partners, 2019

"He has an excellent knowledge of the law, a good client manner and a clever tactical brain." Chambers and Partners, 2019

"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." Legal 500, 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." Chambers and Partners, 2017

"An incredible cross-examiner; he is the classical understated but deadly advocate." Legal 500, 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." Chambers and Partners, 2016

"It is an utter joy to watch his cross-examinations; he is a hugely knowledgeable advocate." Legal 500, 2015

"He picks things up and spots things early, gently guiding the case in the direction that he wants it to go." Chambers and Partners, 2015

"Completely up on the law, he's very good with the clients, and has quiet authority." Chambers and Partners, 2015

"He leaves no stone unturned, and his cross-examination is formidable." Legal 500, 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.'" Chambers and Partners, 2014

"Advocacy skills that are second to none, and outstanding judgement." Legal 500, 2013

"Well-prepared, measured and thoughtful advocacy..." Chambers and Partners, 2013

"He presents cases very clearly to the court and is very communicative with solicitors." Chambers and Partners, 2013

"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.'" Chambers and Partners, 2012

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

"Has thrived in silk and has particular skill in child abuse cases and those with medical issues attached." Chambers and Partners, 2010

"Solicitors beat a path to his door as he understands his clients and makes them feel safe and confident." Chambers and Partners, 2009

"A solicitor favourite who has won the respect of innumerable industry figures with his calm and authoritative demeanour." Chambers and Partners, 2008

"A formidable opponent." Chambers and Partners, 2008

"Very good at presenting difficult material in a comprehensive way." Chambers and Partners, 2007

"Forensically excellent." Chambers and Partners, 2007

"Thoughtful about the law and thorough in his preparation of the arguments." Chambers and Partners, 2006

Education

LLB (Hons), Bristol University

MCI Arb

Appointments

Silk (2006)

Recorder (2006)

Head of Chambers (2013)

Deputy High Court Judge (2016)

MCI Arb (2017)

Memberships & Associations

Association of Lawyers for Children

Chartered Institute of Arbitrators

Family Law Bar Association

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 has undertaken 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.