

1GC | Family Law

Louise MacLynn

Year of Call: 2001



Practice Overview

Louise is a specialist in the law relating to children and vulnerable adults. She has experience in all levels of court including the Supreme Court, and is often instructed in cases with and against leading counsel. Louise uses her broad experience to work collaboratively with those instructing her to achieve the best outcome for her clients.

Children (public law)

Louise has extensive experience within the public law arena, acting for local authorities, parents, children (including competent children) and other family members. She is regularly instructed in the most complex cases, dealing with issues such as:

- Serious non-accidental injury, including a recent case involving the deaths of two children
- Sexual abuse including historical sexual abuse
- Fabricated illness
- Radicalisation
- Female Genital Mutilation
- Forced marriage and honour-based violence
- Louise is regularly instructed in cases involving adoption, including where adoptive placements have broken down.

Louise also has experience of issues regarding disclosure and the involvement of the media, including PII issues and the use of special advocates.

Notable cases include the following:

Re B (A Child) [2018] All ER (D) 74 [2018] EWCA Civ 20

Matters to be taken into account in a placement order application where there is a known prospective adopter

Re W (A Child) (No 2) [2017] EWHC 917

Contested adoption proceedings where the parent was capable of meeting the child's needs but where the child had been placed with prospective adopters for 18 months

Re W (A Child) [2017] EWHC 829 (Fam)

Joinder of competent sibling to contested adoption proceedings

Re X, Y, Z (Disclosure to the Security Service) [2016] EWHC 2400(Fam)

Scope of disclosure to the Security Service (MI5) in a radicalisation case

Re LC (A Child)(Habitual Residence) [2016] EWFC 31

Application of Brussels II to care proceedings following a failed adoption

Re S (a child with disabilities)[2015] EWFC B40

Fact-finding where there were allegations that the parents were exaggerating the extent of a child's disability

London Borough of Harrow v Rasul & Ors [2014] EWHC 3837 (Fam)

Abduction of child to Spain within care proceedings

Re T (A Child) 2010 EWCA Civ 295

Appeal in respect of assessment

Children (private law)

Louise deals with a wide variety of private law issues in relation to children, including intractable child arrangements disputes. Louise has extensive experience of cases involving:

- Fact-finding hearings
- cases involving sexual abuse, including false allegations of sexual abuse.
- Relocation cases including internal and external relocation
- Cases with international and jurisdictional issues
- Surrogacy and cases involving the Human Fertilisation and Embryology Act 2008 as well as same sex families.

Notable cases include:

J (Children) [2009] EWCA Civ 1350 [2010] 1 FCR 135, [2010] 1 FLR 1893

Appeal regarding the issue of costs in a fact-finding hearing regarding allegations of domestic violence

Judicial review & administrative law

Louise uses her experience of practice in the public law field to provide advice when there are issues regarding the exercise of local authority powers and functions.

She was recently involved in an appeal to the Supreme Court in respect of local authority responsibilities to voluntarily accommodated children and has dealt with several cases involving applications under the Human Rights Act.

International family law

Louise is often involved in cases involving the international movement of children, both in a public and

private law context.

Notable cases include:

London Borough of Harrow v Rasul & Ors [2014] EWHC 3837 (Fam)
Abduction of child to Spain within care proceedings

Domestic violence & injunctions

Louise has experience of acting on behalf of applicants and respondents in injunction applications, including where protection from honour-based violence is required.

Court of Protection

Louise's Court of Protection practice is primarily focused on welfare matters. She has been instructed in cases involving issues about deprivation of liberty, capacity to consent to sexual relations and marriage as well as issues over treatment, placement and contact.

Louise is instructed by both local authorities and family members. Louise is frequently instructed on behalf of the Official Solicitor.

Notable cases include:

Devon County Council v Kirk [2016] EWCA Civ 1221, [2016] WLR(D) 652, [2017] 4 WLR 36
Court of Appeal decision regarding injunctions and committal proceedings in the Court of Protection

Modern families & surrogacy

Louise has experience of a wide range of parental order applications, cases involving assisted reproduction and the complex legal issues which can arise in those circumstances. She has delivered training in relation to legal issues arising in modern families.

Education

BA (Jurisprudence) University of Oxford
Inns of Court School of Law (BVC)

Appointments

Attorney General's Special Advocates Panel

Awards

James Crouch Award, Gray's Inn

Amicus internship award

Memberships & Associations

Family Law Bar Association

Association of Lawyers for Children

Amicus (Assisting Lawyers for Justice on Death Row)

Seminars, publications and training

Louise is an advocacy trainer at Gray's Inn

Louise has provided training to paediatricians at the RCPCH

Seminars include "Modern Families", March 2017