

# 1GC | Family Law

## Olivia Magennis MCI Arb

Year of Call: 2005



## Practice Overview

Olivia specialises in Family Law as it relates to children, she acts in all levels of court and has appeared in the High Court and Court of Appeal both with and without a leader.

In Public Law, Olivia represents Local Authorities, parents and children in the Family/High Court and the Court of Appeal, with a focus on the most complicated medical cases involving allegations of causing death / permanent disability of children (e.g. inflicted fatal head injury, insulin poisoning and systematic abuse cases). Olivia also has extensive experience of cases involving allegations of Fabricated or Induced Illness.

In Private Law, Olivia focuses on the most complex of disputes where she has a wealth of experience in cases involving international / internal relocation, alienating behaviours, allegations of sexual abuse, domestic abuse, vulnerable clients and children competent to give instructions.

Olivia also acts in cases involving donor-conceived children and children born through surrogacy arrangements. She has appeared in the High Court and Court of Appeal in such cases, including applications for parental orders, declarations of parentage and private law disputes.

Olivia qualified as an arbitrator in 2021.

She was appointed Recorder (Crown Court) in December 2015 and Recorder (Family) in August 2021.

## Children (Public Law)

Olivia has a busy Public Law practice and acts for parents, children and their Guardians and Local Authorities. Olivia regularly represents vulnerable parents, and has particular experience with clients with learning disabilities and mental health problems.

### Olivia's areas of experience include:

- Serious physical injury, including complex and conflicting medical evidence;
- Sexual abuse;
- Factitious or Induced Illness (FII)/Insulin poisoning;
- Serious domestic violence;
- Disclosure and public interest immunity (PII) issues relating to children;
- Neglect;
- Revocation of Placement Orders.

### Notable cases include:

*Williams & Anor v LB Hackney* [2018] UKSC 37

*Re B* [2018] EWCA Civ 20

*X County Council v AB* [2015] EWFC 98

*PD v SD* [2015] EWHC 4103 (Fam)

*P v Local Authority* [2016] EWHC 2779 (Fam)

*A Local Authority v B* [2017] EWCA Civ 1635

## **Children (Private Law)**

**Olivia is regularly instructed in complex private law proceedings, including:**

- All aspects of child arrangements order, including 'implacable hostility' cases, 'no contact' cases and shared care arrangements;
- Representation of the child through a r16.4 Guardian;
- Temporary/permanent leave to remove from the jurisdiction;
- Internal relocation;
- Disputes between same-sex couples regarding child arrangements;
- Allegations of physical, sexual and emotional abuse;
- Education, religion and change of name disputes.

## **Judicial Review & Administrative Law**

Olivia has experience of cases involving public policy in family law. She has acted pro bono in test cases involving issues of legal aid, human rights and the lawfulness of actions taken by public bodies.

## **Domestic Violence & Injunctions**

Olivia represents clients who are seeking or responding to applications for injunctions linked to domestic violence or occupation of the family home.

## **Court of Protection**

Olivia is developing a practice in the Court of Protection.

## **Arbitration**

Olivia is an arbitrator, qualified to take on children work.

## **Modern Families & Surrogacy**

Olivia also acts in cases involving donor-conceived children and children born through surrogacy arrangements. She has appeared in the High Court and Court of Appeal in such cases, including

applications for parental orders, declarations of parentage and private law disputes.

## What the Directories Say

*"An excellent advocate who prepares thoroughly."* Band 4 - Chambers and Partners, 2024

*"Olivia is very considered and suitably attentive to the detail on very complex cases that demand in-depth knowledge of a lot of papers at short notice."* Band 4 - Chambers and Partners, 2024

*"Olivia is a true asset on any case she is instructed on."* Band 4 - Chambers and Partners, 2024

*"Olivia is an excellent advocate, clear, concise, and pragmatic. She is great in terms of thinking of strategy and the bigger picture. She is an extremely strong and persuasive advocate. She has amazing client rapport and is a go-to barrister in complex children's act matters."* Legal 500, 2024

*"Olivia is fabulous at delivering unpalatable advice to clients which does not impact their working relationship. She has great approach of the court irrespective of the level of judge. Her written work is on a par with her excellent advocacy."* Legal 500, 2023

*"She leaves no stone unturned when considering the papers. Olivia is a firm advocate and has a solid grasp of the law and is one of the most empathic but realistic barristers."* Tier 5 – Legal 500, 2022

*"Is a no-nonsense, straight talking barrister, who always prepares better than the opposition and is able to fight her clients' corner with a high degree of effectiveness. A force to be reckoned with in the courtroom. She's a real class act!"* Tier 5 - Legal 500, 2021

## Notable Cases

*H & Anor v S & Anor* [2024] EWHC 730

*Re C (Surrogacy: Consent)* [2023] EWCA Civ 16

*Z (Surrogacy: Step-parent Adoption), Re* [2024] EWFC 20

*X v Y* [2022] EWFC 77

*Re Ms L; Ms M (Declaration of Parentage)* [2022] EWFC 38

*X (A Child: Surrogacy: Marriage)* [2018] EWFC 15

*Williams & Anor v LB Hackney* [2018] UKSC 37

*Re B* [2018] EWCA Civ 20

*X County Council v AB* [2015] EWFC 98

*PD v SD* [2015] EWHC 4103 (Fam)

*P v Local Authority* [2016] EWHC 2779 (Fam)

*A Local Authority v B* [2017] EWCA Civ 1635

## Education

BA Hons, Law, Christ's College, Cambridge University

BVC, Inns of Court School of Law (2004)

MA, Cantab (2007)

Bilingual Summer School in International Criminal Law, Leiden University, Netherlands (2008)

## Appointments

MCI Arb

2015: Recorder (Crime)

## Awards

South-Eastern Circuit Advocacy Scholarship, Levin College of Law, University of Florida, US (2009)

Pegasus Scholarship: Washington DC, USA (2010)

## Memberships & Associations

[Family Law Bar Association](#) Committee Member (co-opted 2014, elected 2015)

[Midland Circuit](#)

[South Eastern Circuit](#)

Languages

French (conversational), Spanish (conversational), Russian (basic).