



## Edward Kirkwood

Called: 1999



0844 561 7135



ekirkwood@harcourtchambers.co.uk

### Practice Profile

*"His eye for detail is second-to-none."  
Legal 500 UK Bar 2018*

*"He combines a meticulous eye with an approachable demeanour."  
Legal 500 UK Bar 2018*

Edward was called in 1999 and practices exclusively in family law and Court of Protection proceedings.

His main areas of expertise are public and complex private law Children Act proceedings, and financial remedy proceedings.

Edward also has considerable experience with work in the Court of Protection where he regularly acts for Local Authorities in Mental Capacity Act applications.

#### PRACTICE

Edward regularly acts for local authorities, guardians, parents and extended family members at all stages of care and adoption proceedings. His experience covers the complete spectrum of issues arising in care proceedings including serious non-accidental injuries, chronic neglect, drug and alcohol abuse, sexual abuse and child sexual exploitation.

When representing local authorities, he has the benefit of a detailed understanding of internal procedures, decision making protocols and pressures on time and resources. Equally when representing parents he is able to offer realistic advice whilst building a trusting rapport with the client regardless of their background or the allegations made against them.

Edward also has expertise with international placements and other proceedings with a foreign element, having a detailed understanding of the procedures in relation to the Hague Convention on international adoption.

Edward is particularly adept at representing young adults and teenage children, be they the subjects of proceedings or parents themselves. He is known by those who instruct him to be able to build a relationship of trust and confidence with these vulnerable clients, enabling their voice to be properly heard and their case put in a manner that enables them to feel engaged in proceedings.

In private law proceedings, he is often instructed on more complex domestic disputes and frequently on behalf of r.16.4 Guardians. His experience within public law proceedings brings a sense of "perspective" when it comes to



apparently intractable private contact and residence arguments. A recent example is *Re J and K (Children: Private Law)* [2014] EWHC 330 (Fam) - a case widely reported by the press as deadlock between warring parents settled over "a cup of tea" in the cafeteria of the RCJ.

Edward has extensive experience in financial remedy proceedings, acting for both husbands and wives. He practises in big and medium / modest money cases in the Central Family Court FRU and local county courts. His focus is very much on achieving a fair and realistic outcome for the client at the earliest opportunity without hiking up costs through unnecessary litigation; as such his advice to clients is often forthright and occasionally unpopular, but with proportionality and realism being the priority

Edward also has a niche special interest and expertise in the validity of foreign marriages, particularly those celebrated in Muslim countries. An example is *K v A* [2014] EWHC 3850 (Fam), a case before Roberts J in which Edward was the sole advocate and consequently had to argue both sides of the argument - the issue being whether a purported marriage that was probably illegal in Pakistan should nonetheless be recognised as valid in this country.

In the Court of Protection, Edward has experience of representing Local Authorities at every stage of proceedings. His cases have involved a broad spectrum of issues, including difficult and sensitive decisions made on behalf of both young adults and the elderly. More recently, Edward has dealt with a number of cases arising from the *Cheshire West* decision in the Supreme Court and the subsequent DoL guidance issued by the President in *Re X*.

"Edward is recommended as leading junior in the Legal 500 - 'Really gets stuck into difficult cases.'

#### REPORTED CASES

- *S & T (Children), Re* [2015] EWHC 1753 (Fam)
- *RBC v W & N* [2015] EWFC B61
- *RBC v W & N* [2015] EWFC B61
- *K v A* [2014] EWHC 3850 (Fam)
- *Re J and K (Children: Private Law)* [2014] EWHC 330 (Fam)

#### MEMBERSHIPS

Association of Lawyers for Children.