



Mehvish Chaudhry

Called: 2008



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Practice Profile

Endorsements

Mehvish is a family barrister, who has experience in all aspects of children work. She is ranked junior in both Chambers and Partners and Legal 500:

- "On top of all the current case law, she sets out her case in an incredibly persuasive and focused way."
"Incredibly hard-working and someone with great forensic ability." (Chambers UK Bar 2020 London)

- Junior family barrister renowned for her expertise in international child movement, who regularly appears in the High Court, Court of Appeal and Supreme Court. She possesses a wealth of knowledge of child abduction, forced marriage and care cases in South Asia. (Chambers and Partners 2019)

- "Mehvish is incredibly good at cross-examination. She's never flustered, and her polished performance and the way she'll respond to a curve ball is impressive."

- "She's completely fearless and has a wonderful demeanour with clients." (Chambers and Partners 2019)

- "Is a real fighter but knows just how to pitch a case; she isn't unnecessarily aggressive but will fight her client's case" (Legal 500 2019)

- "Stands head and shoulders above her peers." (Legal 500 2018)



- "Junior family barrister renowned for her expertise in international child movement, who regularly appears in the High Court, Court of Appeal and Supreme Court. She possesses a wealth of knowledge of child abduction, forced marriage and care cases in South Asia." (Chambers and Partners 2018)
- "Exceptionally hard-working, fearless, and someone with a fantastic knowledge of international law. She is very supportive of clients and her preparation is second to none." (Chambers and Partners 2018)
- "A passionate advocate, who fights hard for her clients." (Legal 500 2018)
- "She has quickly established herself as one of the best young barristers in the child abduction field. She is a superb junior who punches way above her weight." (Chambers and Partners 2017)
- "She is extremely talented and simplifies complex areas of international child abduction law." (Legal 500 2016)
- "Always on top of her case and incredibly hard-working." (Chambers and Partners 2016)
- "Exceptionally bright, very highly specialised and highly experienced." (Chambers and Partners 2016)
- "She is very dynamic and clearly very interested in the way the area is developing. She is looking at the bigger picture." (Chambers and Partners 2016)

Profile

Mehvish has considerable experience in work in the following areas:

- International child abduction
- Applications made under the court's inherent jurisdiction
- Jurisdictional disputes relating to children
- Applications for leave to remove
- Private law proceedings
- Proceedings which involves allegations of forced marriage and female genital mutilation
- Public law cases with an international element

Mehvish has an extremely busy practice, which involves regular appearances in the High Court and Court of Appeal (often without a leader) and also the Supreme Court. In addition to her court work she is a member of the FLBA National Committee and has been instrumental in setting up the FLBA's first working group on retention of women at the Family Bar. Mehvish is also a trustee of reunite International Child Abduction Centre.



Mehvish has also written numerous articles on family law and also lectures regularly on a variety of topics. She is very happy to discuss delivering in house seminars and lectures.

Mehvish accepts instructions under the Bar Council's direct access scheme in appropriate cases.

Awards

"Young Barrister of the Year" Jordans Family Law Awards (2013)

Lincoln's Inn Hardwicke Scholarship (2007)

Lincoln's Inn Sir Thomas More Scholarship (2006)

Recent Notable Cases

S (A Child) (Hague Convention 1980: Return to Third State) [2019] EWCA 352 (Fam)

Mehvish Chaudhry appeared on behalf of the intervenor, the International Centre for Family Law Policy and Practice in the Court of Appeal in 1980 Hague Convention proceedings concerning return to a "third state" and protective measures <https://www.bailii.org/ew/cases/EWCA/Civ/2019/352.html>

M v F & Ors [2018] EWHC 1720 (Fam)

Y v Z (Children : Hague Convention) [2017] EWFC 102 (13 October 2017)

Mehvish represented the applicant father in an application for the summary return of two children to the USA before Susan Jacklin QC sitting as a Judge of the High Court in *Y v Z (Children : Hague Convention)* [2017] EWFC 102 (13 October 2017). The subject children, who were aged 15 and 11, were returned to the USA despite the court having made a finding that they objected to return. Mehvish was led by Edward Devereux QC [http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWFC/OJ/2017/B102.html&query=\(chaudhry\)+AND+\(jacklin\)](http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWFC/OJ/2017/B102.html&query=(chaudhry)+AND+(jacklin))

Re Z (A Child) (FGMPO: Prevalence of FGM) [2017] EWHC 3566 (Fam)

<http://www.bailii.org/ew/cases/EWHC/Fam/2017/3566.html>.

Mehvish Chaudhry successfully upheld applications under The Children Act 1989 when she acted for Z, a young child, during proceedings commenced by the Mother for Child Arrangements Orders. The Father wished to take Z to Guinea, West Africa, where FGM is highly prevalent, in order to meet with his family. After hearing expert evidence the court ordered that Z not be allowed to accompany her Father to Guinea because of the risk of FGM occurring due to paternal family pressure

Re F (Children), Court of Appeal, [2016] EWCA Civ 546 (9th June 2016) [2016] 3 F.C.R. 255

Re F (Children), Court of Appeal, [2016] EWCA Civ 1253 (7th December 2016); [2017] 4 W.L.R. 4; [2017] 1 F.C.R. 163

Mehvish represented the applicant father in Hague Convention proceedings at first instance and at two appeal hearings in the Court of Appeal. The case concerned child's objections, the exercise of the court's discretion, and the High Court's jurisdiction to set aside a final order in abduction proceedings. Mehvish was led by Teertha Gupta QC.

J (Children) (Brussels II Revised: Article 15), Re Also known as: *N (Children) (Adoption: Jurisdiction)*, Supreme Court, [2016] UKSC 15; [2016] 2 W.L.R. 1103; [2016] 1 F.L.R. 1082;

Supreme Court proceedings concerning the proper application of Article 15 Brussels II Revised, when domestic Courts are considering whether to transfer care proceedings for determination in other Regulation States.

Mehvish was instructed to intervene on behalf of Family Rights Group, a charity representing parents and kinship



carers involved in care proceedings. Mehvish was led by John Vater QC.

D (A Child : Jurisdiction : Habitual Residence), Family Division, [2016] EWHC 1689 (Fam) (07 July 2016); [2016] 4 W.L.R. 117

Mehvish successfully argued that the court had no jurisdiction to consider a father's application for the return of his eight-year-old child from France on the basis that the child was not habitually resident in the UK at the time of the application.

Re B (a child) Supreme Court [2016] UKSC 4, [2016] A.C. 60, [2016] 1 F.L.R. 561

Mehvish acted on behalf of the successful appellant. The Supreme Court considered the application of a lesbian parent for the return of her daughter to the UK from Pakistan. The Court gave consideration to the circumstances in which a child's habitual residence, that had been established in one jurisdiction, is lost. Mehvish was led by David Williams QC.

Buckinghamshire County Council v MA & Anor, Family Division, [2016] EWHC 1338: Mehvish acted on behalf of a Local Authority in Wardship proceedings involving allegations of FGM.

H (Mother) v C (Father) also known as: *C (Older Children: Relocation)*, Court of Appeal, [2015] EWCA Civ 1298; [2016] 2 F.L.R. 1159

Mehvish acted for the child Court of Appeal proceedings relating to an application for leave to remove. Mehvish argued successfully on behalf of the child that the general intention of the Children Act 1989 was to prevent the imposition of inappropriate requirements on older children. A recorder determining an application to remove from the jurisdiction a 16-year-old child, who was the subject of a shared residence order until he was 18, should not have made or left in force any order that affected the child. The first instance decision, in so far as it related to the elder child, was overturned.

AT v SS, Family Division, [2015] EWHC 2703 (Fam) (29 September 2015), [2016] 2 F.L.R. 1102

Mehvish acted on behalf of the Father in proceedings brought under the 1980 Hague Convention. Mehvish was able to obtain an order for return in circumstances where the Mother refused to return with the child and the child was returned to local authority care.

Re Dad, Family Division, [2015] EWHC 2655 (Fam) (15 September 2015)

A committal application made under the Family Procedure Rules 2010 was struck out where the collection order on which the application was based failed to display a penal notice, prominently on the front page, warning the person on whom it had been served that disobedience of the order would constitute a contempt of court punishable by imprisonment.

Re J (A Child), Also known as: *B v PJ (A Child) (Court Procedure Deficiencies)*, Re, Family Division, [2015] EWHC 1627 (Fam) (09 June 2015) [2015] Fam. Law 888

A decision from the President of the Family Division in relation to the lifting of a stay and an administrative error by the Court of Appeal.

A (A child: Wardship: Fact Finding: Domestic Violence) [2015] EWHC 1598 (Fam) (08 May 2015)

Mehvish acted on behalf of the Father in High Court proceedings before Pauffely J. The judgment received some media attention.

Re M (Republic Of Ireland) (Child's Objections) (Joinder Of Children As Parties To Appeal), Court of Appeal, [2016] Fam. 1 [2015] 3 W.L.R. 803

Mehvish appeared on behalf of the respondent father in this landmark Court of Appeal decision in relation to the correct approach to be taken to the Article 13 child's objections defence.

Re King (A Child), Family Division, [2014] EWHC 2964 (Fam), [2014] 2 F.L.R. 855

In highly publicized wardship proceedings, the court was required to determine whether the parents (P) of a child (K) could have permission to take K to Prague for medical treatment. Mehvish was instructed on behalf of the



CPS.

Re K (A Child) (Reunite International Child Abduction Centre Intervening), Supreme Court, [2014] 2 WLR 1304
Mehvish was instructed as part of the legal team for reunite International Child Abduction Centre in Supreme Court proceedings concerning the interpretation of rights of custody pursuant to the 1980 Hague convention.

B v B (Abduction: Habitual Residence) Also known as: FB v IB (Abduction: Habitual Residence) M (Children), Family Division, [2014] EWHC 3163 (Fam)

Mehvish successfully argued for the dismissal of the father's application under the 1980 Hague Convention for the return of his two children to New York failed where, on the more credible evidence of the mother, he had consented to their relocation to the United Kingdom some two years earlier. In those circumstances, there had been no unlawful retention.

v O, Family Division, [2014] Fam. 87; [2014] 2 W.L.R. 1213; [2014] 1 F.L.R. 1406

Mehvish appeared, with Henry Setright QC, for the applicant in the first case in England and Wales where a child was ordered, pursuant to the 1980 Hague Convention, to return to a country other than the state of the child's former habitual residence (i.e. a "third state").

N v K [2013] EWHC 2774 (Fam)

N v K (No.2) [2014] EWHC 507 (Fam) [2013] Fam. Law 1530

Mehvish represented the applicant in High Court proceedings involving a jurisdictional dispute between the courts in America and England. The applicant mother successfully obtained orders declaring that the courts in England and Wales held jurisdiction in regards to the child and that jurisdiction should be exercised to permit the child to remain in England and in the care of the mother. In the second decision Cobb J hands down guidance in relation to judicial liaison.

Re FT and NT (Children), Family Division, [2013] EWHC 850 (Fam) (11 April 2013), [2013] 2 F.L.R. 690

Mehvish represented the mother in her application for the summary return of two children to Canada pursuant to the Hague Convention. Mrs Justice Pauffley stated at paragraph 22 of her judgment: "If she will permit me to say so, Miss Chaudhry's Skeleton Argument is quite excellent. It contains not only a concise and very useful summary of the law and key facts but also an impressive, cross-referenced analysis of the evidence. I was wrong yesterday to challenge her use of the word 'unarguable' for which I apologise. It is, to use another word, indisputable that the children had acquired habitual residence in Canada."

ML v KW and Anor, Family Division, [2014] 1 F.L.R. 224, [2013] EWHC 341 (Fam)

Mehvish acted for the mother in Wardship and contact proceedings including a five-day fact-finding hearing in the High Court during which the Court heard video- evidence from several witnesses in Kabul. The mother gave evidence by video-link. Findings were made in relation to the allegations of violence including serious sexual assault.

Z v Z (Removal of Child: Consent), Family Division, [2012] EWHC 3954 (Fam), [2013] 2 FLR 500

Mehvish represented the mother in her application under the inherent jurisdiction and Wardship for return of a three-year old child to Pakistan. Orders were obtained for the child's return following a contested five-day hearing in the High Court. The mother attended the hearing by video-link from Pakistan.

MP v MH [2010] EWHC 3467 (Fam); [2011] 1 F.L.R. 2060

Mehvish was instructed on behalf of the Petitioner in proceedings brought under the Forced Marriage Act and inherent jurisdiction. The petitioned was granted declaratory relief that the marriage which she entered into in Pakistan was invalid because it has been a forced marriage. Mehvish was lead by Teertha Gupta QC.

Education



King's College London LLB

University College London LLM (with Distinction)

Inn's of Court School of Law BVC

Appointments

Mehvish is a trustee for reunite International Child Abduction Centre

Mehvish is an elected member of the Family Law Bar Association National Committee.

Languages

Urdu (conversational)