



Damian Garrido KC

Call: 1993 / Silk: 2015

Damian is a leading family law specialist, listed in the Legal 500 and Chambers & Partners. His appointment as King's Counsel is a recognition of excellence in written and oral advocacy in the higher courts.

He provides sound, practical advice in all aspects of family law, conducting skilful negotiations to achieve consensual outcomes and undertaking robust advocacy in court when necessary. He is known for his devastating cross-examination and focused submissions. The breadth of his experience in both child and financial family law applications is welcomed by clients seeking a holistic solution to the problems of relationship breakdown. In silk, he has developed considerable expertise in appellate advocacy.

Damian will provide early neutral evaluations and act as a private FDR judge for parties with children and financial disputes who wish to avoid the court process. He is also a Recorder sitting as a judge in the Family Court and sits as a Deputy High Court Judge in the Family Division.

Family Finance

Damian has considerable expertise in applications for financial remedy following relationship breakdown, notably where complexities arise due to the nature and value of the parties' assets and sources of income (e.g. private businesses or family trusts), an international element and/or third-party intervention. He is experienced in cases involving nuptial agreements, cohabitation, child maintenance and civil partnerships.

Notable Family Finance cases

- **NN v AS & Ors (Rev 1) [2018] EWHC 2973 (Fam), [2019] 1 FLR 1397**
Financial relief after overseas divorce.

London

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Oxford

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- **Morris v Morris** [2016] EWCA Civ 812, [2017] 1 WLR 554
Variation/Judgment summons

International Family Law

Damian has been recognised as a leading expert on international children law. He often represents clients in the difficult and sensitive area of international child abduction, international relocation and international adoption. He has co-authored the leading textbook *Relocation: A practical guide*, now in its second edition.

Notable International Family Law cases

- **Re L v F** [2017] EWCA Civ 2121, [2018] 4 WLR 141, [2018] 2 FLR 608
International relocation.
- **Re S & T (Children)** [2015] EWHC 1753, [2015] Fam Law 884
International adoption.

Private Law Children

Damian also brings his forensic skills to domestic private law cases, particularly where serious allegations are raised against a parent or in cases of alleged parental alienation. He also has particular expertise in applications for internal relocation, having appeared in the leading Court of Appeal authority of *Re C*.

Notable Private Law Children cases

- **Re M-A (A Child)** [2018] EWCA Civ 896
- **Re C** [2015] EWCA Civ 1305, [2016] 3 WLR 1
Internal relocation.

Public Law Children

Damian's child-care practice encompasses the most complex and sensitive cases including those involving alleged radicalisation, serious injury or death, sexual exploitation, the youth or incapacity of a parent and/or issues of publicity, non-disclosure and public interest immunity.

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Notable Public Law Children cases

- **S (Children: Findings of Fact) [2023] EWCA Civ 1113**

Represented the Father who was opposing an appeal by the local authority against a fact-finding decision of HH Judge Wicks. The appeal raised important and interesting legal issues concerning the rehearing of previous findings of fact, the relevance of propensity and ‘hindsight bias’, and the caution to be applied before making exculpatory findings. This case was reported in [Local Government Lawyer](#).

“strongly enhanced by oral argument from Mr. Garrido, who persuasively identified ways in which it might be possible ... to uphold the judge’s decision” – HH Judge Wicks

- **Barnsley Metropolitan Borough Council v VW & Ors [2022] EWFC 83**

Representing a vulnerable mother, where the local authority pursued lengthy allegations including FII, in circumstances where care and placement orders were unopposed and significant threshold concessions had already been made. The Court determined that a five day fact-finding hearing on the unadmitted allegations was not justified, and explored the applicable factors concerning whether or not to conduct a fact-finding exercise.

- **Somerset County Council v NHS Somerset Clinical Commissioning Group & Ors [2022] EWFC 31**

Damian advised and represented the Clinical Commissioning Group for Somerset in protracted High Court litigation relating to breaches of the Adoption Agencies Regulations 2005 (AAR 2005) – specifically a failure by its Agency Decision Maker to adhere to the regulations relating to the provision of medical reports from the Agency Medical Adviser. In this final judgment, it was decided by the President of the Family Division, Sir Andrew McFarlane, that although breaches of AAR 2005, reg 15/17 had occurred, an application for a declaration as to the validity of existing placement orders or adoption orders was not required or appropriate, because (a) such orders remained valid unless and until overturned and (b) in most cases where these occurred, there would rarely be a health issue, both significant yet unknown to the ADM and/or the court, that could undermine the orders’ validity.

- **Somerset County Council v NHS Somerset Clinical Commissioning Group & Anor [2021] EWHC 3004 (Fam)**

- **A Local Authority v W (No 2) (Finding of Fact Hearing) [2020] EWFC 68**

- **AA & 25 Ors (Children) [2019] EWFC 64**

- **Re Y & E (Children) [2019] EWCA Civ 206**

- **C (Children - Fact-Finding) [2018] EWCA Civ 801**

- **Re L (Children) (Rev 1) [2017] EWCA Civ 1137, [2017] 4 WLR 141**

- **BCC v FZ & Ors [2012] EWHC 1154, [2013] 1 FLR 974**

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Alternative Dispute Resolution

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Direct Access

Damian is qualified to accept instructions directly from members of the public under the Direct Access Scheme in appropriate circumstances.

Appointments

- Deputy High Court Judge (Family Division) (2016)
- Recorder (Family Court) (2012)

Publications

- Relocation: A Practical Guide (Jordan's 2016, 2nd Ed.)
- Beyond Radmacher: the developing judicial approach to nuptial agreements (Practical Law 2013)
- Joinder of third parties and wasted costs in financial remedy proceedings [2012] Fam Law 1101

Memberships

- Family Law Bar Association
- Honourable Society of the Middle Temple

Education

- BVC, Inns of Court School of Law

- Dip Law, City University, London
- BA (Hons), University of Kent

London

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Barristers regulated by the Bar Standards Board.

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