



John Vater KC MCI Arb

Call: 1995 / Silk: 2012

John has been practising as a children law specialist since 1995, and since taking Silk has become one of the leading barristers in the field. He has extensive experience and is widely respected in his specialism, appearing at all levels of court, including the Supreme Court. John takes a straightforward, plain speaking approach to his role as an adviser and an advocate. He is particularly respected for his skill as a cross examiner, and for his ability to understand, deploy and deconstruct the most complex expert evidence, whether in public or private law cases. John appears in children's cases across the nation and is the only barrister in the country to be ranked by Chambers & Partners as a Leader at the Bar on three separate Circuits.

Public Law Children

John is instructed for all parties in the most serious and complex public law cases, at first instance and on appeal. Most of his cases involve fatalities, life changing injuries, and highly complex or controversial areas of medical science. He has particular expertise in infant head injury, allegations of organised sexual abuse, factitious and/or induced illness and cases of sudden infant death. John also has experience in related areas, such as judicial review, relevant Human Rights Act litigation, and personal injury/negligence claims. He has also appeared in a number of cases with cross-border issues, including international adoption, or where the inherent jurisdiction is engaged. John undertakes the full range of advisory work, and regularly gives papers in public children's law to a variety of organisations and audiences. Due to the exceptionally sensitive nature of the cases in which John specialises the vast majority of his cases are not reported or in the public domain.

Notable Public Law Children cases

London

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Oxford

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- **A Council v H & Ors [2023] EWFC 47 (29 March 2023)**
Represented First Respondent Mother. Care proceedings relating to two children, issued following death of sibling, who was found to have suffered metaphyseal fractures. Held, threshold not met.
- **Birmingham City Council v Mother v Ors [2023] EWHC 905**
The Local Authority made an application for s31 orders in relation to 4 children. The trigger for local authority intervention was that C had made allegations that she has been sexually abused by her two brothers A (represented by John Vater KC) and B. The Local Authority also sought to prove allegations of ill treatment of C by her parents.
No findings were made against John's client.
- **A Local Authority v A Mother & Ors [2022] EWFC 153 (4 November 2022)**
Fact-finding hearing in care proceedings to establish cause of death of sibling.
- **Re T (No.2) (Care Proceedings : Fact-Finding : Genital Injuries : Supplemental judgment for publication) [2021] EWFC 101**
- **Y (A Minor) (Brussels II Revised: Jurisdiction after Article 15 Transfer) [2021] EWFC 107**
- **Re J (A Child: Residential assessment) [2021] EWFC B18 (09 April 2021)**
An appeal by a local authority against the case management decision of District Judge.

Private Law Children

John appears for parents across the range of domestic and international private law cases. He has particular experience in the most sensitive and intractable cases, involving (for example) allegations of alienation, or where relevant allegations of other serious abuse or misconduct are involved. He appears from people from all walks of life in these cases, including high profile individuals, and has experience of related media and privacy law. John has appeared in surrogacy cases, and also private adoptions.

Notable Private Law Children cases

- **L (A Child) [2016] EWCA Civ 1297, [2016] EWCA Civ 1297**
Court of Appeal decision concerning the question of whether the court had jurisdiction to make a child arrangements order regulating contact in respect of a child who was to relocate to Corfu.
- **Re B (Child) (Relocation: Sweden) (Rev 1) [2015] EWCA Civ 286**
Court of Appeal decision concerning an application to relocate a child to Sweden.
- **S (A Child), Re [2010] EWCA Civ 325**
Court of Appeal decision concerning complex private law proceedings which considered an intractable contact

dispute which lead to local authority involvement and an order for transfer of residence.

International Family Law

A significant proportion of John's public and private law cases involve some international element. In addition, he has appeared (up to the Court of Appeal) in a number of Hague Convention/abduction cases, applications for international relocation of children, and international adoptions.

Notable International Family Law cases

- **N (Children), Re [2016] UKSC 15 (13 April 2016), [2016] 2 WLR 1103**
Supreme Court decision concerning the interpretation and application of Article 15 of the Brussels ii revised regulation. John led the legal team instructed on behalf of the Family Rights Group.
- **U - B (A Child) [2015] EWCA Civ 60 (06 February 2015)**
Court of Appeal decision concerning an application for return of a child to Spain pursuant to the 1980 Hague Convention.

Alternative Dispute Resolution

John is a qualified children's law arbitrator and is also experienced in Early Neutral Evaluation.

Direct Access

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

Publications

- 'Contact: The New Deal' (co-author, Jordan's Family Law)
- 'The Public Law Outline: A Case Management Compendium' (co-author, Jordan's Family Law)

Memberships

- Association of Lawyers for Children
- Family Law Bar Association
- Legal Action Group

Education

- Lord Justice Holker Scholar, Gray's Inn
- Domus Scholar, MA in Jurisprudence, St. Peter's College, Oxford University

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