



Mehvish Chaudhry

Call: 2008

Mehvish's practice encompasses all aspects of children law, with a particular emphasis on private law and international matters. She also handles complex public law disputes, often involving international and honour based issues. Mehvish is ranked in both Chambers & Partners and Legal 500 as a leading junior and has appeared in many leading family law decisions including in the High Court, Court of Appeal, and Supreme Court.

Mehvish is known for her persuasive advocacy, industry, and detailed knowledge of current case law. Her court manner has been described as fearless, forensic, and unflappable. Mehvish is also known for her excellent client care, clear advice, and an ability to bring humanity and warmth to complex and emotionally charged situations.

In 2013 Mehvish was awarded the Jordan's Family Law Award for "Young Barrister of the Year". In addition to her court work, Mehvish is a member of the FLBA National Committee and a founding member of Women in Family Law. She is also a trustee of Reunite International Child Abduction Centre.

International Family Law

Mehvish has been described by Chambers and Partners as "one of the best young barristers in the child abduction field" and is highly respected for her expertise in international children cases. She regularly appears in these matters both in the High Court and at appellant level. Mehvish has appeared in over thirty published cases in this area, including, three Supreme Court decisions ([K \(A child\) \(Northern Ireland\) \[2014\]](#), [Re B \(a child\) \[2016\]](#), and [Re N \(Children\) \[2016\]](#)) and the leading Court of Appeal decision on the child's objections defence: [M \(Republic of Ireland\) \(Child's Objections\) \(Joinder of Children As Parties To Appeal\) \[2015\]](#).

Mehvish accepts instructions in all aspects of international children law and is equally skilled at handling cases heard in the Family Division of the High Court in an abduction context and applications for international relocation in the Family

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Court. She has considerable experience of the panoply of applications that can be made pursuant to the Brussels II revised regulation and 1996 Hague Child Protection Convention. Mehvish also has a particular expertise in cases which involve stranded spouses, allegations of female genital mutilation, and forced marriage.

Mehvish fully understands that these cases sometimes require urgent consideration and she is very happy to advise at short notice if required.

Notable International Family Law cases

- **AS v CPW [2020] EWHC 1238**

Mehvish represented the father in proceedings issued pursuant to the inherent jurisdiction for the return of the parties' eldest child from Sierra Leone to England. The final hearing took place before Mostyn J by Zoom during the Covid-19 pandemic.

- **VB v TR [2020] EWHC 877**

Mehvish appeared on behalf of the father in inherent jurisdiction proceedings seeking the return of the parties' only child to his home in Bermuda. The final hearing took place before Mostyn J by Zoom during the Covid-19 pandemic. The judgment includes a number of observations about the legal framework governing applications for return of children between England and Wales and British Overseas Dependent Territories.

- **R v Secretary of State for the Home Department (No. 2) [2020] EWHC 1036 & R v Secretary of State for the Home Department (Disclosure of Asylum Records) [2019] EWHC 3147**

Mehvish, led by Edward Devereux QC, represented the father in proceedings which raise the question of whether documents from an asylum claim can be disclosed into family proceedings. Due to the legal importance and complexity of the issues the Secretary of State for the Home Department intervened in proceedings.

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

Mehvish appeared in the Court of Appeal on behalf of the intervenor, The International Centre for Family Law Policy and Practice, in 1980 Hague Convention proceedings concerning return to a "third state" and protective measures.

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

Mehvish was instructed by the Cafcass High Court Team in proceedings concerning the father's application to take the subject child to Guinea, West Africa, where FGM is highly prevalent, in order to meet with his family. After hearing expert evidence, the court ordered that the child should not be allowed to accompany her father to Guinea because of the risk of FGM occurring due to paternal family pressure.

- **Re B (a child) [2016] UKSC 4, [2016] 1 FLR 561**

The Supreme Court considered the application of a lesbian parent for the return of her daughter to England 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 acted on behalf of the successful appellant and was led by David Williams QC (now Williams J).

- **Re C (Older Children: Relocation) [2015] EWCA Civ 1298; [2016] 2 FLR 1159**
Court of Appeal proceedings in respect of an application for leave to remove. Mehvish appeared on behalf of the older child and successfully argued that the general intention of the Children Act 1989 was to prevent the imposition of inappropriate requirements on older children. The first instance decision, in so far as it related to the older child, was overturned.
- **M (Republic of Ireland) (Child's Objections) (Joinder of Children As Parties To Appeal) [2015] EWCA Civ 26, [2015] 2 FLR 1074**
Mehvish appeared on behalf of the 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 in 1980 Hague Convention proceedings.
- **K (A child) (Northern Ireland) [2014] UKSC 29, [2014] 2 FLR 629**
A Supreme Court decision involving the definition of "Rights of Custody" for the purposes of Article 3 of the 1980 Hague Convention. Mehvish's research into the international jurisprudence was referred to extensively in the Supreme Court's judgment.

Private Law Children

Mehvish is regularly instructed in all aspects of private law proceedings including: applications for child arrangements, international relocation, holidays abroad, internal relocations, prohibited steps orders, disputes about schooling and change of name, cases which involve allegations of alienation and allegations of domestic abuse.

Mehvish is acutely aware that these cases can be exceptionally sensitive and difficult for the parties involved. She is known as a bright and tenacious advocate who will fight hard for her clients and does not shy away from delivering firm and realistic advice.

Notable Private Law Children cases

- **Re C (Older Children: Relocation) [2015] EWCA Civ 1298; [2016] 2 FLR 1159**
Court of Appeal proceedings in respect of an application for leave to remove. Mehvish appeared on behalf of the older child and successfully argued that the general intention of the Children Act 1989 was to prevent the imposition of inappropriate requirements on older children. The first instance decision, in so far as it related to the elder child, was overturned.

Public Law Children

Mehvish accepts instructions in public law proceedings for all parties including local authorities, parents, children, Cafcass, and the Official Solicitor.

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Mehvish has particular experience in cases involving allegations of honour based violence, female genital mutilation, forced marriage, domestic abuse, and vulnerable parties. Mehvish is also experienced in handling public law proceedings involving applications for deprivation of liberty and proceedings with an international dimension, for example, cases involving jurisdictional issues and applications to transfer proceedings abroad.

Notable Public Law Children cases

- **West Sussex County Council & Anor v F & Ors [2018] EWHC 1702 (Fam), [2019] 1 FLR 992**

Complex public law proceedings with an international dimension and allegations of forced marriage. Mehvish represented the father which involved cross-examining two children aged fifteen and fourteen (with special measures) at final hearing. Williams J accepted the legal submissions made on behalf of the father that the approach of the court may be different if the proposed order contains mandatory, rather than prohibitive, orders. The children were returned to the care of the parents at the conclusion of the proceedings.

- **B (A Child), Re [2018] EWHC 1643**

Mehvish was instructed by the Official Solicitor in complex proceedings concerning two children which gave rise to a number of complex legal and factual issues in relation to jurisdiction, applications to enforce Spanish orders, and the 1980 Hague Convention, and the impact on final care orders.

- **Re N (Children) [2016] UKSC 15 (13 April 2016), [2016] 1 FLR 108**

Supreme Court case involving correct approach to the transfer of proceedings pursuant to Article 15 of the Brussels ii revised regulation. Mehvish, led by John Vater QC, appeared as part of the legal team instructed on behalf of the Family Rights Group. The Group's submissions were endorsed by the Supreme Court at §2 of §§48 of the decision and described by Lady Hale as helpful.

Court of Protection

Mehvish accepts instructions in proceedings in the Court of Protection and has a particular interest in cases involving vulnerable adults and cross-border issues.

Notable Court of Protection cases

- In 2019 Mehvish, led by Aidan Vine QC, represented a mother in complex proceedings before Keehan J which involved the transition of proceedings from the Family Court to the Court of Protection and involved consideration of a host of issues including: an application for transfer of the proceedings pursuant to Article 15 of the Brussels ii revised regulation, consideration of whether the subject child lacked capacity under the MCA 2005, and applications for deprivation of liberty pursuant to the inherent jurisdiction.

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Direct Access

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

Appointments

- Elected member of the Family Law Bar Association National Committee
- Founding member of Women in Family Law
- Trustee of the Reunite International Child Abduction Centre

Publications

- The Annual National Conference in Oxford – Family Affairs (Winter 2019)

Memberships

- Child Abduction Lawyers Association
- Family Law Bar Association
- Women in Family Law

Education

- BVC, Inns of Court School of Law
- LLM, University College London
- LLB, Kings College London

Prizes

- Young Barrister of the Year, Jordan's Family Law Awards (2013)

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- Hardwicke Scholarship, Lincoln's Inn (2007)
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