



Nick Goodwin KC

Call: 1995 / Silk: 2014

Nick Goodwin KC is a leading family law silk with a substantial first instance and appellate practice, primarily in the law relating to children.

His advocacy is measured, subtle and firm. Out of court he is noted for his thorough paperwork and excellent client relationships.

He took silk in 2014 and now routinely appears in the most complex and serious cases typically involving allegations of inflicted injury and abuse. He undertakes increasing amounts of appellate work in the Court of Appeal often with technical argument on difficult points of law.

In 2016 he was appointed a Deputy High Court Judge, sitting exclusively in the Family Division, having previously sat as a Recorder since 2010. The legal directories (see below) note the respect he commands from judges and opponents alike, as well as his meticulous preparation, careful paperwork and skill as an advocate.

Public Law Children

Nick represent parents, children and local authorities in public law proceedings involving allegations of homicide, inflicted injury, sexual abuse and factitious/induced illness. He has an excellent grasp of the medical issues arising in such cases and has acquired particularly extensive experience in the cross-examination of pathologists and experts in inflicted head injury. He has appeared in many adoption cases where there are competing arguments for the child to be brought up within the birth family. In 2018 this side of his practice included an appeal regarding post-adoption contact under s.51A Children Act 1989 – the first time the Court of Appeal considered this new statutory provision.

London

2 Harcourt Buildings, Temple, London, EC4Y 9DB
T: +44 (0)20 7242 355
e: clerks@harcourtchambers.co.uk
DX: DX 373 LDE

Barristers regulated by the Bar Standards Board.

Oxford

Churchill House, 3 St Aldate's Courtyard, 38 St Aldate's, Oxford OX1 1BN
T: +44 (0)1865 791559
e: clerks@harcourtchambers.co.uk
DX: DX 96453 Oxford 4

Notable Public Law Children cases

- **Re J (Care Plan for Adoption) [2024] EWCA Civ 265**
Appeal by mother against a care order made in respect of her 9 month-old son.
- **Royal Borough of Kensington and Chelsea v NM & Ors [2024] EWFC 48**
Hearing to determine whether there should be a fact-finding with respect to allegations made by the mother against social worker.
- **Re N(Children: Findings Against a Professional Witness: Joinder or Intervention) [2024] EWFC 17**
Care proceedings. Judgment considering the position of medical expert who the local authority asserted had been manipulated by the mother.
- **Birmingham City Council v M & Ors [2023] EWHC 3312 (Fam)**
Care proceedings in the High Court in respect of two children issued following allegations by Mother's two older daughters that their Father had sexually assaulted them.
- **Re AB (A Child: Diabetic Care) [2023] EWFC 149**
Mother accused of fabricated and induced illness by covert and chronic insulin maladministration.
- **N (Children: Revocation of Placement Orders), Re [2023] EWCA Civ 1352**
Appeal by mother from the dismissal of applications to discharge placement orders and for the instruction of an independent social worker. Appeal dismissed.
- **T (Fact-Finding: Second Appeal) [2023] EWCA Civ 475**
Second appeal by LA from decision by circuit judge allowing an appeal against findings made by a deputy district judge in care proceedings involving 4 children. Appeal allowed.
- **Re M (adoption - notification of birth father) [2023] EWFC 17**
Adoption application in which court ordered that birth father be notified, but birth mother refused to reveal his name, and he could not be identified.
- **Re C & Ors (Care Proceedings: Fact Finding) [2023] EWCA Civ 38**
Represented a local authority and successfully opposed a parent's appeal against findings of fact made in care proceedings.
- **Birmingham City Council v CD & Ors [2023] EWHC 748 (Fam)**
Before Lieven J investigating the circumstances surrounding the alleged multiple injuries (head injury, multiple fractures), neglect and death of an 11 week old baby.
- **Re W-A (Children) [2022] EWCA Civ 1118, [2022] 3 WLR 1235**
An appeal against a decision that foreign convictions were admissible in evidence and carried presumptive weight that the offence had been committed in fact-finding in children's cases.

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- **A (Children) (Pool of Perpetrators), Re [2022] EWCA Civ 1348**

The correct approach in uncertain perpetrator cases.

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

Nick advised and represented Somerset County Council 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.

- **Re T (No.2) (Care Proceedings : Fact-Finding : Genital Injuries : Supplemental judgment for publication) [2021] EWFC 101**

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

Nick advised and represented Somerset County Council in protracted High Court litigation before Roberts J. relating to breaches of the Adoption Agency Regulations 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.

- **Re YY (Children: Conduct of the Local Authority) [2021] EWHC 749**

A twenty day High Court public law children case in which the court principally examined a local authority's failings in relation to 4 children placed in foster-care. There were systemic and individual failures within the local authority that meant that the children's false beliefs about their maternal family had not been corrected but instead became more entrenched, thwarting the restoration of contact. Keehan J. made comprehensive findings against the local authority.

- **Re R (Children: Control of Court Documents) [2021] EWCA Civ 162**

Court of Appeal guidance on the family court's power to control the distribution of its judgments and other sensitive material – in the present case to a serving offender.

- **A County Council v M [2021] EWFC 35**

Order of Judd J authorising a local authority to proceed with an adoption favoured by the parents without first assessing the paternal grandmother as a potential carer.

- **A Local Authority v Mother & Ors [2020] EWHC 1086 (Fam)**

Nick acted on behalf of the local authority in a case involving the killing of a 2 month old infant. This was one of the first reported judgments on the use of a remote hearing platform in a case of this nature.

- **B (A CHILD)(Designated Local Authority) [2020] EWCA Civ 1673**

Successful appeal under s.31(8) and s.105(6) Children Act 1989.

- **Re A (No. 2) (Children: Findings of Fact) [2019] EWCA Civ 1947**
Appeal against findings made of sexual assault and homicide in respect of a 10 yr old girl found deceased in her bedroom with neck and genital injuries. The Court of Appeal remitted the case for an unprecedented third fact-finding hearing before a (third) High Court judge.
- **Re D (Fact-Finding Appeal) [2019] EWCA Civ 2302**
Successful appeal on behalf of a mother before the Court of Appeal against first instance findings of complicity in sexual abuse.
- **Salford City Council v NV & M (Deprivation of Liberty in Scotland) [2019] EWHC 1510**
Legal argument regarding the lawfulness of a placement in Scotland of an English child under the inherent jurisdiction where the child had been deprived of her liberty and the Scottish court had yet to determine whether the nobile officium jurisdiction could be exercised.
- **Re B (A Child) (Post - Adoption Contact) [2019] EWCA Civ 29**
First Court of Appeal authority in relation to the provisions of s.51A Adoption and Children Act 2002 relating to post-adoption contact.
- **Re B-P (Children) (Adoption or Fostering) [2018] EWCA Civ 2042**
Successful appeal on behalf of a local authority against a first instance refusal to make a placement order.

Private Law Children

Nick is also much in demand for private law cases involving issues of custody, contact, international relocation and allegations of abuse.

Notable Private Law Children cases

- **Re (A Child : Findings of Fact) [2022] EWCA Civ 1652 (15 December 2022)**
Appeal by mother in private law proceedings from findings of fact arising from allegations of domestic abuse, including transnational marriage abandonment.
- **Re M [2019]**
Contact proceedings involving allegations of sexual abuse made against the mother's partner and a long history of hostility and obstruction by both parents.
- **Re Z [2019]**
Contact proceedings initiated through the Central Authority pursuant to Article 21 of the 1980 Hague Convention.
- **Re S [2019]**
Successful application for contact on behalf of a father in the face of implacable hostility by the mother and an

adverse CAFCASS report.

- **Re R [2018]**
Complex international relocation case involving polygamous marriage, allegations of coercion and grooming.
- **F v F [2013] EWHC 2683**
Successful application on behalf of a father for an order permitting the children to have the MMR vaccination in the face of opposition from the mother.

International Family Law

Nick accepts instructions in all aspects of international family law.

Notable International Family Law cases

- **Re A and B (Rescission of Order: Change of Circumstances) [2021] EWFC 76**
Application before Cobb J on behalf of two children to have an order rescinded under s 31F(6).
- **Re R [2018]**
Complex international relocation case involving polygamous marriage, contempt of court and allegations of coercion and grooming.
- **Re GP (A Child) [2017] EWCA Civ 1677**
Case in the Court of Appeal involving 1980 Hague Convention defence under Article 13(b) – grave risk that return order would expose child to physical or psychological harm or otherwise place the child in an intolerable position, where the abducting parent had already been sentenced to imprisonment in her home country for a previous abduction and the first instance court had insufficiently analysed the practicalities of a return order on the child.

Family Finance

Nick accepts instructions in cases involving legal argument about nullity/divorce and wider jurisdictional problems.

Notable Family Finance cases

- **HM Attorney General v Akhter v Anor [2020] EWCA Civ 122**
Acted as amicus curiae to the Court of Appeal in a landmark case concerning the availability of a decree of nullity after an Islamic marriage. Complex legal argument required with detailed analysis of the Marriage Acts 1753 to 1949 and applying principles of domestic and European Law under ECHR.

- **Hayatleh v Mofdy [2017] EWCA Civ 70**

Court of Appeal case regarding the validity in English law of a marriage conducted in Syria and whether a decree of nullity should be granted, alternatively a declaration of 'non-marriage'.

Direct Access

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

Appointments

- Deputy High Court Judge (2016)
- Recorder (Family and Crime) (2010)

Memberships

- FLBA

Education

- MA, Oxford University

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