Ruth Cabeza

Call: 1998

Ruth is a specialist family law practitioner who has been at forefront of developments in adoption and surrogacy case law, she is also an expert in the field of international abduction.

Ruth is a forceful and robust practitioner in court. Her breadth and depth of knowledge and experience across all fields of family law, enables Ruth to provide clients with a clear view on case direction and strategy, whilst also taking into account the emotional context of each case which can often provide the key to unlocking how a matter will be best progressed.

Ruth's specialities include: international adoption, international surrogacy, international abduction, complex care cases – particularly cases involving overseas placements and/or non-accidental injury, medical treatment orders and financial remedy.

Ruth Cabeza is a part time Deemster for the Isle of Man and sits in the island's High Court of Justice.

Disclaimer

Within the context of public law proceedings, Ruth is frequently instructed to advise on the relevant legal framework applicable to secure the permanent placement of children with extended family members who live outside of the jurisdiction of the court. Ruth provides clear advice in relation to the statutory and regulatory frameworks that governs the placement of a child habitually resident in England outside of the jurisdiction in respect of both adoption orders and orders under the Children Act 1989. Ruth also advises on the extent to which such English orders will be recognised and are capable of enforcement in the country of the carers habitual residence, and the extent to which mirror orders would be required to ensure that the carers are authorised to care for the children under their own domestic law once placed.

However, it is important to note that **Ruth is not qualified to give expert advice in relation to the immigration law of any country (including the UK)**. Furthermore, while able to provide useful generalised information in relation to foreign family law, **Ruth is not qualified to practice law in any other jurisdiction and does not hold herself out to be an**

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expert in the Family Law of any jurisdiction outside of England and Wales. Accordingly, while Ruth can advise as to the necessity or otherwise of a mirror order/visa, if one is required, she cannot advise on the domestic law of the foreign state that would govern the relevant application in the foreign state.

In many cases further expert advice on the domestic law of the foreign state is not required, however in cases where expert advice on the immigration law/domestic family law of the other country is necessary, this will need to be obtained separately, and Ruth is often able to assist with experts in international family law in the other state due to her network connections with the IAFL.

Public Law Children & Care Proceedings

Ruth is regularly instructed in public law children work at both first instance and court of appeal level. Acting for local authorities, parents, guardians and intervenors, she has extensive experience in this field and is often instructed in cases that involve one or more of the following complicating factors:

- Complications in relation habitual residence/jurisdiction
- Proposals to achieve permanency overseas with foreign relatives
- Disputes in relation to Article 15 Brussels IIA
- Fatal injuries to a sibling of the subject children
- Sexual abuse
- Serious physical abuse (burns/fractures/head injuries/ritualistic beatings)
- Medical treatment orders
- Abduction of looked after children (both under and outside of Hague)
- The profound deafness of one or both parents
- Deprivation of Liberty
- Children over 16
- Forced marriage of minors
- Suspected terrorism

Ruth is well versed in the various international instruments that govern mutual recognition and enforcement of adoption/parental responsibility orders. As a member of IAFL she often well placed to advise on suitable experts when cases involve the law and practice of Family Law outside of England and Wales, including in relation to orders/procedures/timescales/costings for obtaining mirror orders/declarations of enforceability in other jurisdictions.

Notable Public Law Children & Care Proceedings cases

- **Milton Keynes City Council v Ealing London Borough Council [2026] EWHC 2586 (Fam)**
  A case clarifying the circumstances in which a child ceases to be looked after, Ms Justice Henke examined the effect of a Child Arrangements Order on local authority duties and responsibility for special guardianship support.

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- **A Local Authority v F (A Child: Article 8 Transfer of Proceedings to Romania) [2026] EWFC 129 (B)**
  Application by local authority to transfer public law care proceedings to Romania.
- **YV (No 2) (Kinship Carer; Child Arrangements Order; Kazakhstan) [2025] EWHC 2483 (Fam)**
  Child placed for adoption by parents. Judgment making child arrangements order in favour of child's paternal grandmother in Kazakhstan.
- **Salford City Council v W & Ors [2021] EWHC 1689 (Fam) (24 June 2021)**
- **Salford City Council v W & Ors [2021] EWHC 61 (Fam) (19 January 2020)**
  Inherent jurisdiction (declaratory not children)
- **M (Special Guardianship Order: Leave To Apply To Discharge) (Rev 1) [2021] EWCA Civ 442**
- **T (A Child : habitual residence) [2021] EWFC 26**
- **A (fact finding, rib injuries), Re [2019] EWFC B89 (30 September 2019)**
  Care
- **Re A (Withdrawal of Applications) [2019] EWHC 709 (Fam)**
  Wardship/protection against FGM and Forced Marriage
- **S (A Child) [2017] EWCA Civ 249 (24 February 2017)**
  Care
- **Great Ormond Street Hospital for Children Foundation NHS Trust v NO & KK & Ors [2017] EWHC 241 (Fam) (14 February 2017)**
  Inherent jurisdiction children (medical treatment)
- **A Local Authority v J & Y [2017] EWHC 10 (Fam) (01 February 2017)**
  Care
- **Y (Children), Re [2016] EWCA Civ 1091 (08 November 2016)**
  Care
- **D (Children), Re [2015] EWCA Civ 409 (30 April 2015)**
  Care
- **Re F-T (A child) (2015) EWCA Civ 880**
  Care
- **London Borough of Tower Hamlets v D & Ors [2014] EWHC 3901 (Fam) (13 November 2014)**
  Care

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- **Re C (A Child) [2014] EWCA Civ 128**
  Care – guidance on proceedings involving profoundly deaf parent
- **RO v A Local Authority & Ors [2014] EWHC 97 (Fam) (27 January 2014)**
  Care
- **D (A Child) [2012] EWHC 4231 (Fam) (14 December 2012)**
  Care

Adoption Barristers

Ruth is frequently instructed to advise and act in relation to matters concerning adoption including:

- Step-parent adoption
- Revocation orders
- Leave to oppose adoption
- Contested adoptions
- Intercountry adoptions
- Declarations of recognition of foreign adoptions
- Domestic adoptions when the adopters are domiciled in the UK but habitually resident out of the UK.

Notable Adoption Barristers cases

- **G & Anor v An Adoption Agency & Anor [2026] EWFC 29**
  An application by a British couple for permission to apply for an adoption order in respect of a child adopted in Malawi.
- **X v X & Anor (Time Barred Adoption) [2024] EWHC 364 (Fam)**
- **A v R [2022] 3 WLR 1093 / YP (Adoption of 18 Year Old) [2021] EWHC 3168 (Fam)**
- **Prospective Adopters v Sheffield City Council [2020] EWCA Civ 1591**
- **Prospective Adopters v Sheffield City Council [2020] EWHC 2783 (Fam)**
- **FX and MJX v CAFCASS Legal [2020] EWHC 1227 (Fam)**
- **In the matter of the Adoption Act, 2010, Section 49 (2), and in the matter of JB (a minor) and KB (a minor) [2018] IESC 30**
- **A Local Authority v X and Y (Adoption) [2018] EWFC 55 (26 June 2018)**

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- **AB (Adoption or Rehabilitation) [2017] EWFC B44 (4 July 2017)**
- **M and T (Proposed Convention Adoption – Habitual Residence) [2015] EWFC B239 (16 July 2015)**
- **J (A Child) [2014] EWFC B203 (24 September 2014)**
- **A&B -v- P Council & M (A Child by his Children's Guardian) – [2014] EWHC 1128 (Fam)**
- **Kent County Council v PA-K and IA (A Child), [2013] EWHC 578 (Fam)**
- **ECC (The Local Authority) v SM – [2011] 1 FLR 234.**
- **Re A (Adoption: Removal) [2009] EWCA Civ 41 [2009] 2 FLR 597**

Surrogacy Law

Ruth has acted for intended parents and guardians in surrogacy cases since 2010 and has been involved in several of the key cases where guidance has been given to the profession. She is able to give sensitive and practical advice on all aspects of obtaining a parental order. She has recently co-authored Surrogacy: Law Practice and Policy published by Lexis Nexis in 2018.

Notable Surrogacy Law cases

- **Re: Z (Surrogacy: Step-parent Adoption) [2024] EWFC 20**
  This is a ground-breaking case – the first of its kind in dealing with a contested application for a step-parent adoption order from a non-biological parent to secure legal parentage of a child born after a traditional surrogacy arrangement.
- **Re X [2020] EWFC 39 (20 May 2020)**
- **RS v T (Surrogacy: Service, Consent and Payments) [2015] EWFC 22 (13 March 2015)**
- **Re B v C (Surrogacy: Adoption) [2015] EWFC 17 (13 February 2015)**
- **CC v DD [2014] EWHC 1307 (Fam) (14 February 2014)**
- **Re C (Surrogacy: authorisation of payments other than reasonable expenses) [2013] EWHC 2408 (Fam)**
- **Re: IJ (A Child): [2011] EWHC 921 (Fam)**

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Private Law Children

Ruth is sensitive to the complexities that arise out of disputes between parents in relation to their children and seeks to get the heart of her client's underlying concerns so that where possible workable arrangements can be successfully negotiated, and were a negotiated outcome is not possible she will vigoursly pursue her client's case at trial. With over 18 years experience of these cases she is familiar with a very wide range of applications, including disputes involving:

- child arrangements orders
- relocation cases (domestic and international)
- Abduction (within the UK, Hague, non-Hague)
- Inherent jurisdiction/wardship cases
- Education
- Change of name
- Declarations of parentage

Notable Private Law Children cases

- **HG (Abduction: Application To Set Aside Return Order) [2026] EWCA Civ 971**
  Appeared for the successful appellant mother. Appeal by mother against refusal to set aside order for return of child to Texas, due to change in her circumstances. Appeal allowed, and set aside application remitted for rehearing.

- **AB v CD [2026] EWHC 1364 (Fam)**
  Application by father for return of children to the USA. Mother's grave risk of harm defence made out, and return refused.

- **Y (The Father) v Y (The Mother) (Child Abduction and Custody Act 1985) [2025] EWHC 1598 (Fam)**
  Alleged wrongful retention of two children by their mother, in England. Father sought their summary return to Israel under the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

- **U v E [2024] EWFC 39**
  This case concerned a four-year-old child, R, conceived by donor sperm and raised by two women, with the non-biological parent seeking contact after the child was taken to Ireland in 2021. As R's habitual residence shifted during the protracted litigation, the English court ultimately lost jurisdiction under the 1996 Hague Convention, and the matter was concluded with proceedings to be continued in Ireland.

- **Father v Mother & Anor [2024] EWHC 3332 (Fam)**
  Father's application seeking contact in Europe and the USA, where he lives, in case where Mother had previously abducted the child but Father's return application had been refused. Contact allowed, subject to $25K bond.

- **J & H (Jurisdiction: 1996 Hague Convention : residual domestic jurisdiction: parental responsibility**

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jurisdiction), Re [2024] EWHC 1395 (Fam)
An application for parental responsibility in relation to two children and an order for one of the children be returned from Thailand.

- **V (Article 21 of the 1980 Hague Convention - fact finding), Re [2023] EWHC 2983 (Fam)**
  Application by the Father, who resides in Lithuania, for rights of access under Art 21. Fact-finding to consider mother's allegations of abuse.
- **Re R (A Child) (Wrongful Retention: Child's Objections: Discretionary Return) [2023] EWHC 560 (Fam)**
  Abduction
- **Re V and W (Hague Return Order, Lithuania) [2022] EWHC 739 (Fam)**
  Abduction
- **KS v MK [2015] EWHC 3276 (Fam) (29 October 2015)**
  Abduction

Direct Access

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

Data Protection Policies

Privacy-Policy-2024
Data-Protection-Policy-2023

Appointments

Part time Deemster for the Isle of Man, sitting in the island's High Court of Justice (2022)

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Publications

- 'Ruth Cabeza and Imogen Pitts explore the pros and cons of nesting arrangements' – Blog March 2025
- Editor of the 'Adoptions with an International Element' section of Butterworths Family Law Service
- Surrogacy – Current Law, Practice and Policy in England and Wales
- Ruth's A day in the life of… featured on Family Law website
- Ruth presented the research paper prepared entitled Research paper on the European added value of an EU legal instrument on the cross-border recognition of adoptions to Legal Affairs Committee at the European Parliament, sitting in Brussels which she prepared with the assistance of co-authors Dr Clair Fenton Glynn and Alexander Boiché (June 2016)
- Ruth Cabeza, Natalie Gamble & Melissa Elsworth, "International Surrogacy Arrangements: the thorn forest that keeps on growing", in *Family Law* vol 44 1729-1732 (December 2014)
- Ruth Cabeza & Louisa Ghevaert, "Surrogacy, egg donation and assisted reproduction: payments and the conflict of law and policy", in Family Law volume 44 215-218 (February 2014)
- Ruth Cabeza & Louisa Ghevaert, "Surrogacy, egg donation and assisted reproduction: payments and the conflict of law and policy", in International Family Law [2013] IFL 339-432 (December 2013)
- Ruth Cabeza & Ayeesha Bhutta, "Placement of children outside England and Wales: international adoption, special guardianship and the Hague Convention 1996 – known unknowns?", in International Family Law [2013] IFL 213-216 (July 2013)
- A new Order – better late than never? Has the government made it easier for overseas adoptions to be recognised? – Lexis Nexis, September 2013 – Click here to read article;
- Placement of Children outside England and Wales: International Adoption, Special Guardianship and the Hague Convention 1996. Known Unknowns? International Law Journal Jordan Publishing – due for publication 17th July 2013;
- Adoption shake-up – Ruth Cabeza's views on plans to reform the adoption system and what this would mean for family law practitioners and their clients. Lexis Nexis Legal Analysis Feb 2013
- International Adoption – authors: Ruth Cabeza, Ayeesha Bhutta, Jason Braier. 1st Edition November 2012. Jordan Publishing;
- Adoption without borders? – NLJ 25/09/09.
- Expert assessment , Solicitors Journal, 2nd July 2013
- Please click here to view Ruth's recent TV broadcast on Channel 5

Ruth Cabeza recently presented two webinars for Central Law Training, one of which can be viewed here.

Memberships

- Fellow of International Academy of Matrimonial Lawyers
- International Academy of Family Lawyers
- FLBA
- ALC

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- South Eastern Circuit

Education

- University of Kent (1996 LLB (Hons) upper second class)

What Other People Say

Ruth has been consistently recognised as an expert in her field by Chambers and The Legal 500.

The Legal 500 has ranked Ruth as a leading junior each year since 2008.

In 2021 Chambers and Partners she is described as having 'great gravitas and is a good, solid, all-round performer.'

In 2019 Chambers and Partners stated that "She's a very robust practitioner, who is an expert in the field of international adoption." "Fiery and forceful in court."

In 2018 Chambers and Partners stated that *'Ruth has a wealth of knowledge in complex care proceedings and cases with a foreign element to them. She is always a pleasure to work with.'*

In 2017 Chambers and Partners stated that Ruth is a '*Highly regarded children law barrister sought after for her expertise in international children law matters including adoption, surrogacy and abduction. She has been involved in landmark cases that have advanced the law.'*

'*She is the go-to person for cases involving inter-country adoption and has notable skills in child trafficking and Hague Convention abductions.'*

In Legal 500 2021 she is described as being "A calm presence in court and reassuring to clients. Always has a clear view on case direction and strategy not only legally, but taking into account the emotional context that can often be the key to unlocking how a matter would be best progressed."

In 2018 Legal 500 said that she 'Leaves no stone unturned.'

In 2017 Legal 500 said she is *'Knowledgeable in the areas of international and adoption law.'*

In 2016 Legal 500 said she is *'Knowledgeable and experienced in cross-border adoption and surrogacy cases, and particularly strong on domicile issues.*'

Ruth has also received several personal recommendations from solicitors and social work professionals with whom she has worked and these can be viewed on her LinkedIn.

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Prizes

- Shortlisted – Family Law Case of the Year: Z (Surrogacy: Step-parent Adoption), Re [2024] EWFC 20 – LexisNexis Family Law Awards 2024
- 'Highly commended' in Junior Barrister of the Year category – LexisNexis UK Family Law Awards 2023

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