

1GC | Family Law

Emily James KC

Year of Call: 1999 Year of Silk: 2025



Practice Overview

Emily is a leading silk specialising in difficult, complex and sensitive cases relating to children at all levels of court including the High Court and Court of Appeal.

Emily has particular expertise in acting for High Net Worth individuals in high conflict private law proceedings. She is known for her strategic advice in conference and tactical acumen in court.

Emily is an exceptional and fearless advocate with the gravitas and experience required to secure the ear of the court.

In private law cases Emily frequently acts in cases involving international living arrangements and travel, internal or international relocation and disputes relating to education or religious upbringing. Often instructed in the most intractable cases Emily has significant experience of acting in cases that involve allegations of domestic abuse including coercive and controlling behaviour, and alienating behaviours.

Emily is meticulous in her preparation and widely recognised for her clear strategic thinking and ability to disseminate complex legal arguments in a way that is accessible and persuasive.

Emily is regularly instructed in cases involving wrongful removal or retention of children and those involving complex legal arguments as to habitual residence. She has a firm grasp of the law in relation to jurisdiction and the tactical acumen to secure the best outcome for her clients. Her international practice encompasses cases involving cross-jurisdictional legal issues in private and public law proceedings.

Emily also acts for local authorities, parents, children and extended family members in the most complex care and placement proceedings, frequently in the High Court.

Emily is Directory Ranked and has a strong working relationship with her solicitors with whom she works closely. She is known for being readily available to her solicitors to advise at all stages of proceedings including before proceedings are issued and/or in contemplation of non-court dispute resolution.

Children (Private Law)

Emily's private law practice encompasses the following:

- High conflict and/or high net worth parental disputes;

- Cases requiring coordinated handling of privacy, media and reputation;
- Relocation cases (internal and international);
- Allegations of domestic abuse, coercive control, and alienating behaviours;
- Enforcement and variation applications, including committal.

International Family Law

Emily has extensive expertise acting in the following:

- international child abduction (Hague and non-Hague);
- jurisdictional disputes;
- recognition and enforcement of foreign orders;
- international relocation;
- international contact disputes.

Children (Public Law)

Her practice encompasses cases involving:

- Adoption and placement order proceedings involving:
 - Allegations of physical, emotional, or sexual abuse;
 - Non-accidental injury;
 - Neglect and chronic parenting difficulties;
 - Complex medical evidence;
 - Fact-finding hearings involving multiple experts;
- Deprivation of liberty and secure accommodation applications

Emily is particularly skilled at representing vulnerable clients, including those with learning difficulties, mental health needs or addiction, and is known for her patient, empathetic, and accessible client care.

Notable Cases

Halton Borough Council v A Mother & Ors [2026] EWFC 82

CB (Habitual Residence: Child Born and Present Abroad), Re [2025] EWHC 1712 (Fam)

P v M & Ors [2023] EWFC 254

Re S (A Child) & Anor (s 20 Accommodation) [2023] EWCA Civ 1

M (A Child – Private Law Children Proceedings – Case Management – Intimate Images) [2022] EWHC 986 (Fam)

Re S (Children) (Inherent Jurisdiction: Setting Aside Return Order) [2021] EWCA Civ 1223

B (A Child) (care proceedings) [2018] EWCA Civ 20

H (A Child – Hair Strand Testing) [2017] EWEFC 64

Re T (a Child) (Early Permanence Placement) [2015] EWCA Civ 983

Adoption – early permanent placement, child placed with prospective adopters at birth. Care plan altered to SGO in favour of paternal grandparents. Whether the adopters ought to have been joined to the proceedings, whether the adopters should have been granted leave to apply for an adoption order

Re SSM (A Child) [2015] EWHC 327 (Fam)

Re R (a Child) (2014) EWCA Civ 1625

Appeal by mother following care and placement orders. Consideration by the President of wider implications of Re B-S and the post Re B-S 'landscape'.

What the Directories Say

"Emily brings real presence and gravitas to every case. Her calm authority inspires confidence in clients." **New Silk - Legal 500, 2026**

"Emily is an excellent strategist who can think quickly on her feet." **Tier 4 - Legal 500, 2025**

"Emily is a go-to advocate for complex children's matters. She is experienced and extremely well-prepared. She gives regular feedback to solicitors to assist and is willing to respond if issues arise on long-running cases." **Tier 4 - Legal 500, 2024**

'Fully invested in every case. She knows every page of the brief, every nuance of the case and can predict all the avenues the case might take.' **Legal 500, 2022**

'Is tenacious, very well-prepared and you really feel that she cares about the client and the case. Emily's advice is drawn from her significant experience in children law and you know you are benefitting from real wisdom when you hear her views' **Legal 500, 2021**

'She is hugely experienced; commands gravitas with client and judge; is straightforward and manages expectations well.' **Legal 500, 2020**

Education

University of Kent (1996 BA (Hons) Sociology)

College of Law (1997 CPE; 1998 BVC)

Appointments

Recorder on the South Eastern Circuit for family matters

Awards

Middle Temple Harmsworth Scholarship

Memberships & Associations

Family Law Bar Association (FLBA)

Association of Lawyers for Children (ALC)

Resolution

Middle Temple

Bridging the Bar Mentoring Scheme

Advocate

Languages

Conversational French and German.