

# 1GC | Family Law

## Matthew Fletcher

Year of Call: 2003



## Practice Overview

Matthew (Matt) is a Children's Law specialist who also practices in Administrative Law and in the Court of Protection. He has appeared at all levels of court, up to the Court of Appeal. His practice spans all aspects of Private Law Children proceedings with a particular interest in international and immigration issues. His Public Law practice specialises in the most serious cases, which often include complex international, jurisdictional or factual issues. He acts for and against Local Authorities in Administrative Court matters and on behalf of the Official Solicitor, family members and Local Authorities in the Court of Protection. He is recommended in Chambers and Partners as a Leading Junior, is an advocacy trainer for Lincoln's Inn and has written widely on Family Law matters.

## Children (Public Law)

Matt's Public Law practice covers all aspects of care proceedings and adoption. He has acted for Local Authorities, parents, family members and Children's Guardians in the complete range of Part IV proceedings, appearing in numerous lengthy fact-finding and final hearings lasting many weeks. He has been instructed in cases which involve factitious induced illness, sexual abuse, inflicted injury, murder of one parent by another, Wardship proceedings in Public Law, abduction during proceedings, gang and honour-based violence, as well as complex medical cases and those which involve significant disclosure issues. Further to this, he has broad experience of cases involving vulnerable witnesses, acting through the Official Solicitor and the use of Special Advocates.

Matt has enjoyed recent success acting for family members intervening in care proceedings and successfully arguing for children to be placed in their care in the face of opposition from the Local Authority and the Guardian.

### Notable cases include:

*Re R (Closed Material Procedure: Special Advocates: Funding)* [2017] EWHC 1793 (Fam)

*Re K and D (Wardship Without Notice Return Order)* [2017] EWHC 153 Fam

*Local Authority X v HI & Ors* [2016] EWHC 1123

## Children (Private Law)

Matt frequently acts for parents in section 8 and section 14 Children Act 1989 applications. He has a broad experience in cases of contested jurisdiction, leave to remove, parental alienation and highly conflictual Private Law disputes. Matt also has experience of international and domestic adoption and High Court declarations.

**Notable cases include:**

*HM and HA* [2022] EWHC 2042

*Re M (A Child)* [2014] EWCA Civ 1755

## Judicial Review & Administrative Law

For many years, Matt had a mixed Family and Immigration practice, but since 2010 has specialised exclusively in Family Law. However, he continues to make use of this background by advising parents, children and Local Authorities on their rights and remedies where the Family Court cannot assist.

Advice and representation in this case has included: challenging the Local Authority as to their failure to provide an autistic child with an appropriate placement, advising and representing on section 20 issues and fostering allowances, challenges to Local Authority failure to provide travel to school, failure by a Local Authority to provide appropriate therapeutic input to a family.

**Notable cases include:**

*R (C) v Buckinghamshire County Council* [2014] EWHC 4072 (Admin)

*R (On the Application of Aruliraivan) v Secretary of State for the Home Department* [2009] EWHC 30 (Admin)

## International Family Law

Matt undertook pupillage and the early years of his career with a group of renowned child abduction practitioners. He continues to act for parents involved in Hague Convention and Brussell IIR proceedings, representing applicants and defenders in the Family Division. He also acts in international adoption cases and the international movement of children to inter alia Italy, Georgia, Alabama, California and Texas (USA), Australia, Germany, Columbia, Finland and France.

**Notable cases include:**

*Re K and D (Wardship: Without Notice Return Order)* [2017] EWHC 153 Fam

## Court of Protection

Matt has been developing his Court of Protection practice and has acted for the Official Solicitor, Local Authorities and family members in challenges to deprivation of liberty and welfare cases.

## Domestic Violence & Injunctions

Matt accepts instructions in relation to all forms of injunctive relief relating to domestic violence, Children Law, the Court of Protection and the Administrative Court where it interrelates with Matt's core practice.

## Notable Cases

*HM and HA* [2022] EWHC 2042

*Re K and D (Wardship: Without Notice Return Order)* [2017] EWHC 153 Fam

*Re R (Closed Material Procedure: Special Advocates: Funding)* [2017] EWHC 1793 (Fam)

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*R (C) v Buckinghamshire County Council* [2014] EWHC 4072 (Admin)

*Re M (A Child)* [2014] EWCA Civ 1755

## What the Directories Say

*"Matt is always a joy to work with and he gets good results for clients in tricky hearings. Clients feel safe with his representation and his advice is straightforward and to the point."*

**Band 4 - Chambers and Partners, 2023**

*"Matthew is sensitive and sensible in conference with clients, providing realistic advice while instilling confidence. He fights hard for his clients in contested matters, and his advocacy is forceful and to the point. Judges like his pragmatic approach."* **Band 4 - Chambers and Partners, 2023**

*"Matthew is first choice in any complex private children law matter. He is sensitive and sensible in conference with clients, providing realistic advice while instilling confidence. He fights hard for his clients in contested matters, and his advocacy is forceful and to the point. Judges like his pragmatic approach."* **Tier 4 – Legal 500, 2023**

*"He has a commanding court presence and his candour and legal knowledge mean that judges can respect and trust what he says. ... [This is ultimately beneficial to the client.] ... He has an easy client manner which clients find soothing at a very difficult time."* **Tier 4 – Legal 500, 2022**

*"Is known for his hard work and commitment, he is an assured advocate and applies energy and vigour to even the most hopeless of cases. He is an impressive and sought after counsel."* **Legal 500, 2021**

*"Thorough, easy to work with, provides excellent advice, and goes above and beyond what is necessary to provide a service to both us as solicitors and to our lay clients."* **Chambers and Partners, 2021**

*"Incredibly well informed and accessible, he gives clients and instructing solicitors confidence."*

Chambers and Partners, 2020

*"A superb advocate who is exceptionally strong on the law and is forceful and persuasive in court. He offers refreshingly sensible and practical advice and is not afraid of running a difficult case."* Chambers and Partners, 2020

## Education

LLB (Hons), LSE University of London

BVC, BPP

## Appointments

Lincoln's Inn Advocacy Trainer

Trustee Childhood First

Recorder (Family Law), South Eastern Circuit (2019)

## Awards

Tancred Studentship, Lincoln's Inn

Hardwicke Entrance Award, Lincoln's Inn

Robinson Scholarship, Lincoln's Inn

Nominee Young Barrister of the Year at the Legal Aid Lawyer Awards (2006)

## Memberships & Associations

Association of Lawyers for Children

Court of Protection Bar Association

Family Law Bar Association

Honourable Society of Lincoln's Inn

Publications

LexisNexis Regular contributor to their PSL Q & A Section

LexisNexis *"Court of Appeal considers the cardinal points for remote hearings during the coronavirus (COVID- 19) pandemic (Re A (children) and Re B (Children))"* (6th May 2020)

LexisNexis *"Are Children's Services Departments in Danger of Privatisation"* (31<sup>st</sup> May 2016)

Co-Author BPTC Handbook Chapter on Private Law Proceedings (2015)

LexisNexis "*Accessing the Family Tree: Disclosure of Adoption Records*" (September 2014)

LexisNexis Commentary on Government Proposals to permit children to remain with their foster carers until 21 (November 2013)

#### Seminars

LexisNexis Multiple Webinars on Family Law Issues.

Matt gave a webinar on "How "Remote" are Remote Hearings supposed to be?" as part of the 1GC Family Law Webinar series.

#### Training

Regular training to Local Authority and private practice solicitors including the use of assessments, section 20 accommodation and challenges thereto, vulnerable witnesses, complex care proceedings.

#### Personal Interests

Rugby and Pub Quiz Fan