

Anthony Kirk QC

Call: 1981 | Silk: 2001

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Specialises in:

- Public Law Children
- Private Law Children
- Mediation
- Child Abduction



‘An impeccable professional with absolute dedication to the case, a forensic level of attention to the papers, and an excellent rapport with lay clients.’

CHAMBERS AND PARTNERS 2019

Anthony’s practice encompasses the full range of cases involving children and young people, whether representing local authorities, parents or the children concerned. He has frequently represented adults with physical, learning and more serious disabilities in both higher courts, as well as on appeal. Recent cases undertaken have involved serious allegations of substantial, prolonged neglect and physical abuse.

Anthony has also appeared in the Supreme Court in matters involving international child abduction. He has been acclaimed, nationally, as a skilled mediator.

Public Law Children

Anthony is frequently briefed in the longer, complex cases both in London and in the

provinces involving serious injury, neglect, alleged abuse and unexplained death. In almost all of these cases there will be concurrent criminal proceedings where the ability to assimilate and sift a vast amount of material is crucial to the proper conduct of the case.

Except where novel points of law or practice, arise outcomes are rarely published, save in the national press. Some cases of interest include:

- *Re CD (A Child)* [2018] EWHC 2670 (Fam.) - rehearing of fact-finding
- *Re S* [2007] 1 FLR 90 (CA) - unilateral instruction of experts
- *Re XYZ* [2011] EWHC Fam. 402 - disclosure of documents
- *Re XYZ No.2* [2011] EWHC Fam. 1267 - costs awards
- *MA v Camden Council* [2012] EWCA Civ. 1340 - revocation of placement orders
- *Re L&M* [2013] EWHC Fam. 1569 - disputed radiological evidence.

Private Law Children

For very many years, Anthony was Head of Private Law Children at 1KBW. He welcomes the judicial emphasis (where possible) on the safe resolution of such disputes by means other than litigation. Some cases of interest are as follows:

- *AB v CD* [2018] EWHC 1021 (Fam.) - Habitual residence and the Brussels II (revised) regulation
- *Re B* [2014] EWCA Civ. 1015 - evidence of children in private law cases
- *Re F* [2006] EWCA Civ. 1426 - appeal against indirect contact order
- *Re Z* [2006] 1 FLR 405 (Fam.) - parenting plans in children cases
- *Re P* [2004] 2 FLR 1109 (CA) - adoption

Mediation

Anthony undertook mediation training with the FMA in 1998. Since that time he has conducted well over 1,000 referrals in private law children matters. Many have come from Magic Circle firms both in London and in the provinces. Other referrals have come from fellow members of the family Bar, the higher courts and by repute. On occasion, and with

the consent of the parties and the court, he has prepared 'wishes and feelings' reports.

Sessions can be arranged at short notice and need not be in London. Anthony is a member of both 'Resolution' and the Bar Council DRS/ADR Committees.

Child Abduction

Child abduction continues to form part of Anthony's practice. Notable cases in the appellate courts have included:

- *Re W* [2005] 1FLR 727 (CA) - abduction and domestic violence;
- *Re H* [2005] EWCA Civ. 319 - Art 12 and settlement; and
- *Re S* [2012] UKSC 10 - Art 13(b) and its proper construction.

One of the go-to people for difficult, intractable and challenging cases. He's got a real skill at helping the clients move towards something that is acceptable. He's often sent cases that everyone else hasn't been able to do.

CHAMBERS & PARTNERS 2018

REPUTATION & AWARDS

'A very experienced silk.' - Legal 500, 2021

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'An impeccable professional with absolute dedication to the case, a forensic level of attention to the papers, and an excellent rapport with lay clients.' Chambers & Partners 2019

'Highly experienced in complex care cases.' The Legal 500 2018

He deals with cases in 'an elegant and sympathetic manner' and is considered to be 'honest and straightforward.'

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As one interviewee remarked: 'He really cares and works hard to find a solution in a constructive way.' Chambers & Partners 2017

'He's amazing. He's so eloquent. He doesn't even have to look at his notes. I could sit and listen to him all day when he's on his feet.' Chambers & Partners 2016

Numerous similar compliments from solicitors and lay clients have been received over many years.

Awards and Scholarships

- Shortlisted DRS Practitioner in the 2015 and 2016 Family Law Awards.
- Since becoming a QC Anthony has featured as a Leading Practitioner in his specialist area of practice by Jordan Family Law together with the Legal 500 and Chambers & Partners directories.
- Macaskie Scholar of Gray's Inn - awarded for the highest marks in the Bar Final exams.
- Lord Justice Holker Scholar of Gray's Inn.

Education

- Ipswich School and King Edward VII School, Lytham.
- Kings College, London. LLB (Hons), AKC.

Professional Memberships

- Member of the SE Circuit.
- Member of 'Resolution' DRS Committee.
- Member of the MOJ Task Force on Mediation.
- Member of the Bar Council ADR Group.
- Fellow of the IAFL.
- Fellow of the RSM.
- Chairman of the FLBA - 2006 and 2007.

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- Hon. Life Vice-President of the FLBA.
- Bencher of Gray's Inn and Master of Elections.

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