

# Christopher McWatters

Call: 2004



Chris McWatters is a Family Law practitioner who is highly experienced in all matters involving children.

## Expertise

### Family

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Chris is a highly experienced barrister in all areas of children's law, including public law, private law as well as international child abduction. He represents parents, guardians, local authorities, family relatives and intervenors at all levels including in the Court of Appeal.

He has significant experience of cases involving complex medical evidence and sexual abuse. Due to his experience as an immigration barrister, he is frequently instructed in cases involving an international dimension, including international adoptions, and has significant experience in judicial reviews.

Chris is known for his down to earth approach and ability to relate with lay clients, as well as his clear and cogent advocacy.

Chris accepts instructions through direct access and has a certificate to litigate.

Chris is a qualified family law arbitrator.

### Notable Cases

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#### [S \(A Child : Finding of Fact\) \[2020\] EWCA Civ 1382](#)

Successful appeal against a finding of fact where the judge had applied the wrong standard of proof.

#### Birmingham

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#### London

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#### Bristol

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### LH, R (On the Application Of) v Secretary of State for the Home Department [2019] EWHC 3457

Successful judicial review against the Secretary of State for the Home Department, where the court concluded that there had been a failure by the SSHD to properly consider relevant psychiatric evidence in making a negative conclusive grounds decision in a human trafficking case.

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### D (Fact-finding appeal) [2019] EWCA Civ 2302

Appeal against a finding at a re hearing that a child had been injured by her mother's boyfriend. The appeal was allowed on the basis that the judge was wrong to have confined the ambit of the rehearing when the fresh evidence was relevant, not only to the identification of a possible perpetrator, but also whether the injuries had been inflicted at all.

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### JM (A Child) [2014] EWCA Civ 434

In this case, the Court of Appeal concluded that the decision of a circuit judge, in dealing with an appeal against an order that there should be no contact between a father and son, had not been invalidated simply because he approached his task by considering whether or not the decision had been 'plainly wrong'. What mattered was whether or not he had engaged the parties Article 8 Rights, as envisaged in both Re B and Re A.

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### A Local Authority v DS [2012] EWHC 1442 (Fam)

This case concerned delay and ultimate refusal by the LSC to grant prior authority for the instruction of an independent social worker to perform a parenting and risk assessment of parents. The President of the Family Division provided Guidance on seeking prior authority from the LSC for instructing an expert witness in family proceedings.

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### London Borough of Islington v Al Alas and Wray [2012] EWHC 865 (Fam)

Defended the father in care proceedings brought by a local authority, which accused the parents of "baby shaking". Led by Ian Peddie QC, Chris demonstrated, with the assistance of expert witnesses, that the baby's death had been caused by undiagnosed congenital rickets, leaving the child prone to fractures and infection.

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### In the Matter of M (Children) (2010) EWCA Civ 1043

The court should not delegate decisions over contact to a local authority in private law proceedings.

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## Memberships

- Member of the Chartered Institute of Arbitrators (MCIArb)
- Member of FLBA

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## Qualifications

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