

## Deirdre Fottrell KC

Leading silk who specialises in the law relating to children. Deirdre practices primarily in private law children matters working for high net worth families. She is recognised for her expertise in cases with an international element including adoption, relocation and abduction matters in both public and private law.

Chambers and Partners 2024.



### Experience

Year of Call: 2001

Year of Silk: 2015

### Practice Areas

- International Children Law
- Private Children Law
- Public Children Law

### Qualifications

BA LLB, University College Galway, National University of Ireland

MA Dublin City University

LLM in International Law, London School of Economics

### Languages

Spoken and written Irish

### Appointments

Deputy High Court Judge (2018)

Co-chair of the Association of Lawyers for Children (2017-2020)

Honorary Lifetime Vice President ALC (2023)

### Profile

Deirdre Fottrell KC specialises in the law relating to children.

She is also a leading practitioner in the field of surrogacy and assisted reproduction cases and those in which issues of legal parentage arise. Deirdre sits as a Deputy High Court Judge. She has appeared at all

levels of court in the UK including the Supreme Court and the Privy Council and has litigated cases before the European Court of Human Rights.

Deirdre has particular expertise as appellate counsel in all areas of children law and surrogacy and she has appeared in the Court of Appeal on over 30 occasions between 2018 and 2024.

She has broad experience in complex public law cases in which allegations of sexual abuse, or fatal injury arise and appears in these matters in the High Court and in the Court of Appeal.

Deirdre was a university lecturer before coming to the bar. She has taught and published in the area of children's rights, European human rights and international law. She held academic posts at the Institute of Commonwealth Studies, University of London and the University of Essex. From 2002-2012 she was a visiting professor in human rights law at the School of International Affairs at Columbia University in New York. She has acted as a Council of Europe expert on the ECHR and in an advisory capacity to UNIFEM.

### **Children (Private Law)**

In private law matters she has wide experience in residence and contact disputes acting for high net worth families. She acted for the children in the Al Maktoum litigation before the President of the Family Division in 2019-2021 and in the Court of Appeal. The litigation resulted in 11 reported judgments on aspects of international and domestic law.

She offers a vast knowledge of international child law having taught and published as an academic in this area for 15 years. She appeared in many of the leading cases on international abduction, international adoption and the application of 1996 Hague Convention in public and private law cases. She has acted in four international cases in the UK Supreme Court and was successful in the Privy Council C v C (Children) (Jersey) [2019].

### **Children (Public Law)**

Deirdre appears in public law cases in the High Court and in the Court of Appeal and is instructed in cases which raise novel points of law or complex evidential matters. She has particular expertise on the interplay between the Human Rights Act 1998 and family law and in cases which involved international issues.

### **International Family Law**

Deirdre has a particular expertise in international legal issues as they affect children. In 2015-2018 she acted in four cases before the UKSC in which the Court interpreted the 1980 Hague Convention and the Brussels II Regulation; Re R (Children) (Reunite and Others Intervening) UKSC [2016] 35 AC 76, 2 WLR, 1583, Re B (Habitual Residence; Inherent Jurisdiction) [2016] UKSC 4 [2016] 1FLR 561 and Re N (Adoption; Jurisdiction) [2016] UKSC 15 [2016] 1 FLR 1082.

### **Modern Families & Surrogacy**

Deirdre is a leader in this field and has been involved in numerous reported cases involving modern family structures, surrogacy and fertility law. She has appeared in over 60 reported cases in the field of surrogacy and fertility law. She acted in AA v PP [2012] 2FLR in which the Family Court first used the HRA 1998 to purposively read s.54 HFEA making a parental order to a deceased parent. She also has particular expertise in fertility law and was counsel in the landmark decisions of HFEA Act 2008 (Re A and others) [2016] 1 WLR 1325 which provided guidance in declaration of parentage cases, she went on to act in 41 cases for families whose parentage had been denied owing to mistakes made by fertility clinics. In 2022 Deirdre obtained the first parental order for an adult in X v Y (Parental Order) [2023] 1 WLR 1493. Deirdre acted for the child in Re S (Inherent Jurisdiction; transgender surgery abroad) [2023] 4

WLR 25.

## Memberships

Family Law Bar Association  
Association of Lawyers for Children  
Human Rights Lawyers Association  
Middle Temple

## Directories

Leading silk who regularly acts on law-changing matters relating to surrogacy and broader fertility issues. She is recognised for her international expertise in child adoption, relocation and abduction matters, as is further noted for her strength in domestic child disputes involving cases of abuse and radicalisation.

“Deirdre probes all angles of a legal argument. She is pragmatic and always looking for a sensible solution to help her clients.”

**Star Individual - Chambers and Partners, 2024**

“Her advocacy is spot-on; she’s absolutely lethal in cross-examination and produces extremely convincing submissions. She obviously has the ear of the court.” Star Individual **Chambers and Partners, 2024**

“She’s a very considered advocate, whose submissions are both elegant and completely crushing.”

**Star Individual - Chambers and Partners, 2024**

“Deirdre has an incredible capacity to tread a path through litigation that is both sensitive to the issues but strategically robust. She reads the situation and has incisive judgement. A hands-on silk who has the respect of all her peers.”

**Tier 2 - Legal 500, 2024**

“She’s impressive, knows her stuff and is always very well prepared. You need to be on top of your game when clashing swords with her. She’s one of the most impressive children law barristers around.”

**Star Individual - Chambers and Partners, 2023**

“Deirdre Fottrell is one of a kind. She’s a go-to silk in London for children work. Her advocacy skills are world class and she’s a joy to work with.”

**Star Individual - Chambers and Partners, 2023**

“Deirdre is an intelligent, considered lawyer whose emotional intelligence and understanding of psychological drivers for her clients and opponents puts her into a league of her own. She is a strategic and analytical lawyer, who possesses an unparalleled understanding of the human mind, its strengths and frailties. She is a true team player.”

**Tier 2 - Legal 500, 2023**

“She is incredibly hardworking and has an acute and analytical mind. She works well with her instructing solicitor as a team member so there is a collaborative exchange of ideas and strategy.”

**Tier 2 - Legal 500, 2022**

“Deirdre is the whole package, and her academic ability and strategy ability are second to none.”

**Chambers and Partners, 2019**

“Her knowledge of surrogacy is encyclopaedic and she’s in a league of her own. She has a lot of gravitas,

and if you're having a meeting she owns the room."

**Chambers and Partners, 2019**

"Gets to the nub of the issue so quickly."

**Legal 500, 2018/19**

"Deirdre Fottrell has made her mark this year as a silk. She has an intricate knowledge of the most complex international and domestic law and she is a magnetic and powerful advocate."

**Chambers and Partners, 2017**

"She has put human rights in family proceedings to the top of the agenda through her hard work."

**Legal 500, 2016**

"She is extremely bright and grapples with the most complex legal and factual scenarios skilfully. Her judgement is spot-on."

**Chambers and Partners, 2016**

"She is exceptionally good on private law children work." Legal 500, 2015 "She is very, very bright on the law, and presents it in a way that is completely understandable. She is totally in command of what she does."

**Chambers and Partners, 2015**

"A brave advocate who mounts groundbreaking arguments in court." Legal 500, 2014 "Extremely able and very bright."

**Chambers and Partners, 2014**

"Deirdre Fottrell's strong background in human rights sets her apart from other family counsel."

"Deirdre Fottrell 'extremely good' for judicial review and human rights applications, and acted in the case of Re E (Children)."

**Legal 500, 2012**

## Cases

29/02/2024	N (Adoption – Surrogacy), Re	Deirdre Fottrell KC Dorothea Gartland KC	[2024] EWFC 41
16/02/2024	YM (CARE PROCEEDINGS) (CLARIFICATION OF REASONS)	Deirdre Fottrell KC	[2024] EWCA Civ 71
06/12/2023	C v M (A Child) (Abduction: Representation of Child Party)	Ruth Kirby KC Adele Cameron-Douglas Miriam Best Mark Jarman KC Mani Singh Basi Christopher Hames KC Indu Kumar Charlotte Baker Deirdre Fottrell KC Henry Setright KC Harry Langford	[2023] EWCA Civ 1449

15/09/2023	D (A Child), Re (Abduction: Child's Objections: Representation of Child Party)	Michael Gration KC Michael Edwards Deirdre Fottrell KC Henry Setright KC Harry Langford	EWCA Civ 1047 (14 September 2023)
14/09/2023	Re D (A Child) (Abduction: Child's Objections: Representation of Child Party)	Henry Setright KC Deirdre Fottrell KC Michael Gration KC Michael Edwards Harry Langford	[2023] EWCA Civ 1047
05/04/2023	A v B & Anor	Deirdre Fottrell KC	[2023] EWCA Civ 360
01/02/2023	Re S (Inherent Jurisdiction: Transgender Surgery Abroad)	Deirdre Fottrell KC	[2023] EWHC 347 (Fam)
05/01/2023	Re S (A Child) and Re W (A Child) (s 20 Accommodation)	Deirdre Fottrell KC Joanne Brown KC	[2023] EWCA Civ 1
02/12/2022	A & Anor v B & Ors	Deirdre Fottrell KC	[2022] EWHC 3089 (Fam)
07/07/2022	X v Y	Deirdre Fottrell KC	[2022] EWFC 77
06/05/2022	Re Ms L & Anor	Deirdre Fottrell KC	[2022] EWFC 38
29/04/2022	M (A Child : Private Law Children Proceedings: Case Management: Intimate Images)	Deirdre Fottrell KC	[2022] EWHC 986
05/04/2022	X v Z (Parental Order Adult)	Deirdre Fottrell KC	[2022] EWFC 26
09/03/2022	Mohammed bin Rashid al-Maktoum v Princess Haya	Deirdre Fottrell KC	[2022] EWFC 16
18/02/2022	Y v Z	Deirdre Fottrell KC	[2022] EWFC 157
22/12/2021	Mohammed bin Rashid al-Maktoum v Princess Haya	Deirdre Fottrell KC	[2021] EWHC 3480 (Fam)
10/12/2021	Griffiths v Tickle & Ors (2021)	Deirdre Fottrell KC Chris Barnes Charlotte Baker	[2021] EWCA Civ 1882
01/12/2021	M (A Child)	Deirdre Fottrell KC	[2021] EWHC 3225
30/07/2021	T (A Child), Re	Deirdre Fottrell KC	[2021] UKSC 35
30/07/2021	H-D-H and C, Re (Children: Fact-Finding)	Deirdre Fottrell KC	[2021] EWCA Civ 1192
25/03/2021	Newman v Southampton City Council & Ors	Deirdre Fottrell KC	[2021] EWCA Civ 437
12/11/2020	K (Children: Placement Orders), Re	Deirdre Fottrell KC	[2020] EWCA (Civ) 1503
06/05/2020	Re Q	Deirdre Fottrell KC	[2020] EWHC 1109 (Fam)

28/02/2020	AI M (Children)	Deirdre Fottrell KC	[2020] EWCA Civ 283
21/02/2020	K (Forced Marriage: Passport Order)	Henry Setright KC Deirdre Fottrell KC Jacqueline Renton Jonathan Evans	[2020] EWCA Civ 190
27/01/2020	AI M (Publication)	Alex Verdan KC Deirdre Fottrell KC	[2020] EWHC 122 (Fam)
17/01/2020	AI M (Assurances And Waiver)	Alex Verdan KC Deirdre Fottrell KC	[2020] EWHC 67 (Fam)
11/12/2019	AI M (Factfinding)	Alex Verdan KC Deirdre Fottrell KC	[2019] EWHC 3415 (Fam)
15/11/2019	I-L (Children) (1996 Hague Child Protection Convention : Inherent Jurisdiction)	Deirdre Fottrell KC Sam King KC Jacqueline Renton	[2019] EWCA Civ 1956
31/10/2019	C v C (Jersey)	Deirdre Fottrell KC	[2019] UKPC 40
06/06/2019	Poole Borough Council v GN and Another	Deirdre Fottrell KC	[2019] UKSC 25
05/03/2019	ZH v HS & Ors (Application to Revoke Adoption Order)	Deirdre Fottrell KC Mai-Ling Savage	[2019] EWHC 2190 (Fam)
01/03/2019	LR v A Local Authority & Ors (Application to Terminate Appointment of Guardian)	Deirdre Fottrell KC	[2019] EWFC 49
18/06/2018	P-S (Children), Re	Deirdre Fottrell KC David Bedingfield	[2018] EWCA Civ 1407
13/03/2018	X (A Child : foreign surrogacy)	Deirdre Fottrell KC	[2018] EWFC 15
28/02/2018	G (A Child)	Deirdre Fottrell KC	[2018] EWCA Civ 305
28/02/2018	G (A Child)	Deirdre Fottrell KC	[2018] EWCA Civ 305
20/12/2017	AI and AJ, Re Human Fertilisation And Embryology Act 2008 (2017)	Deirdre Fottrell KC Dorothea Gartland KC	[2017] EWHC 3351 (Fam)
17/11/2017	H (A Child : Surrogacy Breakdown)	Deirdre Fottrell KC	[2017] EWCA Civ 1798
04/08/2017	Y v Z & Ors	Deirdre Fottrell KC	[2017] EWFC 60
23/05/2017	J (Children), Re	Deirdre Fottrell KC	[2017] EWCA Civ 398
26/04/2017	F v M & Anor	Henry Setright KC Deirdre Fottrell KC Brian Jubb Jacqueline Renton	[2017] EWHC 949 (Fam)
06/04/2017	Re M (Child)	Deirdre Fottrell KC	[2017] EWCA Civ 228
21/02/2017	J (A Child) (Finland)(Habitual Residence)	Deirdre Fottrell KC	[2017] EWCA Civ 80

19/01/2017	Re Human Fertilisation and Embryology Act 2008 (Cases P, Q, R, S, T, U, W and X)	Deirdre Fottrell KC	[2017] EWHC 49 (Fam)
19/01/2017	K (Human Fertilisation And Embryology Act 2008)	Deirdre Fottrell KC	[2017] EWHC 50 (Fam)
30/11/2016	N (A Child), Re	Deirdre Fottrell KC	[2016] EWHC 3085 (Fam)
25/10/2016	Re AB (Surrogacy: Consent)	Deirdre Fottrell KC	EWHC 2643 (Fam)
30/09/2016	Case V (Human Fertilisation And Embryology Act 2008)	Deirdre Fottrell KC Andrew Powell	[2016] EWHC 2356 (Fam)
30/06/2016	Z (surrogacy agreements : Child arrangment orders)	Deirdre Fottrell KC	[2016] EWFC 34
08/06/2016	LC (A Child) (Habitual Residence)	Deirdre Fottrell KC	[2016] EWFC 31
04/02/2016	In the matter of B (A child) [2016]	Private: David Williams QC Henry Setright KC Alistair G Perkins Michael Gration KC Dorothea Gartland KC Deirdre Fottrell KC Michael Edwards Private: Hassan Khan	[2016] UKSC 4
24/09/2015	T (A Child : Early Permanence Placement)	Deirdre Fottrell KC	[2015] EWCA Civ 983
11/09/2015	In the matter of HFEA 2008 (Cases A, B, C, D, E, F, G and H Declaration of Parentage) [2015]	Deirdre Fottrell KC Dorothea Gartland KC Andrew Powell	[2015] EWHC 2602 (Fam)
21/08/2015	London Borough of Tower Hamlets v B [2015]	Deirdre Fottrell KC Chris Barnes	[2015] EWHC 2491 (Fam)
19/03/2015	J (A Child)	Deirdre Fottrell KC	[2015] EWCA Civ 222
29/07/2014	Re H (Jurisdiction) (2014)	Deirdre Fottrell KC Private: David Williams QC	[2014] EWCA Civ 1101
23/01/2014	London Borough of Hillingdon v AO	Deirdre Fottrell KC	[2014] EWHC 75
16/08/2013	AW (A Child: Application to Revoke Placement Order: Leave to Oppose Adoption)	Deirdre Fottrell KC Paul Hepher	[2013] EWHC 2967
12/07/2013	DN (A Child)	Deirdre Fottrell KC	[2013] EWHC 2401 (Fam)
24/05/2013	LA v (1) MF (2) CY (3) RN (4) N (2013)	Private: Marcus Scott-Manderson QC Rex Howling KC Deirdre Fottrell KC	[2013] EWHC 1433 (Fam)
14/10/2011	W (A Child), Re	Deirdre Fottrell KC	[2011] EWCA Civ 1362

10/06/2011	Re E (Children) [2011]	Baroness Scotland KC Henry Setright KC Teertha Gupta KC Private: David Williams QC Deirdre Fottrell KC	[2011] UKSC 27
14/07/2010	ECC (The Local Authority) v SM (A Child) & Ors	Deirdre Fottrell KC	[2010] EWHC 1694 (Fam)
27/05/2010	Re A (Children) (Abduction: Interim Powers) sub nom EA v (1) GA (2) Westminster City Council (3) Salford City Council (2010)	Henry Setright KC Deirdre Fottrell KC Private: David Williams QC	[2011] 1 FLR 1; [2010] EWCA Civ 586; Times, June 16, 2010