

## Rebecca Foulkes

'Rebecca is a master tactician. She is robust – she always stands up for the client in court and helps clients to be realistic. Her advocacy is clever, strategic and insightful.'  
Legal 500, 2024

### Experience

Year of Call: 2001

### Practice Areas

- Court of Protection - Vulnerable Adult
- International Children Law
- Private Children Law
- Public Children Law

### Dispute Resolution

- Arbitration
- Private FDR and Early Neutral Evaluation

### Education

BA (Hons)(Oxon)

### Appointments

Recorder 2015

Arbitrator 2018

### Profile

Rebecca is a formidable advocate, recognised for her intellectual rigour and strategic thinking. She is a specialist in children law, both private and public, with expertise in legally and factually complex and challenging cases. She is a good tactician, with a keen forensic eye for detail. She has represented clients in all levels of court, including the Court of Appeal and Supreme Court, and has appeared in many reported cases.

Rebecca is in demand from leading solicitors for her robust yet sensitive approach to private law children cases. She is acutely aware of how hard litigation can be for parents and keeps their concerns at the forefront of her mind at all times. She is vastly experienced in applications for child arrangements, prohibited steps and specific issue orders.

She is recognised for her skilful handling of disputes arising from assisted reproduction and cases brought under the Human Fertilisation and Embryology Act 2008, appearing in the Court of Appeal in Re



G (Children) [2014] EWCA Civ 336.

Her public law practice includes acting for local authorities, parents and children's guardians and she has appeared in several high-profile reported cases. She has particular expertise in non-accidental injury cases which involve complex medical evidence.

Rebecca has considerable experience of abduction cases and applications for return made under the Hague Convention, appearing successfully for both applicants and respondents.

She also accepts instructions to act for applicants and respondents in applications for injunctions under the Family Law Act.

She has acted for local authorities and parents in the Court of Protection.

Rebecca has written and presented seminars for leading publishers.

### **Memberships**

Family Law Bar Association

Lincoln's Inn

Resolution

Association of Lawyers for Children

Chartered Institute of Arbitrators

### **Directories**

"Rebecca is quite deadly because she prepares beautifully and is incredibly calm."

"Rebecca Foulkes has been reassuringly competent and efficient in dealing with a complex matter."

#### **Chambers and Partners, 2024**

'Rebecca is a master tactician. She is robust – she always stands up for the client in court and helps clients to be realistic. Her advocacy is clever, strategic and insightful.'

#### **Legal 500, 2024**

"Brilliant at complex children work, particularly those cases involving alienation or parental conflict. Reliable and trusted for the most difficult cases, she's a tour de force with high-level technical ability, who is completely unflappable in court, no matter who is on the other side. Clients like and trust her and she is someone who sees the bigger picture."

"Her judgement is spot on and faultless. She takes the right points at the right time and is formidable when taking those points up with the judge."

#### **Chambers and Partners, 2023**

##### **Band 1**

Rebecca is a force to be reckoned with in the world of children law. She has a sensitive but firm way with clients, and her advocacy is as compelling as it is respectful.'

#### **Legal 500, 2023**

"A top-notch lawyer who pays attention to every detail." "She is approachable and her advocacy is clear, concise and seemingly effortless. She strikes the right note every time." "She is excellent in her advocacy and has a wonderful court demeanour."

#### **Chambers & Partners, 2022**

'A brilliant, no-nonsense barrister with incredible judgement.'

**Legal 500, 2022**

Manages a diverse children practice which spans both public and private law proceedings, and has additional experience of handling arbitration proceedings. Her particular expertise includes serious public law issues centring on complex non-accidental injuries.

Strengths: "Has a great manner with clients and is not afraid to give them robust advice." "She is accessible and user-friendly. You can drop her a line at any point and she will respond quickly." "Persuasive and establishes an excellent rapport with clients."

**Chambers & Partners, 2021**

**Band 1**

'Has a fantastic bedside manner with clients, is endlessly patient, and pragmatic. Sensible and super bright, she cuts down to the issues and offers sensible, sound advice.'

**Legal 500, 2021**

Manages a diverse children practice which spans both public and private law proceedings, and has additional experience of handling arbitration proceedings. Her particular expertise includes serious public law issues centring on complex non-accidental injuries.

Strengths: "Has gravitas beyond her years and a definite command of the case. She thinks about every angle and she's very persuasive in her advocacy." "A calm and steady advocate, she is a very reassuring presence for clients."

Recent work: Represented the parents of Alfie Evans at the initial hearing in proceedings brought by the NHS trust (where Alfie was an inpatient) for a declaration about Alfie's ongoing treatment under the inherent jurisdiction of the High Court.

**Chambers & Partners 2020**

**Band 1**

'Is exceptionally well prepared, calm and has authority beyond her years, both with clients and in court.'

**Legal 500, 2020**

Manages a diverse children practice which spans both public and private law proceedings. She has a growing reputation with regard to cases concerning assisted reproduction. Her particular expertise includes serious public law issues centring on complex non-accidental injuries.

Strengths: "She carries gravitas beyond her years, and gives sound, well-judged advice." "She fully prepares cases of the utmost complexity with great skill, and is reliable and thorough."

**Chambers & Partners 2019**

'Has a real forensic ability to analyse the evidence and work out complex points of law.'

**Legal 500, 2019**

Manages a diverse children practice that has seen her appearing in the Court of Appeal and the Supreme Court in significant proceedings. She also has a growing reputation with regard to cases concerning assisted reproduction. Her expertise includes serious public law issues centring on complex non-accidental injuries.

Strengths: "She's great through and through. She brings impressive legal analysis to everything that she does and is extremely thorough with her papers. Clients have absolute faith when she represents them in

court.”

Recent work: Involved in an emotionally challenging case relating to a local authority’s application to remove her client and her siblings from their parent’s care. The application was brought after the client, aged 16, attempted to travel to Syria to join so-called Islamic State.

**Chambers & Partners 2018**

‘Extremely clever, diligent and thorough.’

**Legal 500, 2017**

Manages a diverse children practice that sees her appearing in the Court of Appeal and the Supreme Court in significant proceedings. She also has a growing reputation with regard to cases concerning assisted reproduction.

Strengths: “A leading junior in her field, particularly in public law. A tenacious and smooth advocate who is very intelligent.”

Recent work: Represented a mother who had sought to prevent the father from spending time with the children in Dubai, where he was based, for fear that he would seek to wrongfully retain the children there. The case involved consideration of expert evidence as to the safeguards that would be available within the legal system of the UAE and highly contentious oral evidence from each parent.

**Chambers & Partners 2017**

‘She has a good forensic brain and an excellent grasp on the long-term strategic plan in a case.’

**The Legal 500, 2016**

Has gained experience at all levels of the appellate court system, dealing with complex private and public law children matters. She receives praise from some of the highest-profile instructing solicitors.

Strengths: “She is extremely good and understands the interplay between public and private law. She’ll be thinking about how something might play out in four years’ time if we pursue a line of argument. She has an eye on the longer-term issues as well as the matter at hand.”

Recent work: Involved in the recent Court of Appeal case of Re G. The topic of parental responsibility and how that relates to residency issues between same-sex couples was explored.

**Chambers & Partners 2016**

## Cases

26/06/2024	D (Wardship: Jurisdiction: Cutting Across Statutory Schemes), Re	Michael Gration KC Rebecca Foulkes Mani Singh Basi	[2024] EWFC 126
18/04/2023	M (A Child: Leave to Oppose Adoption)	Rebecca Foulkes Frankie Shama	[2023] EWCA Civ 404 (18 April 2023)

30/03/2021	Re H-N and Others (Children) (Domestic Abuse: Finding of fact hearings)	Christopher Hames KC Charlotte Baker Jo Delahunty KC Chris Barnes Charles Hale KC Adele Cameron-Douglas Rebecca Foulkes Miriam Best Teertha Gupta KC Matthew Persson Clarissa Wigoder Mark Jarman KC Michael Gration KC Barbara Mills KC Joy Brereton KC Emma Spruce	[2021] EWCA Civ 448
26/03/2021	AB v CD	Ceri White Andrew Powell Alison Grief KC Rebecca Foulkes Harry Langford	[2021] EWHC 741 (Fam)
21/11/2019	Re A (No. 2) (Children: Findings of Fact)	John Tughan KC Rebecca Foulkes	[2019] EWCA Civ 1947
25/07/2018	A (Children) (2018)	John Tughan KC Rebecca Foulkes	[2018] EWCA Civ 1718
22/12/2017	L (A Child), Re (2017)	John Tughan KC Rebecca Foulkes	[2017] EWHC 3707 (Fam)
25/10/2016	Rotherham Metropolitan Borough Council v (1) M (2) F (3) G (A Child) & (1) HH, LL, MM, NN (2) South Yorkshire Police (3) Times Newspaper LTD (2016)	Rebecca Foulkes	[2016] EWHC 2660 (Fam)
13/07/2016	London Borough Tower Hamlets v B [2016]	Alison Grief KC Sam King KC Rebecca Foulkes Chris Barnes	[2016] EWHC 1707 (Fam)
14/10/2015	Re M-B (Children) (2015)	Rebecca Foulkes	[2015] EWCA Civ 1027
04/08/2015	Re M (A Child) [2015]	John Tughan KC Rebecca Foulkes	[2015] EWFC 71
01/07/2015	K v D (Parental Conflict) [2015]	Private: Jonathan Cohen QC Judith Murray KC Rebecca Foulkes	[2015] EWFC 49
25/03/2014	Re G (Children) (2014)	Rebecca Foulkes	[2014] EWCA Civ 336
21/03/2013	Birmingham City Council and LB and CL and Others	Rebecca Foulkes	[2013] EWHC 4646 (Fam)

11/09/2012	In the matter of H-T (Children) : In the matter of T-H (Children) (2012)	Rebecca Foulkes	[2012] EWCA Civ 1215
25/07/2012	T (Children) [2012]	Teertha Gupta KC Charles Hale KC Rebecca Foulkes Dorothea Gartland KC	[2012] UKSC 36
20/06/2008	Re E (Abduction: Intolerable Situation)	Henry Setright KC Private: Marcus Scott-Manderson QC Private: David Williams QC Private: Hassan Khan Rebecca Foulkes	2008] EWHC 2112 (Fam); [2009] 2 FLR 485
17/03/2008	Re T (Abduction: Rights of Custody) (2008)	Henry Setright KC Private: Marcus Scott-Manderson QC Private: Hassan Khan Rebecca Foulkes	[2008] 2 FLR 1794; [2008] EWHC 809 (Fam)
12/06/2007	Re K (Care Order)	Rebecca Foulkes	[2007] 2 FLR 1066