Tim Parker KC

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Tim Parker KC is a barrister, arbitrator and mediator specialising in family law, inquests and the Court of Protection.

Areas of Expertise

Public Law Children

Tim's public law child practice concentrates on proceedings involving fatality, non-accidental injury and sexual abuse. In addition he advises on Human Rights Act claims arising from family proceedings, deprivation of liberty applications, special guardianship, placement or relocation of children overseas, foreign adoptions, judicial review of local authority decisions and forced marriages. Tim is instructed by most local authorities in the Greater London area, favoured for his experience in complex cases and understanding of the challenges faced by public sector clients. Tim is a popular choice acting for parents and guardians in care proceedings, noted for his skilled analysis of factual and medical evidence in cases of alleged non-accidental injury.

Notable Public Law Children cases

A LA v X & Y & Ors (No 1: Determination of Oxfordshire argument) [2024] EWFC 445

A Local Authority v X & Ors (No. 2: Fact Finding) [2024] EWFC 365

C, D And E (Care Proceedings: Adequacy of Reasons) [2023] EWCA Civ 334

B-M (Children: Findings of Fact) [2021] EWCA Civ 1371

Thurrock Council v M & Ors (Withdrawal of Care Proceedings) [2021] EWFC 22

K (Threshold - Cocaine Ingestion - Failure to give evidence) [2020] EWHC 2502 (Fam)

Re A Local Authority v The Mother & Ors

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[2020] EWHC 1233 (Fam), High Court, Williams J Fact-finding hearing concerning the death of a child due to cocaine ingestion

Re C (Children) (Covid-19: Representation)

[2020] EWCA Civ 734, Court of Appeal, Peter Jackson, Eleanor King and Asplin LJJ Analysis of Covid 19 regulations, effect upon representation and Article 6 rights.

Re A (No. 2) (Children: Findings of Fact) [2019] EWCA Civ 1947

Appeal against findings made of sexual assault and homicide in respect of a 10 year old girl found deceased in her bedroom with neck and genital injuries. The Court of Appeal remitted the case for an unprecedented third fact-finding hearing before a (third) High Court judge.

Private Law Children

Tim is instructed in domestic and international private law disputes between parents, often instructed on behalf of children's guardians in the more complex or intractable cases.

Tim qualified as an Arbitrator to conduct children cases in 2016. As such he is a member of the Chartered Institute of Arbitrators and accredited by the Institute of Family Law Arbitrators. The majority Child Arrangement Order disputes are capable of resolution through arbitration. Tim can be appointed as arbitrator to adjudicate in children disputes or in the alternative to represent parties to arbitration.

Financial Remedy

Tim has undertaken financial remedy work throughout his career at the Bar. He has expertise in all financial remedy applications connected to divorce, civil partnership and co-habitee disputes including applications under Children Act 1989 Schedule 1.

Tim qualified as a Family Law Arbitrator, Tim is a member of the Chartered Institute of Arbitrators and listed by the Institute of Family Law Arbitrators. Tim can be appointed as arbitrator to adjudicate in financial remedy disputes or in the alternative to represent parties to arbitration.

Notable Financial Remedy cases

Patel v Patel [2019] EWHC 298 (Ch) (18 February 2019)

Inquests

Tim has been instructed in a number of inquests on behalf of families and other interested parties. In 2020 he was instructed by a Care Commissioning Group in a series of 4 deaths arising from eating disorders and most recently acted for a local authority in an

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Article 2 inquest concerning the death of a child in care.

Court of Protection

Tim has been involved in a large number of cases concerning vulnerable adults and children in care proceedings as well as financial remedy cases. He acts for all parties in the Court of Protection and has a particular understanding of the interaction between the Court of Protection and the Family Court.

Notable Court of Protection cases

Re M[2018] EWCOP 4

Tim was instructed in this appeal on behalf of the applicant deputy. The appeal considered issues of disclosure and procedure in consecutive Family Court and Court of Protection Proceedings. Following this appeal P regained capacity and the deputy sought permission to withdraw proceedings which was unsuccessfully opposed by members of P's family at a fully contested High Court hearing.

Appointments

- Arbitrator (MCIArb)
- Mediator

Education

- BA (Hons) University College London
- CPE Westminster University

Memberships

- Family Law Bar Association
- CoP Bar Association
- Association of Lawyers for Children
- South Eastern Circuit

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Notable Cases

- Re A Local Authority v The Mother & Ors [2020] EWHC 1233 (Fam), High Court, Williams J Fact-finding hearing concerning the death of a child due to cocaine ingestion
- Re C (Children) (Covid-19: Representation) [2020] EWCA Civ 734, Court of Appeal, Peter Jackson, Eleanor King and Asplin LJJ Analysis of Covid 19 regulations, effect upon representation and Article 6 rights.
- Re A (No. 2) (Children: Findings of Fact) [2019] EWCA Civ 1947 Appeal against findings made of sexual assault and homicide in respect of a 10 year old girl found deceased in her bedroom with neck and genital injuries. The Court of Appeal remitted the case for an unprecedented third fact-finding hearing before a (third) High Court judge.
- Re A (Children) [2018] EWCA Civ 1718, [2018] 4 WLR 117: This was the successful appeal against the decision of the high Court in Re L below. Tim was instructed on behalf of the local authority and led by Frances Judd QC. This was a difficult appeal against the decision of a High Court judge on the facts. The appeal was successful and the re-trial is listed to take place in 2019.
- Re L (A Child) [2017] EWHC 3707 (Fam): Tim led Laura Bumpus instructed by the local authority in this application concerning the death of a child at home. The decision of the High Court judge was subsequently overturned and is listed for re-trial in 2019, but the case remains significant in the development of guidance on obtaining police disclosure in cases where care proceedings originate as a result of a police investigation.
- Re: H (Hair strand testing) [2017] EWFC 64 [2017] 4 WLR 179: Tim was instructed on behalf of the children's guardian leading Ed Lamb in this case which considered the methodology of hair strand testing and the presentation of experts' reports.
- C (A Child : Application for dismissal or withdrawal of proceedings) (No. 3) [2017] EWFC 37 (27 June 2017) ([2017] EWFC 37, [2018] 4 WLR 107, Re C (A Child) No 2 [2017] EWHC 692 (Fam) & Re C (A Child) [2016] EWHC 3171: Tim is instructed for the children's guardian in this alleged radicalisation case concerning. Order for disclosure against the Home Office. Objection on grounds of national security, sought to set aside order. Refused in December 2016. Home Office made PII application which was successful in March 2017, but criticised by the Court for the delays introduced by Home Office actions. In No 3 the children's guardian was the sole party to oppose the local authority's application to withdraw. The local authority application was refused and the application listed for trial.
- LB Brent v C [2016] EWHC 1335: Tim was instructed for the child in care proceedings. LA had delayed before issuing proceedings concerning child suffering from life-limiting genetic condition. HRA declarations obtained against both the local authority and independent reviewing officer.
- Re P (permission to withdraw care proceedings) [2016] EWFC B2: Tim was instructed on behalf of the adoptive parents who were respondents to the care application. He obtained a finding that the local authority could not prove threshold as a result of which the local authority applied to withdraw. The case involved analysis as to whether "beyond parental control" should be subjectively or objectively interpreted.
- A Local Authority v C & S [2015] IFL 273: Tim acted on behalf of the local authority in care proceedings concerning serious sexual abuse. Having obtained findings the local authority and respondent mother applied under Brussels IIR Art 23(a) to discharge an order made in the Polish courts removing her parental responsibility. The application was granted and is so far the only known occasion an English court has discharged the order of a foreign court on the grounds of public policy.

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