DEANS COURT CHAMBERS

Peter Rothery

1994 Lincoln's Inn, rothery@deanscourt.co.uk



Education	Professional Associations
King James's School, Almondbury	Family Law Bar Association
Greenhead College, Huddersfield	Member of the Northern Circuit
University College, Oxford	
Inns of Court School of Law	

Areas of Specialism

- Family
- Children (Public)
- Children (Private)
- Child Abduction and Leave to Remove
- Cohabitation Disputes
- Financial Orders for Children

Profile

Peter Rothery is a very senior junior with over 30 years experience in family law. He is widely recognised as being a leading family practitioner on the Northern Circuit and an accomplished and skilled advocate.

His rigorous intellect, clarity of thought and calm, sensitive demeanour contribute to a persuasive style which is put to good effect both in and out of the courtroom. He takes a realistic and practical approach to cases in order to achieve the best possible outcome, and is able to distill complex issues into clear, comprehensible advice for clients to help them understand proceedings and make informed decisions.

Peter is the Head of the Family Team at Deans Court Chambers.

Child Protection, Care and Adoption

Peter is highly regarded as a specialist in the field of child protection. He is frequently instructed in cases involving child deaths, serious inflicted injury, or abnormal illness behaviour where there is complex medical evidence.

He has considerable experience of cases involving intra-familial sexual abuse, and the issues engaged when children and vulnerable adults give evidence.

He appears regularly before High Court Judges, and frequently alone or as a leading junior against leading counsel.

He is experienced in cases with cross jurisdictional issues, such as placement abroad and international adoption cases.

Peter undertakes a range of advisory work in respect to the broad range of regulations relating to the welfare of children, and their care and protection, including local authority policies and procedures, the regulation of children's homes and other placemen looked after children, obligations to connected person and other carers.

Private Children

Peter accepts instruction in complex private children cases, involving di cult areas of law or fact.

His experience and advocacy skills are particularly useful where the Court is determining grave allegations of sexual abuse, fabricated and induced illness and alienating behaviours within applications for a child arrangements order.

He has expertise in issues around parentage and parental responsibility, assisted reproduction, surrogacy and modern families. He can assist in cases of private adoption, including international adoption.

Peter also provides representation in applications for financial provision for children.

Notable Private Law Children cases

ED v MG [2025] EWHC 1876 (fam)

Represented the mother before McKendrick J in on a declaration of parentage where the child was conceived following overseas fertility treatment (AI by donor) and on whether a person mistakenly named on the birth certificate as a father acquires parental responsibility as a result of the erroneous registration. Successfully argued that if you're mistakenly registered as father you don't ever acquire PR - under section 4(1) of the Children Act 1989 you have to be the actual father (genetic or legal) before you can get parental responsibility.

A mother v a father [2024] unreported

Successfully represented a mother on her application to terminate the father's parental responsibility and for a no contact order where the father had been imprisoned for very serious sexual offences against their eldest daughter.

Z v Z (Contact in Prison) [2021] EWFC 47

Father seeking contact was in Prison. Governor said he would not facilitate contact, even if there was a Child Arrangements Order, as risk too high. MacDonald J considered whether the order was binding on the Governor and determined it was not, and that the Governor could not be compelled to facilitate a child arrangements order made by the Family Court. Represented children.

Notable Cases

Blackpool Borough Council v Langley and Ors (No.3) (Publication of Judgments) [2026] EWHC 1100 (Fam)

Practice Area: Family

In a further judgement in the Langley case, MacDonald J considered the principles of transparency, confidentiality and welfare as they apply to the decision of whether or not a parent in care proceedings should be named.

The Court decided that the publicity about previous criminal proceedings, and newspaper reports about 'rogue' experts meant that jigsaw identification of the mother was inevitable even if the published judgment was anonymised. Further, preventing the mother being named would inhibit press reporting of the issues raised by teh different outcomes in the criminal and family cases and of a central matter of public interest in this case , namely the competence of experts who give evidence before the family courts.

Blackpool Borough Council v Langley and Ors (No.3) (Publication of Judgments) - Find Case Law - The National Archives

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Blackpool Borough Council v Langley and Ors (No.2) (Re-opening of Findings) [2026] EWFC 69

Practice Area: Family

Peter appeared for the child in a rehearing of a case originally heard in 2023, which looked at a medical controversy concerning the pathology of rib fractures in baby Edith who died in the care of her mother when 8 weeks old.

At the original hearing the Court had found the mother, Laura Langley, caused Edith's death by squeezing her chest, having done the same on an earlier occasion. Subsequent criminal proceedings led to the mother's acquittal after the Crown offered no evidence because of new medical evidence. The mother then applied for a rehearing in the family proceedings.

The Court considered complex and conflicting medical evidence about eh incident of rib fractures following CPR in infants, multiple possible causes of bone fragility and whether very small disruptions in the bone matrix (micro injuries) are physiological or have forensic significance in indicating possible abuse.

After the rehearing MacDonald J gave a magisterial judgment in which he was critical of three of the experts who had given evidence in the criminal proceedings finding their evidence fell below the high standard expected of expert witnesses giving evidence before the family court and their evidence appears to have placed a significant role in the decision of the CPS to offer no evidence in the mother's murder trial.

Of Peter's contribution to the case the Court said "*The parties and the court owe a debt of gratitude for the hard work of Mr Rothery, and his instructing solicitor Ms Alison Bone, for marshalling the expert evidence in this case. Mr Rothery's chairing of the experts meetings on 21 May 2025 and 3 July 2025 was a model of controlled and impartial moderation that greatly assisted the court by clarifying and further illuminating the*

complex medical issues arising in this case."

Blackpool Borough Council v Langley and Ors (No.2) (Re-opening of Findings) - Find Case Law - The National Archives

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Re C & D (Refusal to Hold Fact-Finding Hearing) [2026] EWFC 155

Practice Area: Family Law

Peter Rothery, led by Nick Goodwin KC of Harcourt Chambers, and instructed by Jennifer Stephenson of Alfred Newton Solicitors, appeared in C and D (Refusal to Hold Fact-Finding Hearing) for C, the third respondent child whose 14 month old sibling E died in unexplained circumstances whilst in C's care.

The local authority sought findings against C's mother and against C, who was the subject of the proceedings before the Court and in the interim care of the local authority seeking the findings against her. C, 14 years old, suffered from situational mutism, social anxiety and post traumatic stress.

Gwynneth Knowles J accepted the submissions made on behalf of C and concluded after a careful application of the Oxfordshire principles that there should not be a fact finding hearing: it was not necessary or proportionate in circumstances where the threshold criteria were met and the additional findings sought were unlikely to change the assessment of risk or affect the outcome of the case.

The Court concluded that the welfare of C weighed against a fact-finding hearing, that the medical evidence was unlikely to establish a sole perpetrator finding; and that any benefits of making findings would be outweighed by the significant psychological and emotional harm which would be caused to C by the fact finding hearing. The Court doubted that there could be a fair hearing in circumstances where it was accepted by all parties that the Court should not hear from C herself, and where C was capable (for emotional and psychological reasons) of giving meaningful instructions. The Court concluded "*The forensic benefit of any fact-finding enquiry strikes me not only as marginal but also as highly dubious given its potential effect on one of the children with whose welfare the court is ultimately concerned.*"

C and D (Refusal to Hold Fact-Finding Hearing), Re - Find Case Law - The National Archives

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Re: QX (Parental Consent for Deprivation of liberty: Children under 16) [2025] EWHC 745 (Fam)

Practice Area: Public Law, DoLS

Represented a 15 year old child who was diagnosed as autistic with severe learning difficulties such that he required continuous care and support. The issues in the case before HHJ Burrows sitting as a Deputy High Court Judge, were (i) whether a care order was necessary where those who held parental responsibility exercised it appropriately and agreed to the child's accommodation; and (ii) whether the holders of parental responsibility could consent to to an objective deprivation of liberty for a child who hasn't reached the age of 16.

Re: QX (Parental Consent for Deprivation of liberty: Children under 16) - Find Case Law - The National Archives

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Re R (A Minor) (Fact Finding) [2025] EWHC 1977 (Fam)

Practice Area: Public Law

Junior counsel for local authority in a care case before Hayden J in which there was a complex medical presentation which, unusually, the Court found resulted from a dual pathology: findings were made both of salt poisoning and inflicted head injury perpetrated by the mother.

Blackburn with Darwen Borough Council v M & Ors - Find Case Law - The National Archives

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A Local Authority v B (unreported) [2024]

Practice Area: Public law

Represented a father accused of deliberately suffocating his baby. Successfully challenged the complex medical evidence through cross examination of court appointed expert paediatrician, and the treating clinicians, so that the finding wasn't made.

ED v MG [2025] EWHC 1876 (fam)

Practice Area: Private Children

Represented the mother before McKendrick J in on a declaration of parentage where the child was conceived following overseas fertility
treatment (AI by donor) and on whether a person mistakenly named on the birth certificate as a father acquires parental responsibility as a result of the erroneous registration. Successfully argued that if you're mistakenly registered as father you don't ever acquire PR - under
section 4(1) of the Children Act 1989 you have to be the actual father
(genetic or legal) before you can get parental responsibility

https://caselaw.nationalarchives.gov.uk/ewhc/fam/2025/1876?query=ED+MG+%5B2025%5D+EWHC+1876+%28f

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Successfully represented a mother on her application to terminate the father's parental responsibility and for a no contact order where the father had been imprisoned for very serious sexual offences against their eldest daughter.

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Practice Area: Private Children

Father seeking contact was in Prison. Governor said he would not facilitate contact, even if there was a Child Arrangements Order, as risk too high. MacDonald J considered whether the order was binding on the Governor and determined it was not, and that the Governor could not be compelled to facilitate a child arrangements order made by the Family Court. Represented children.

A Borough Council v E & Ors (No.2) (Refusal of secure accommodation order) [2021] EWHC 2699 (Fam)

Practice Area: Child Protection

MacDonald J refused to make a SAO sought by the Local Authority even though the Secure Accommodation Review Panel did not consider the grounds were met. Represented Local Authority.

D (a child) [2021] EWCA Civ 787

Practice Area: Family

Court of Appeal considered fair procedures for a contested interim removal hearing. Represented Local Authority (Leading Junior).

Lancashire County Council v E & F [2020]EWHC 182 (fam)

Practice Area: Child Protection

Jehovah's Witnesses resisted disclosure of records relating to a father accused of sexual abuse of his daughter on grounds of religious confidentiality/article 9 rights. Lieven J rejected the contention that the material was covered by a common law privilege against disclosing information obtained during confession or spiritual counselling and held that the Article 6 and 8 rights of the children outweighed the article 9 rights of the Jehovah's Witnesses to respect for their religious practices. Represented children.

Cumbria County Council v R (Special Guardianship Order or Interim Care Order) [2019] EWHC 2782 (Fam)

Practice Area: Child Protection

MacDonald J refused an application to reconsider uncertain perpetrator findings in respect of inflicted head injury based on a late confession or responsibility by the father, and in doing so considered the Court's approach to demeanour. The judge resolved a dispute between the Local Authority and Guardian about whether placement with grandparents should be under a final care order or a SGO, by adjourning

under an ICO for a period of testing out the placement. Represented Local Authority

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Rochdale Borough Council v M (Acting through the Official Solicitor) & Ors [2018] EWFC 102

Practice Area: Child Protection

Fact finding hearing about death of a 17 month old boy who was suffocated. Hayden J considers approach when a party in the pool of perpetrators is represented by the OS. Represented Local Authority.

Lancashire County Council v A, B & Z (A child: Fact Finding Hearing: Police Disclosure [2018] EWHC 1819 (Fam)

Practice Area: Child Protection

Knowles J gave a judgement about the appropriate procedures for obtaining police disclosure following issues in a fact finding hearing about the death of an 8 day old baby who sustained severe inflicted head injuries following a shake and impact. Represented child

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The Poppi Worthington Case

Practice Area: Child Protection

Cumbria County Council v M and F (Fact-Finding No. 1 : Unedited) [2014] EWHC 4886 (Fam)

Cumbria County Council v M and F (Application for Rehearing) [2015] EWFC 35

F V CUMBRIA COUNTY COUNCIL AND M (FACT-FINDING NO. 2) [2016] EWHC 14 (fam)

Re W (Children) [2016] EWCA Civ 113

Care proceedings resulting from the death of Poppi Worthington who died following a penetrative anal assault by her father. The ensuing police investigation was subject to considerable criticism. The initial findings were reopened and confirmed after additional evidence was obtained in the course of a second police investigation. The complex litigation attracted national publicity, and resulted in a number of

judgments about publication of information concerning care proceedings. Represented Local Authority (Junior counsel)

H-C (Children) [2016] EWCA Civ 136

Practice Area: Family

Appeal against factual findings made by Newton J. Court of Appeal considered the application of Lucas Direction in family proceedings. Represented children.

Cumbria County Council v Q (Injuries to Infant with Bone Disorder) [2015] EWFC 59 (08 July 2015)

Practice Area: Child Protection

Child sustained head injury and older fractures which were found by Peter Jackson J to result from a vitamin D deficiency. Represented Local authority.

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V (A Child): Fact-Finding [2015] EWFC 14 (02 February 2015)

Practice Area: Family

Serious sexual abuse of a 2 ½ year old girl. Peter Jackson J approved local authority decision not to seek to identify a perpetrator. Represented local authority.

more

Blackpool Borough Council v A (A Child) (Rev 1) [2015] EWFC 9 (29 January 2015)

Practice Area: Child Protection

Death of a child who had sustained multiple injuries including fatal head injuries before Holman J. Represented mother.

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Cumbria County Council v M & Ors [2014] EWFC 18

Practice Area: Child Protection

Complex care proceedings arising from the death of a child which was not recognised as potentially inflicted at the time, leading to a delay in the police investigation and care proceedings being issued. Represented Local Authority (Junior counsel)

S (Children: care proceedings) [2014] EWFC 2

Practice Area: Family

High Court care proceedings involving litigant in person before Russell J. Represented Local Authority.

A-W & C (Children) [2013] EWHC B41 (Fam)

Practice Area: Child Protection

Local Authority had acted in breach of the mother's Article 6 and Article 8 rights in failing to issue proceedings for a care order promptly upon the child's birth and instead awaiting the exercise by the police of their powers of protection to secure a removal. Represented child.

S (Children: care proceedings) [2014] EWFC 2 (11 April 2014)

Practice Area: Child Protection

High Court care proceedings involving litigant in person before Russell J. Represented local authority.

more

J, A , M And X (Children) [2013] EWHC 4648 (Fam) (22 February 2013)

Practice Area: Family

Permission to withdraw care proceedings arising from a head injury to a child where an older sibling was a potential perpetrator. Cobb J considers circumstances in which permission to withdraw should be given where threshold may be crossed. Represented child.

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What the Directories say

'Peter is the most eloquent and persuasive advocate, and he brings to his cases both an impressive intellect and a fine grasp of the details. In addition, he is able always to communicate with those on whose behalf he is instructed - whether they be professional or lay persons - calmly, empathetically and clearly, no matter the complexity or painfulness of what is being discussed.'

Legal 500 2026

'Peter's advocacy is persuasive and compelling, reflecting both his intellect and his forensic attention to detail. He always has a full grasp of his case, and is particularly skillful in his dealings with clients - not only professional clients, but also lay clients who, by the nature of public law proceedings, are dealing with one of the most traumatic experiences of their lives, and who are often struggling too with their own personal difficulties.'

Legal 500 2025

Eloquent, persuasive and analytical.

Legal 500

A very accomplished barrister; direct and forthright, but with an excellent manner with clients.

Legal 500

A strong and charming advocate.

Legal 500

'Experienced in representing local authorities.

Legal 500

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