



Matthew Carey

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Year of Call: 2008

Matthew read Law at Lancaster University and was called to the Bar by Inner Temple in 2008. Matthew was awarded the inaugural Lancaster University Law School Prize and the Otto Rix Scholarship from Inner Temple. In 2009 Matthew completed an internship with death penalty charity Amicus ALJ in North Carolina working on capital cases. Matthew continues his work with the charity assisting with training and interviews for internships.

Matthew is a specialist children family law barrister with a particular interest in public law and the arrangements for children after parental separation.

He is experienced in representing vulnerable clients, those with disabilities, learning difficulties and cases that may require the official solicitor.

With a calming and focused manner, Matthew is known for his high standard of client care and outstanding ability to engage with clients and put them at ease in the most challenging of circumstances.

Matthew is committed to pro-bono work and accepts instructions from Advocate (formerly of the Bar Pro Bono Unit).

Memberships

- Family Bar Association
- Association of Lawyers for Children
- Child Concern
- Amicus ALJ
- Northern Circuit

Appointments

- Accredited for Direct Public Access instructions

Recommendations and Client Feedback

“I have instructed Matthew in a number of complex private and public law children cases. I have always been extremely impressed at the service received. Matthew is incredibly client-focused and approachable yet has a thorough knowledge of the law and procedures and gives the clients the reassurance they need. He has not only represented our clients in court with skill and professionalism but is also meticulous when preparing documentation. I have always been impressed with the prompt response from Matthew if I have ever needed any additional advice about a case.” – Instructing Solicitor

“I was very impressed by Mr Carey’s attention to detail, drive and enthusiasm on a case involving allegations of domestic violence and child abuse, in which he obtained a very positive result after a multi-day final hearing. I was impressed by Mr Carey’s professionalism dealing with the client in a patient and sensitive manner.” – Instructing Solicitor

“Matthew is excellent in handling client emotion whilst remaining a robust negotiator and advocate. I would highly recommend.” – Instructing Solicitor

“Matthew is conscious of the vulnerability of my clients and I have been particularly impressed with his advocacy skills in the courtroom, the kindness and consideration he provides to both client and the client’s family members.” – Instructing Solicitor

“Both I and my client have been impressed with skills and willingness to go to the extra mile.” – Instructing Solicitor

“Matthew was really great with us and listened to us and I think represented us very well. We were really happy with him and would appreciate it if our thanks could be passed to him.” – Client

EXPERTISE

Family - Children

Public Law

Matthew is regularly instructed to act for parents, children, local authorities and other family members such as grandparents in public law proceedings. He has been involved in cases representing parents and family members that have resulted in successful outcomes for the children within their care.

Regularly instructed in proceedings involving complex issues of law and fact including cases concerning serious inflicted injuries to children, sexual abuse, fabricated/induced illness, perplexing presentations, shaking injuries, catastrophic/fatal injuries to siblings, long term/chronic neglect, parents with mental illness, adoption, human trafficking, international aspects, relocation and parental

alienation.

Matthew has experience in cases that involve the use of the Inherent Jurisdiction of the High Court including the use of Wardship and Deprivation of Liberty.

Private Children

Matthew is regularly instructed to represent parents and children in relation to the arrangements for children following parental separation. Matthew is experienced in cases that involve domestic abuse, findings of fact hearings, parental alienation, intractable contact disputes, fabricated illnesses, internal/international relocation, change to the children's school and also within enforcement proceedings.

Matthew is experienced in injunctive proceedings including emergency injunctions, non-molestation orders and occupation orders.

Cases

Public law

Tameside MBC v C (Unavailability of Regulated Therapeutic Placement) [2021] EWHC 1814 (Fam): Represented the local authority in a case where there was a challenge as to whether the Court could or should authorise a deprivation of liberty where an unregulated placement is not meeting the child's complex needs but there are no alternative options. The judgment contains an important distillation of the application and interaction of best interest's principles, necessity and safety and Articles 5 and 8 ECHR when the Court is authorising a deprivation of liberty of a young person. The judgment is available [here](#).

In the Matter of the Adoption of Children Act 2002 and in the Matter of C (Children) (Revocation of Placement Orders) [2020] EWCA Civ 1598: Represented the local authority at first instance. After a multi-day final hearing, HHJ Sharpe dismissed the mother's application to revoke a placement order after leave had been granted under section 24 of the Adoption and Children Act 2002.

Led by Lorraine Cavanagh QC on appeal, the Court of Appeal took the opportunity to address the applicable principles to an application to revoke a placement order after leave has been granted. The mother's appeal was unsuccessful. The judgment is available [here](#).

LA v I 2021: Led by Edward Devereux QC, represented a father in a case involving 16 days of contested evidence. The case involved cultural aspects, allegations of excessive chastisement of the children including use of implements, sexual abuse between siblings and domestic abuse. Involved inherent jurisdiction injunctions in the High Court. Case concluded successfully with children rehabilitated to their parents care.

LA v E 2021: Represented the child in the High Court, during care proceedings involving the death of a sibling.

LA v I 2020: Led by Lorraine Cavanagh QC, represented a father during care proceedings. Successfully contested the removal of a baby from her parents. The court had already sanctioned removal following two earlier removal hearing by telephone and video link supported by the Guardian. Issues of procedural unfairness, failure to apply the removal test and breach of human rights for the parents and child enabled the hearing to be fully litigated which resulted with the return of the baby to her parents as it was accepted by the local authority that the removal test was not met. Case concluded with baby in her parents care.

LA v B 2020: Led by Karl Rowley QC, in the High Court, represented a mother during a 17-day final hearing. The case involved allegations of fabricated induced illness, rape by the mother against the father, sexual abuse between siblings, domestic abuse between the parents, failure to protect, beyond parental control, and deprivation of liberty orders for the older children during proceedings.

LA v H 2020: Represented the local authority, whereby findings of non-accidental injuries to the baby were found to be caused by the parents.

LA v T 2020: Represented a father, successfully resisted allegations of sexual abuse of children. Successfully argued implacable hostility to father and successful transfer of residence. Case concluded with children at home with father.

LA v R 2020: Represented a mother in care proceedings. Allegations of children trafficking dismissed. Involved jurisdictional issues. Case concluded with children rehabilitated to their parents care with no statutory order.

Lancashire CC v TP & Others (Permission to Withdraw Care Proceedings) [2019] EWFC 30: Williams J sets out guidance on leave to withdraw care proceedings and the difficulty and complexity of dealing with transgender children and the understanding of professionals of best practice in such cases. The judgment is available [here](#).

LA v D 2019: Represented a mother in care proceedings. The mother faced allegations of fabricated induced illnesses, successfully resisted any adverse findings of fact with the child remaining in his mother's care without any statutory order being made.

Private law

W v W 2019: Represented a father in private law proceedings that involved allegations of emotional harm, the mother raising her son as a girl due to her belief of the child's identity rather than the child's own belief regarding gender identity and the mother's implacable hostility to contact.

R v R 2019: Represented a father in private law proceedings. Successfully resisted allegations of sexual abuse of children, rape of mother. Successfully argued mother implacable hostile to contact resulting in orders being made for children to spend time with their father without supervision.

B v R 2019: Represented a father, successfully resisted domestic relocation application. Case concluded with shared care arrangements.

Public Access

Matthew is accredited by the Bar Council and experienced at being instructed to undertake direct public access work particularly in relation to the arrangements for children following parental separation.