

## Damian Woodward-Carlton KC

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Damian is a family practitioner, appearing in the Family Court (High Court, County Court and Appellate Courts) in London and the South East. He regularly appears in complex cases involving a range of public law matters.

He has been recommended by Chambers UK and the Legal 500 for a number of years and is currently ranked in the field of Family: Children. In the Legal 500 2022 he is described as, 'A class act.'

Damian has been a governor of a local primary school since 2006, with special interest in safeguarding matters and advocating and supporting the transition to local state secondary schools.

Damian was involved in the case Re H-W which was awarded Case of the Year at the Family Law Awards 2023.

### Family Law

Damian has expertise in cases with medical, expert and scientific evidence; cases involving allegations of factitious and induced illness; the perpetration of non-accidental injuries; cases raising allegations of radicalisation to extremist thought and terrorism, and sexual abuse.

His clients include those with learning disabilities, mental health issues, substance abuse problems, and vulnerable witnesses along with a range of professional witnesses including local authorities and guardians.

Damian has written and lectured on radicalisation cases in the family courts and on the changing face of adoption policy and practice and participated in research into the ethics of social work practice in relation to adoption.

Damian frequently deals with complex High Court matters, including disclosure to the police and security services following a radicalisation case, fact-finding in relation to allegations of supporting terrorism and family members traveling to Syria, the impact of diplomatic immunity in public law family proceedings, fact-finding regarding alleged serious non-accidental injury and a cases of alleged factitious illness. Recent cases have also included the 'guidance case' on the handling and management of intimate images in family cases. Damian recently led the local authority team in the Supreme Court,

addressing the fundamental principle of proportionality in family proceedings and the role of the appellate courts in the review of proportionality decisions.

## Recent Cases

- **London Borough of Z v A, B, C, D, E & F and Ors [2022] EWFC 63** – Damian represented the Children with Deborah Piccos in a case involving unusual and profound disabilities, the law and practice on capacity issues and the need for the children to remain in care.
- **Re M (A Child: Private Law Children Proceedings: Case Management: Intimate Images) [2022] EWHC 986** – Damian represented the child with Rachel Claridge. They successfully argued for a nuanced, balanced approach to cases in which it was proposed the intimate images should be admitted, contributing to guidelines adopted by the Court in such cases.
- **H-W (Children) and In the matter of H-W Children (No.2) (Rev 1) [2022] UKSC 17** – Damian represented the Respondent Local Authority in the Supreme Court with Sharan Bachu and Katie Phillips, dealing with the fundamental principle of proportionality in care proceedings.
- **Re Z (Fatal Inflicted Injuries - Domestic Abuse - Failure to Protect) [2021] EWFC 92** - Damian and Katie Phillips represented the Mother against whom findings were sought as a possible perpetrator. Williams J did not place M in the pool of possible perpetrators, finding a failure to protect.
- **A County Council v L and Ors [2021] EWHC 48 (Fam)** - Damian represented the child in fact-finding hearing before Newton J Findings were made in relation to serious inflicted injury and failure to protect.
- **Re 5 Children (Induced and Exaggerated Illnesses Pattern of Behavior) [2021] EWHC 3750 (Fam) (10 December 2021)** - Damian and Katie Phillips represented a mother against whom serious and extensive findings were sought. Following a 6-week fact-finding hearing, Williams J made findings of induced and exaggerated illness over many years.
- **A City Council v A Mother & A Father & Ors (Care Proceedings Radicalisation) [2019] EWHC 3076 (Fam) (27 June 2019)** - Damian and Ruth Webber appeared for the Mother accused of radicalised behaviour (see interim hearing Re Q). Knowles J made final orders for the children (who were returned to their parents after a contested interim hearing) to remain at home with the parents with a package of work and safeguards.
- Damian Woodward-Carlton QC acted for the mother in **Re Q (Child: Interim Care Order: Jurisdiction)**. Child approaching 17 - Effect of s 38(4) of the Children Act 1989. More information can be found here

- *H (A Child : Hair Strand Testing) [2017] EWFC 64 (29 September 2017)*
- *The London Borough of Brent v D & Ors (Compliance with Guidelines on Judges Meeting Children) [2017] EWHC 2452 (Fam) (05 July 2017)*
- *AD & AM (Fact-Finding: Re-Hearing) [2016] EWHC 2912 (Fam)*
- *D (Discharge of care order) [2016] EWFC B80 (23 September 2016)*

## Articles

- ['Diplomatic immunity in care proceedings'](#) - March 2022
- ['Handle with Care'](#) - July 2022 - Article imminent in FLJ in relation to the recent case in which Damian appeared for the child in relation to the management and handling of cases involving intimate images.
- ['Memory in family proceedings'](#) - August 2023
- ['Post-adoption contact revisited'](#) - September 2023

## Animal Welfare Law

Damian is building a practice in all areas relating to the Animal Welfare Act 2006 and other key animal welfare legislation (including the recently enacted Animal Welfare (Sentience) Act 2022). His experience of conducting forensic and welfare analyses in children cases combined with legal analysis in High Court and appellate work, means he is well equipped to accept instructions in this field.

## Qualifications & Appointments

- BSc (Psychology) – University of Durham (1986)
- University of Durham Scholarships (1984 and 1985)
- The Gabbet Prize for Psychology (1984)
- MA (by thesis) – University of Durham (1988)
- Diploma in Law – City University (1994)

## Recent Publications

- A radical challenge, Counsel Magazine December 2016
- 'The Adoption Debate' – Counsel Magazine December 2017