

Year of Call: 1995

Practice Areas: Family, , Family: Public & Private Children, Family: Financial Remedy and TOLATA

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Profile

David Maddison graduated from Birmingham University in 1993 and was called to the Bar in 1995. He was appointed a Deputy District Judge in 2015.

He moved to Cobden House in 1999, and since then has practised in all areas of family law. Within care proceedings he mainly represents parents, including those accused of the most serious acts of abuse and neglect. He also acts for local authorities and guardians.

David is known for his work in Forced Marriage Protection Orders and particularly in Female Genital Mutilation Protection Orders where, in 2019, he pioneered a change in the law by getting the Children Act 1989 (Amendment) (Female Genital Mutilation) Act 2019 through Parliament.

He also maintains a significant practice in private child law matters, including cases involving international elements and those with a significant risk of abduction. He has been involved with both public and private law cases involving radicalization risks.

David also regularly deals with ancillary relief cases and has a growing expertise in TOLATA applications.

He is a member of the FLBA, and taught advocacy on the Bar Vocational Course at Manchester Metropolitan University for 6 years.



Notable Legislation

Children Act 1989 (Amendment) (Female Genital Mutilation) Act 2019

David identified a gap in the protection offered by the Children Act 1989 to girls at risk of FGM, so successfully pioneered, devised and lobbied Parliament to change the law. Working with Lord Berkeley of Knighton, the Children Act 1989 (Amendment) (Female Genital Mutilation) Act 2019 became law in March 2019.

Notable Cases

Transfer of Residence

Re J [2016] EWHC 2430 Fam

This case made national headlines in most newspapers as the mother was raising the boy as a girl. David successfully argued that the Court should change residence of the child to the father as he offered the best opportunity for the child to develop his own identity. The case involved the input of three guardians, two social workers, an adult psychologist and a child psychologist.

Conditional Transfer of Residence

Re M [2012] EWHC 1948 Fam

A hearing before Mr Justice Peter Jackson in which David sought to enforce a contact order on behalf of the father. The mother had taken the children absconded with the children and the proceedings started as wardship to trace them.

David successfully argued that the Court should make a conditional transfer of residence, so that if the mother failed to co-operate with the

contact arrangements, residence would automatically transfer to the father.

Reporting Restrictions Orders

Re J (Reporting Restrictions) [2016] EWHC 2595

Because of the press interest in the above case of re J, the Mail on Sunday brought an application to report the details of the case.

David was engaged in two days of arguments over the terms of a Reporting Restrictions Order. This involved complex submissions regarding the competing European Convention rights of the parents and child for privacy, and the newspaper's right to freedom of expression.

As a consequence David successfully argued that the mother should not be permitted to speak to the press regarding the details of the case as this would be contrary to the child's welfare.

Other cases of note: Radicalisation/extremism

Successfully represented a mother who sought discharge of a care order when her child had been removed in to care following intelligence given by the Police to the local authority. The mother had a conviction under the Terrorism Act, but was able to demonstrate her ability to care for the child.

The case involved significant analysis of information from the Police and their counter-terrorism network CHANNEL.

Membership

He is a member of the FLBA, and has taught advocacy on the Bar Vocational Course at Manchester Metropolitan University for the last 6 years.