

Nigel Hawkins

Year of Call: 2023
Solicitor: 1994
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Overview

Family barrister Nigel Hawkins qualified as a solicitor in 1994 and has over 25 years' experience of advocacy in family matters and specialises in public and private children proceedings. A prolific advocate already, Nigel has now been granted full exemptions to practise as a barrister by the Bar Standards Board. He transferred to the Bar and joined chambers in early April 2023.

He has a reputation as being a hard-working, thorough and professional solicitor who developed a very busy practice in the area of Children Law. He is a member of the Law Society Children Law Accreditation Scheme. He works to exceptionally high standards and prides himself that judges and other professionals regularly compliment the high standard of his position statements and skeleton argument documents. His knowledge and understanding of procedure is second to none; and he regularly makes Part 25 Applications for the appointment of experts and has made applications for parents to undergo residential assessments pursuant to section 38 (6) of the Children Act 1989.

A regular favourite of court-appointed Children's Guardians - and former head of the Child Care Department at a well-known law firm - across the south coast of England, Nigel brings his skill and pragmatism to both lay and professional clients alike. Nigel acts regularly for Children's Guardians, children, parents, extended family members and local authorities.

Nigel deals with the full range of hearings about children, including the following:

- All hearings within care proceedings including Interim Care Order Hearings, Case Management Hearings, Issues Resolution Hearings and contested Final Hearings
- Emergency Protection Order hearings, representing children and parents
- Finding of Fact Hearings in both Public Law and Private Law Proceedings, including complex cases of alleged non-accidental injuries, including fractures and significant bruising injuries
- Deprivation of Liberty and Secure Accommodation Orders, including separate representation of children when there has been a conflict of interests with their Children's Guardian and representing a local authority in Secure Accommodation Order applications
- Placement Order and Adoption hearings
- Final hearings where the court has had to consider arrangements for children, including who they should live with and who they should spend time with
- Applications seeking permission to remove children from this jurisdiction to another jurisdiction or to relocate
- Hearings to determine if Care Orders may be discharged
- Special Guardianship Order hearings

Mediation and training

Nigel is a trained mediator and has also been a Collaborative Lawyer in the past and has an exceptional reputation as a highly-effective negotiator on behalf of his clients. He is also a popular speaker on family law and procedures and a recent well-received talk of his was to CAFCASS professionals about rule 16(4) Children's Guardian's Cases, the appointment of experts and Practice direction 12J relating to domestic abuse.

Outside of chambers, Nigel's interests range from reading and history to football, music, walking and spending time with his family.

Care and adoption

Nigel Hawkins represents clients at all stages of care proceedings. He regularly acts for Children's Guardians, children, parents, extended family members, local authorities and intervenors.

Nigel has a particular interest in NAI cases and has represented children and parents in cases involving brain and skull injury, limb fractures, rib fractures, retinal injuries and significant bruising.

Nigel has represented clients at all stages of care cases involving:

- Non accidental injury
- Neglect
- Domestic abuse
- Drug and alcohol addiction
- Sexual abuse (including inter-sibling sexual abuse)
- Jurisdictional issues
- Significant mental health problems
- Separate representation of children
- Expert evidence
- Parents or children with cognitive impairment and capacity issues/special needs
- Adoption
- Special Guardianship
- Discharge of care order

Reported cases

Dorset County Council v M & Ors (Removal: Balance of Harm) [2021] EWFC B43 (06 August 2021): Represented three children aged 10, 7 and 11 weeks and their Children's Guardian. The court decided that the test for immediate removal of the children from their mother's care was not met and that their needed to be further assessment.

Dorset Council v E (Unregulated placement: Lack of secure placements) [2020] EWHC 1098 (Fam) (05 May 2020): Acted for a sixteen year old boy and his Children's Guardian, successfully arguing that Local Authority should apply for a Secure Accommodation Order and that judgment should be sent to the Secretary of State for Education and to the Children's Commissioner.

Re: MA (a child) [2016] EWFC 46: Acted for baby girl and her children's guardian in the High Court. The child's eight siblings were made subject to Care Orders in previous proceedings. Care and Placement Orders were made.

Re: IB (a child) [2014] EWFC 16: Represented the Children's guardian on an application of the mother for Latvia to assume jurisdiction. The mother's application was refused.

Unreported cases include:

Re: S: represented eighteen-month old boy and his Children's Guardian where child had sustained a significant number of unexplained injuries. His cross-examination of mother's partner was instrumental in the court being finding that the partner inflicted the injuries with the mother failing to protect his client.

Re: W: represented three children aged nine years, six years and four years of age in Care proceedings. Cross-examined paediatrician, both parents and various other professional witnesses and findings were made that the mother had inflicted the injuries on the six year old.

Re: L: arranged and chair a meeting of over forty professionals and represented a teenage boy who had been convicted of sexual offences against other young persons. Judge ordered meeting to explore the options re future care, therapy, support, education provision and participation where other young persons would be present. Proceedings were concluded by agreement, with the child living with his grandmother.

Re: M & R: represented four children aged nine years, seven years, five years and two years. Made a successful application for a psychologist report which showed major parenting issues with respect to the two older children, who were made subject to Care Orders, remaining in a specialist placement. Cross examination of the parents demonstrated that "nothing else would do" and Care and Placement Orders were made with respect to the five year old. A Special Guardianship Order was made in favour of the paternal grandfather and his partner for youngest child.

Recommendations

"He was excellent in every aspect, so calm and really helped me with my case."
Lay Client

"Nigel Hawkins of 3PB Barristers was incredibly understanding, honest, and a tremendous help throughout my child arrangements order process. I genuinely felt that I would not have been able to get through everything without his support and guidance.

My case ultimately proceeded to a finding of fact hearing, and his advice, knowledge, and experience throughout were completely invaluable. He was truly worth his weight in gold. At every stage, he was there to help me, guide me through the process, and make what was an extremely difficult and emotional time feel far less daunting and overwhelming. It was, without question, one of the most challenging periods of my life, and his calm, professional support made a real difference.

I cannot express how grateful I truly am for everything he has done for me and my family, and I feel I could never adequately repay him for the help and dedication he provided."
Lay client

"I would highly recommend anyone going through a child arrangements order to seek his advice and representation, as his support was utterly invaluable in my experience."
Lay client

"I'd just like to say a massive thank you for helping me out. You have done such a great job with what you have had. I really can't thank you enough. I'm so grateful I got the extra couple of weeks with my daughter and that's completely down to you. Thank you"
Lay client

"Many thanks Nigel. I greatly appreciated the sensitivity with which you managed the client and I have had very positive feedback from the intermediary. We have already confirmed your booking for the IRH."
Damian Summerscales (Instructing Solicitor)

"Can I just say how lovely Nigel was today. He was great at listening to me. Made sure I felt safe at all times. Even walked me to my car in case Mr R was waiting outside. Really amazing especially as I didn't want to be there. Thank you both."
Lay Client

"I would like to express my sincere gratitude to Mr. Hawkins for the outstanding job he did. I can't thank him enough. He was incredibly helpful throughout the process, answering any questions I had and keeping me updated. I truly appreciate his

support and the final outcome."
Lay Client

Academic qualifications

- LLB (Honours), 2;1, Southampton University
- BA (Honours), History, First, Open University

Professional bodies

- Member of the Law Society Children Law Accreditation Scheme
- Member of Gray's Inn