

Andrew Duncan

Year of Call: 2011
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Overview

Andrew Duncan is a specialist children's law barrister with a nationally recognised practice, reflected in his reported cases and consistent rankings in both leading legal directories.

He has developed a reputation as an approachable yet fearless advocate who combines forensic analysis with practical, down-to-earth advice.

Recognised for his calm judgement in high-pressure litigation and his ability to distil challenging evidence into clear, persuasive advocacy, Andrew is a much sought-after member of 3PB's Family Group.

Professional clients value Andrew's collaborative approach. He is a genuine team player who goes the extra mile, understands the importance of working closely with solicitors and is instructed across all levels of court allocation.

Clients value his strategic thinking and unwavering focus on achieving the best possible outcome.

Andrew has developed a particular specialism in complex trial work, including fact-finding and final hearings, where his meticulous preparation and forensic advocacy are particularly valued.

Public Law Work

Andrew’s public law practice almost exclusively involves highly complex, forensically detailed cases, with particular expertise in non-accidental injury proceedings involving fractures, burns, serious head injuries, and allegations of serious sexual abuse.

He has extensive experience acting for parents, local authorities, children (both directly and through their guardian), intervenors and wider family members in some of the most challenging care proceedings, including large-scale multi-family linked cases.

Andrew has also undertaken work internationally, where regulatory permissions allow, including leading a legal team in the Falkland Islands.

Andrew regularly appears both led by King's Counsel and against King's Counsel and frequently leads junior counsel in complex proceedings.

Private Law Work

Andrew’s private law practice is equally impressive. He focuses on representing clients in highly complex disputes where privacy, discretion and responsiveness are paramount. He is accustomed to advising high-profile and high-net-worth clients and is available at very short notice, whether remotely or by travelling to meet clients wherever required for strategic conferences.

Andrew is particularly attuned to the reputational sensitivities that often arise in cases involving high-profile or high-net-worth individuals. He has extensive experience in cases involving complex parental alienation and intractable contact disputes and, through careful and forensic cross-examination, has repeatedly exposed deeply embedded patterns of malign influence.

Andrew provides clear, direct advice and ensures that clients understand both their position and the strategic options available to them.

Andrew has appeared in numerous appeals as both Appellant and Respondent. He has successfully appeared unled before the Court of Appeal, with a number of appeals resulting in rehearing's being ordered.

As part of his pro bono work, Andrew supports Not Beyond Redemption, providing free family law advice and representation to mothers in prison, or who have left prison, helping them to re-establish and strengthen the fundamental relationship between mother and child.

Outside of practice, Andrew enjoys spending time with family and friends together with a range of country pursuits, from fly fishing for salmon to skiing in the Alps.

Reported cases:

A v B & Ors [2026] EWFC 191 (B)

Surrey County Council v. Mother & Ors (Threshold: Proof of Domestic Abuse) [2026] EWFC 5 (B)

Re J (A Child) (Inflicted Injuries) [2025] EWFC 385

A v B [2025] EWFC 329 (B)

A Local Authority v. A & Ors [2025] EWFC 295 (B)

R & Anor v. Shropshire Council & Anor [2025] EWHC 1791 (Fam)

A Local Authority v T & Ors [2025] EWHC 334 (Fam)

Re X & Y (Children) [2024] EWFC 443 (B)

C (A Child)(Change of Given Name) [2024] EWCA Civ 1582

The Mother & Anor v Shropshire Council & Anor [2024] EWHC 1191 (Fam)

The Mother & Anor v Shropshire Council & Anor [2024] EWHC 344 (Fam)

A Local Authority v The Mother & Ors [2023] EWFC 166

Re D & R (Children) (Fact Finding; Certain and Uncertain Perpetrator) [2023] EWFC 305

Re CM (A Child) [2023] EWFC 263 (B)

Re B & C (Children) (Cross allegations of harmful behaviour by parents) [2023] EWFC 272 (B)

Re A & B [2022] EWFC 44

Bedford Borough Council v CD & Ors (Rev 1) [2020] EWHC 3298 (Fam)

Bedford Borough Council v CD & Ors (Rev 1) [2020] EWHC 1996 (Fam)

Re B (A Child) [2020] EWFC 34

Recommendations

"He is a formidable advocate. He is tenacious, well-prepared, quick on his feet and always goes the extra mile. His attention to detail is second to none and his cross-examination is absolutely incredible."
"He is approachable, personable and a joy to work with. His oral and written advocacy is extremely effective. Andrew is not afraid to deal with issues head on and does not shy away from a complex argument."
"His forensic analysis of papers is outstanding. He is approachable, personable and a joy to work with. His oral and written advocacy is extremely effective, while his knowledge is also remarkable."
Chambers UK 2027/Family:Children/Midlands/Leading Junior

Andrew Duncan focuses his practice on children law work and has in-depth knowledge of a broad range of matters. His expertise covers allegations of abuse, fabricated illnesses and non-accidental injuries.
"An excellent junior who is going places specialising in complex care and public law work."
"Mr Duncan was really supportive and an excellent advocate who drafted excellent documentation at all times."
"Andrew has a meticulous approach to case preparation, and this is evidenced throughout a case. His case preparation is second to none."
Chambers UK 2026/Family:Children/Midlands/Leading Junior

`Andrew has an impressive ability to build an instant rapport with the lay client, instilling an immediate sense of trust and confidence in what can be an incredibly stressful and difficult time for the lay client. His preparation skills and attention to detail are two of many attributes for which he is well known for within the local circuit.'
Legal 500 2026/Family: Children and Domestic Abuse/Leading Juniors/Midlands

`Andrew is a formidable advocate. His written advocacy is exceptional and always drafted with precision and care. He is always up to date with developments in the field of children law and never shies away from a legal argument. Andrew has a reputation for excellent oral advocacy; he is persuasive, tenacious and suitably adaptable depending on the witness.'
Legal 500 2025/Family: Children and Domestic Violence/Leading Juniors/Midlands

'Andrew has meticulous attention to detail, excellent communication with instructing solicitors and excellent client care skills.'
Legal 500 2024/Family: Children and Domestic Violence/Leading Juniors/Midlands

"I am writing to thank you for dealing with the complex matter involving two families from East Timor which recently concluded at Oxford Family Court with no Orders and the proceedings being dismissed following a lengthy fact-finding hearing where my client was completely exonerated. I am grateful for your professionalism throughout and the analytical and diligent way in which you dealt with the matter. It is total credit to you
that you carried out your instructions in the most thorough fashion at the top level of professionalism. Your submissions on behalf of the client were impeccable and the client was delighted with the outcome of the hearing."
James Walthall – Partner, Jackson West Solicitors

"Andrew Duncan is a highly competent and knowledgeable advocate with particular expertise in representing parents in non-accidental injury cases. His preparation work is outstanding, his advocacy skills are formidable, and he has good all round communication skills."
Simon Leach, Partner, Family Law Group

"I've instructed Andrew Duncan on a number of occasions in private children and financial proceedings. Andrew is always thoroughly prepared and well versed in the law. He presents cases confidently and has successfully challenged recommendations in section 7 reports by meticulously going through the flaws in the report. He has good client care skills and all my clients have been extremely pleased with Andrew's performance in court and the outcomes achieved. I would highly recommend him."
Clare Kauder, Senior Associate, Tollers

"This firm has instructed Andrew Duncan on a wide range of cases for both financial remedy and child arrangement proceedings. Andrew is particularly robust in his approach, and will always go above and beyond for our clients. Andrew is well prepared for all cases and is quick to respond and adapt if necessary. Andrew has a good rapport with judges and is

always active in negotiations. Our clients have always given positive feedback for Andrew, with many wishing to instruct Andrew in the future. Our clients appreciate the time Andrew takes to reassure them and advise them on the law that is relevant to their circumstances with no judgement."
Penny Uro, Partner, Hunter Uro Solicitors

"Andrew is a very strong advocate and has represented the Local Authority is various Public Law matters including complex NAI and serious sexual abuse matters. Andrew is very knowledgeable and is great working with clients to achieve a common goal. He is good at breaking down legal jargon and explaining to client teams what is needed and advising as to the reasons for this. Andrew ensures that all the minor details are dealt with as well as the main issues in which he is very effective at making sure that the case at hand is progressed without undue delay."
Tegan Scott, Solicitor, Pathfinder Legal

"I have known Andrew Duncan for several years and have both instructed him and also been on cases where he is the opposing counsel. Andrew Duncan covers all types of cases but excels in care cases, especially those involving significant domestic violence and parental alienation issues. His dealings with various clients have always been positive and his advice to clients always constructive and helpful whilst summarising the concerns that need to be addressed by each client. Overall, I will continue to use Andrew Duncan as he reflects the ethos that my company exhibits when dealing with vulnerable clients and those with difficult cognitive abilities."
Prakash Modi, Partner, Scutt Beaumont Solicitor

Academic qualifications

- LL.B (Hons) Law, University of Sussex, 2.1
- LL.M International Law, University of Edinburgh
- BPTC, BPP Law School, London, Very Competent

Professional bodies

- Family Law Bar Association
- The Honourable Society of Lincoln's Inn

Direct Access

Andrew Duncan is qualified to accept instructions directly from members of the public and professional clients under the Direct Public Access scheme.

Expertise

Family

Family law barrister Andrew Duncan is regularly instructed in complex private and public law cases, often where dispute involving child protection, domestic violence, abuse or parental alienation issues are involved. His busy caseload of recent reported cases are listed above in his overview.

Other notable cases include:

Re R [2024]: Andrew represented a father accused of three separate counts of attempted rape of his daughter. This was a complex case involving third party phone data, applications for adverse inferences arising from factory re-setting phones and cognitive difficulties. After Andrew's representation following an 8 day trial, no findings were made against his client and the Local Authority's factual case found not proven.

Re C & M [2024]: Andrew represented an intervenor in a Non-Accidental Injury case concerning significant facial bruising to a 20-month-old child. There had been four intervenors however by the time the trial concluded, only Andrew's client and the mother remained in the pool of perpetrators. The case against Andrew's client was found not proven.

Re B [2023]: Andrew represented a Local Authority in a legally complex case where there was a positively assessed special guardian, and a known prospective adopter, neither of which the child lived with at the time of the final hearing. Andrew successfully obtained care and placement orders on behalf of the Local Authority following legal argument.

Re DS [2022]: Andrew represented a father where allegations were made of the most serious form of sexual abuse against both him and his brother in law. After a 10 day fact find where two sets of care proceedings were consolidated, no findings were made against Andrew's client, who was exonerated, immediately allowed to return to the family home and the care proceedings were dismissed.

Re LM [2022]: Andrew, led by Kings Counsel, gave difficult advice to compromise an appeal brought against his client in the Court of Appeal, recognising the decision of the first instance Judge and the actions of his client was not sustainable in law.

Re RM [2022]: Andrew represented a father where significant historic findings had been made against him at an earlier fact find hearing and an application for further assessment of him had been refused. Following Andrew's cross examination at the welfare hearing where care and placement orders were sought, the Judge acceded to Andrew's application for expert risk assessment and an adjournment of the final hearing for that assessment to be completed.

Re D [2022]: Andrew represented maternal family members during a lengthy welfare hearing at the High Court to determine where a child would live following the killing of her mother by the father. The father was held on remand for murder throughout the duration of the trial.

Re C [2022]: Andrew sought an order for adoption on behalf of foster carers in a very complex case where the foster carers had cared for a child for almost 3 years at the time of the hearing, but where there was a positively assessed family member and the added complexity of linked care proceedings in relation to a sibling child being heard at the same time.

Re E [2021]: Andrew represented a mother, led by Kings Counsel, where the parents were in the pool of possible perpetrators following discovery of two rib fracture during a routine X-Ray. Andrew's team brought about the withdrawal of the case by the Local Authority and the parents were exonerated.

Re T [2021]: Andrew successfully sought the transfer of living arrangements for two sibling children from the mother to the father where there had been earlier findings of parental alienation and a failed therapeutic process.

Re RN [2021]: Andrew successfully sought findings on behalf of his client of the falsification of various allegations of domestic abuse including that the mother had falsified an allegation of attempted murder.

Re L [2021]: Andrew dealt with a complex conjoined cases where the birth parents sought contact with a previously adopted

sibling group in private proceedings at the same time as adoptive family were involved in public law proceedings following the breakdown of the adoptive placement.

Re CE [2020]: Andrew appeared for a mother, accused of parental alienation as assessed by a psychologist. Andrew was instructed late in the proceedings when a fact find, and welfare hearing were listed. His advice, and representation brought about agreement to the proceedings and resulted in the vacating of the fact find hearing and the child remaining in the care of his client.

Re B [2020]: On behalf of the children, Andrew successfully opposed an appeal brought by the parents and the children were removed into foster care and the conclusion of the appellate process.

Re TE [2020]: Andrew represented a father who faced a number of allegations of domestic violence over a decade. Following the fact find hearing the court found those allegations not proven and went on to find the mother was the aggressor in the relationship.

Re J [2020]: Andrew appeared as junior for a father to the sibling of a murdered child in the High Court. The case involved complex issues of non-disclosure, significant police disclosure, and a forensic enquiry into the conduct of foster carers at the welfare stage.

Re P [2019]: Andrew acted for the children where he sought the transfer of living arrangements of two children who were living with the mother to their father's care. This was a complex parental alienation case where the mother had previously made serious allegations of abuse against the father. The children were successfully transitioned at the conclusion of the case.

Re H [2019]: Andrew appeared for a mother who made allegations of significant domestic violence and coercive control, including gaslighting and influence of the child. The proceedings had jurisdictional issues and the court ultimately found all the allegations made by the mother proven.

Re RJ [2018]: Andrew represented a father in a parental alienation case who faced twelve allegations of physical abuse against his child made by the mother. The court found none of these allegations proven and went on to find that the mother had alienated the children from the father and that the child was at risk of significant harm in the care of the mother.

Re PD [2018]: Andrew appeared on behalf of the mother and successfully sought an order for no direct contact between a child and her father. The court made the order sought by Andrew following his cross examination of a consultant psychiatrist, community psychiatric nurse, and CAFCASS officer who had all recommended that there be direct contact between the father and the child.

Articles

Andrew Duncan recalls his time on the Falkland Islands, leading a team in a 2-week case in a community so small and tight-knit that the judiciary has to carefully navigate its presence and interactions within society to be able to consistently deliver impartial justice.

View Article

Andrew Duncan recently acted in a case concerning a young person who sought to change their forename. In Re C (A child)(Change of Given Name) [2024] EWCA Civ 1582 the child also expressed a wish to change their surname, but this was not actively pursued, and the guardian had not reported on its merits.

Andrew writes about this case for Family Law Week. Click below to read the article.

View Article

In his article, Andrew Duncan uses reported case examples, such as H-W (Children); H-W (Children) (No 2) [2022] UKSC 17, as well as his own experience within the family courts, to explore the importance of thorough risk assessments by Local Authorities in order to avoid adjournments and/or delays due to further assessments being required.

Andrew also highlights the importance of practitioners making an early-stage identification of any inadequate pleading within threshold to ensure accurate assessments are completed so that the court can properly "conduct the holistic balancing exercise that the child's future demands.

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