



# Lawrence Messling

**Year of Call:** 1983

**Email Address:** [lawrence.messling@3pb.co.uk](mailto:lawrence.messling@3pb.co.uk)

**Telephone:** 0121 289 4333

## Overview

Lawrence is an experienced family law barrister advising in serious public law children cases, often appearing in High and County Courts. He has more than twenty five years experience as an advocate in public law children's cases. He has also undertaken cases involving vulnerable adults and children for over 25 years in a variety of jurisdictions, including involving mental health and social care legislation, and undertakes Court of Protection cases.

He represents local authorities, relatives and patients in health and welfare issues.

Lawrence has chaired the British Agencies for Adoption and Fostering (BAAF) Midlands Region Legal Group for some ten years and is a trainer on the paediatrician expert witness programme. He also lectures on aspects of public children law and often chairs related conferences and seminars, usually of a multidisciplinary nature.

Lawrence is an Accredited Mediation Advocate.

## Recommendations

Lawrence Messling is a senior junior who focuses exclusively on serious public law children cases, in which he is regularly instructed by local authorities, parents and guardians. His caseload includes complex fact-finding cases, fabricated illnesses and multi-jurisdictional aspects. He is skilled at dealing with matters involving mental health issues.

Strengths: "A calm and very able barrister. He is a safe pair of hands on even the most complex of cases."

**Chambers UK 2024/Family/Children/Midlands Bar/Band 1**

Strengths: "Lawrence is a well-respected operator."

**Chambers UK 2023/Family/Matrimonial/Midlands Bar**

Strengths: "He's good with clients and has fantastic attention to detail." "He's top-drawer. Really good."

**Chambers UK 2022/Family/Matrimonial/Midlands Bar**

Strengths: "He has an eye for detail and is fantastic at analysing the material. He is brilliant with the law and the clients." "He looks at things forensically and thoroughly. He is always calm and courteous under pressure"

**Chambers UK 2021/Family/Matrimonial/Midlands Bar**

Strengths: "He's unflappable and smooth, and always asks the right questions at the right time with unerring ease."

**Chambers UK 2020/Family/Matrimonial/Midlands Bar**

"A very experienced practitioner." "Well known for his professionalism, attention to detail, client care and preparation. He prepares his matters meticulously and is willing to offer guidance and assistance in respect of the continued progression of the case."

**Chambers UK 2019/** Family/Matrimonial/Midlands Bar

Strengths: "Unflappable and smooth. He just seems to ask the right questions at the right time with unerring ease."

**Chambers UK 2018/**Family/Matrimonial/Midlands Bar

Strengths: "Lawrence is excellent, extremely courteous, unruffled and very hard-working." "Always well prepared and a lovely manner. I just think he's brilliant."

**Chambers UK 2017/**Family/Matrimonial/Midlands Bar

"A very articulate, persuasive advocate" and "He carries a seniority that gives him authority".

**Chambers UK 2016/**Family/Matrimonial/Midlands Bar

Lawrence Messling is ranked in the **Legal 500 2024/**Family: Children and Domestic Violence/Leading Juniors/Midlands edition

Lawrence Messling is ranked in the **Legal 500 2023/**Child Law (Public and Private)/Leading Juniors/Midlands edition

Lawrence Messling is ranked in the **Legal 500 2022/**Child Law (Public and Private)/Leading Juniors/Midlands edition

'A very confident and effective barrister with excellent attention to detail.'

**Legal 500 2021/**Child Law (Public and Private)/Leading Juniors/Midlands

'A skillful cross-examiner who is always well-prepared.'

**Legal 500 2020/**Family and children/Leading Juniors/Midlands

"He approaches cases with care and consideration."

**Legal 500 2018/19/**Family and children – Tier 1

'extensively experienced in public law children cases.'

**Legal 500 2017/**Regional Bar – Family

'Simply outstanding – he is extremely thorough and an exceptional advocate.'

**Legal 500 2016/**Regional Bar – Family

Lawrence has 'a steely determination to do what is right'.

**Legal 500 2013/**Regional Bar – Family

Lawrence is 'hardworking, approachable and very professional'

**Legal 500 2012/**Regional Bar – Family

Lawrence is an 'extremely competent advocate whose measured and professional approach has promoted the resolution of complicated and emotionally charged matters'.

**Legal 500 2011/**Regional Bar – Family

## Academic qualifications

- Keele University (BA (Hons) Law and Economics).

## **Professional qualifications & appointments**

- Recorder
- Accredited Mediation Advocate

## **Professional bodies**

- Association of Lawyers for Children
- British Association for Adoption and Fostering
- Member of FLBA

# Expertise

## Family

Lawrence is an experienced family law barrister advising in public law children cases, often appearing in High and County Courts. He has more than twenty five years experience as an advocate in public law children's cases.

### Public Law Care and Adoption

Lawrence specialises in serious public law children's cases, regularly appearing in the Family Division of the High Court. He is instructed by local authorities, parents and guardians.

He undertakes serious fact finding cases including cases where a child has died, NAHI, other serious non-accidental injury, fabricated or induced illness, as well as complex outcome hearings including those with an international element. As well as conventional public law children cases, Lawrence also advises and appears in those with sensitive medical and ethical aspects for example, cases where the lawfulness of whether to resuscitate a child is at issue or where one parent has killed the other.

He advises and appears in cases where there are serious issues of confidentiality and disclosure including those requiring the exercise of the High Court's inherent jurisdiction and the making of reporting restriction orders to restrain media publication.

He is regularly instructed by local authorities, parents and guardians to advise where there are issues of particular procedural, jurisdictional or evidential complexity.

As a senior junior he regularly appears against silks and occasionally leads junior counsel.

### Court of Protection

Lawrence is an experienced family law barrister advising in public law children cases, often appearing in High and County Courts. He has more than twenty five years experience as an advocate in public law children's cases.

### Health & Welfare

Lawrence has undertaken cases involving vulnerable adults and children for over 25 years. These cases have involved a variety of jurisdictions, including Mental Health and Social Care legislation, the inherent jurisdiction of the High Court and more recently the Court of Protection.

He has represented local authorities, relatives and patients. He has a number of qualities which have proved particularly relevant to these important and often complex cases.

Lawrence has chaired the British Agencies for Adoption and Fostering (BAAF) Midlands Region Legal Group for some ten years and is a trainer on the pediatrician expert witness programme. He also lectures on aspects of public children law and often chairs related conferences and seminars, usually of a multidisciplinary nature.

### Reported Cases

#### **Re ABC (Children: Overlaying Child) [2020] EWFC [57]**

**Lawrence advised Nottinghamshire County Council in the High Court case** exercising its powers, under the inherent jurisdiction, in relation to a treatment plan for a young child involving the withdrawal of life-supporting treatment and the institution of palliative care measures. Please [click here](#) for more information.

#### **RE AA (Children) & 25 Ors [2019] EWFC 64**

#### **RE: R – A – Child [2019] EWCA 482 Civ**

**Re T (A Child) [2018] EWCA Civ 650**

**Re F (A child) 11 Dec 2015 (HHJ Rundell)**

**Birmingham City Council v CH [2015] EWFC 66**

**Re EK (Child: therapy) [2013] EWHC 3747 (Fam)**

**A City Council v M [2013] 1 FLR 517**

**Re L (A child) [2011] EWHC 1285 (Fam) (Judge Bellamy)**

Actual errors and omissions in articles written by a journalist about care proceedings demonstrated the dangers in relying on partisan reporting by family members and supporters rather than attending court hearings to hear the evidence the court itself heard.

**Re A and B (one parent killed by the other – guidance) [2010] EWHC B25 (Fam)(Hogg J) (7 September 2010)**

Hogg J considered the issues in a case where one parent had been killed by the other and gave extensive guidance about such cases.

**W-P (Children) [2009] EWCA CIV 216 (Sir Mark Potter (President), Smith LJ, Wilson LJ) [2009] 2 FLR 200**

The Court of Appeal considered an appeal by a local authority against findings of fact made in respect of non-accidental injuries sustained by a seven week old baby.

**X and Y v a Local Authority (Adoption: Procedure) [2009] EWHC 47 (Fam) McFarlane J [2009] 2 FLR 984**

McFarlane J considered a failure by the Family Proceedings Court to meet the requirements of the Adoption and Children Act 2002 s.46(6). An agreement which had been reached between local authority and birth parent on a regime for postadoption contact about which the adopters were not informed and to which the adopters would not agree was set aside.

**Re B (Minor) 2008 EWHC 1996 Coleridge J 10/6/08 (Lawfulness of not resuscitating disabled child)**

The court considered whether it would be lawful and in the best interests of a profoundly mentally and physically disabled child for her not to receive intensive resuscitation, if she developed a deteriorating illness or became severely unwell

**A County Council v a Mother, a Father and X, Y and Z (by their guardian) [2005] EWHC 31 (Fam) Ryder J[2005] 2 FLR 129**

Ryder J considered the proper approach to deducing the welfare of the child. It was a multi-faceted concept which could not be deduced from any one professional perspective. He also considered the relevance of the terms 'Munchausen's syndrome by proxy' and 'Factitious/fabricated (and induced) illness (by proxy)' concluding that they were not descriptions of a disease, but merely descriptions of a range of behaviours whose context and assessments could provide insight into the degree of risk a child might face.