

## Jonathan Rustin

### Experience

Year of Call: 2013

### Practice Areas

- Court of Protection - Vulnerable Adult
- International Children Law
- Private Children Law
- Public Children Law



### Qualifications

BA (Hons) English Language & Literature  
Post Graduate Certificate of Education  
Graduate Diploma in Law  
Bar Professional Training Course

### Education

University of Oxford, St Edmund Hall  
Canterbury Christ Church University  
BPP Law School

### Languages

French (Conversational)

### Profile

Jonathan is an accomplished barrister with a comprehensive practice in all aspects of family law, specialising in matters concerning children. He possesses extensive expertise in representing clients across both public and private law proceedings, dealing with the most serious allegations of harm including inflicted injuries, sexual abuse, domestic abuse, emotional harm, parental alienation, neglect and fabricated and fictitious illness. Jonathan has extensive experience in cases involving jurisdictional issues and child abduction. He is known as a hard-working, calm and confident advocate, who represents clients with a keen attention to detail.

Jonathan is a co-author of a chapter in Rayden and Jackson on 'Relationship Breakdown, Finances and Children'. He has written articles in Family Law Week and regularly delivers seminars, most recently on Domicile and Jurisdiction, Domestic Abuse and the Voice of the Child. Jonathan volunteers for Jewish Women's Aid, providing advice and representation to women affected by domestic abuse.

## Public Children Law

Jonathan is regularly instructed to represent local authorities, parents and guardians in public law proceedings. He acts in complex cases, including lengthy fact finding hearings dealing with allegations of sexual abuse and inflicted injury, featuring complex medical evidence and evidence from children. Jonathan has experience of Hague Convention adoptions and his analysis of the applicable law was adopted by the Court in the recent case of **Re A (foreign adoption) [2023] EWFC 221**. His practice encompasses secure accommodation orders, forced marriage, FGM and more commonly deprivation of liberty. Jonathan is experienced in special guardianship. He was led in the Court of Appeal in **Re A (A Child) [2018] EWCA Civ 2240**, concerning the merits of a judge's decision to make a special guardianship order in favour of a one-year-old child's foster carer, as opposed to his family in Ghana.

## International Children Law

Jonathan regularly represents applicants and respondents in child abduction proceedings, whether under the 1980 Hague Convention or the Court's inherent jurisdiction. He has extensive experience of wardship proceedings, including in 'stranded spouse' cases. Jonathan recently represented the applicant in the matter of **F v M [2024] EWHC 1887 (Fam)**, seeking the summary return of the child pursuant to the 1980 Hague Convention, in which Peel J praised Jonathan's 'high quality, focussed, written and oral advocacy.'

## Private Children Law

Jonathan is frequently instructed in private law matters including representing children's guardians in complex cases. He has specialist expertise dealing with allegations of domestic or sexual abuse, religious identity and background, health, internal and international relocations and intractable disputes, often involving allegations of parental alienation.

## Family Finance

Jonathan has represented clients at each stage of financial remedy proceedings, including jurisdictional disputes. He was led in the Court of Appeal in the matter of **Kelly v Pyres [2018] EWCA Civ 1368**, dealing with the issue of whether the wife had acquired a domicile of choice in England, so as to establish the Court's jurisdiction.

## Cases

23/07/2024	F v M	Simon Rowbotham Jonathan Rustin	[2024] EWHC 1887 (Fam)
07/09/2023	Re A (foreign adoption)	Jonathan Rustin	[2023] EWFC 221
16/10/2018	Re A (A Child)	Mark Jarman KC Jonathan Rustin	[2018] EWCA Civ 2240
14/06/2018	Kelly v Pyres	Charles Hale KC Jonathan Rustin	[2018] EWCA Civ 1368
08/03/2017	J v U; U v J (No.2) (Domicile)	Charles Hale KC Jonathan Rustin	[2017] EWHC 449 (Fam)