

Judge removed from child welfare case over 'pejorative' remarks made about the mother

27th July 2020

Alison Grief QC successfully represented the Mother in a Court of Appeal case where the judges upheld a challenge from the child's Mother asking the High Court Judge in care proceedings to step down from the case.

The High Court Judge, Mrs Justice Judd, refused an order to accede to an application that she recuse herself from continuing to hear care proceedings, after she was overheard making 'pejorative' comments about the Mother, in a private telephone conversation with her clerk which was heard by legal representatives taking part via videolink.

Alison Grief QC mounted a successful appeal, saying Judd's comments were capable of "giving rise to a real possibility of bias". The three appeal court judges, concluded that a "fair-minded observer" might think Judd had formed an "unfair view" of the woman.

Though Appeal court judge, Lady Justice King also acknowledged what had happened was a consequence of the "tremendous pressure" family court judges were under as they tried to "keep the show on the road".

Sam King QC represented the second respondent, the children's guardian, and alongside the first respondent, the father, remained neutral in the appeal.

The Intervenor submitted the case should progress with Justice Judd.

To read the full judgment [click here](#).

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