

# London Borough of Barnet v AG & Ors

**[2021] EWHC 1253**

13/05/2021

## **Barristers**

Jo Delahunty KC  
Chris Barnes  
Lucy Logan Green

## **Court**

Family Division

## **Practice Areas**

Public Children Law

This case concerned LB Barnet's safeguarding concerns over 6 children aged 5, 9, 14, 17 and 18 (twins). Barnet commenced care proceedings in respect of the 3 youngest children. The father was a serving diplomat and sought diplomatic immunity under the Vienna Convention on Diplomatic Relations ('the Vienna Convention'). This convention gives diplomat and their families' immunity from civil proceedings, including family law. The convention is incorporated in English law through the Diplomatic Privileges Act 1964 ('DPA').

Barnet and the Children's guardian argued that child protection could be read into the Vienna Convention through s 3 of the Human Rights Act 1998. However this argument was rejected by the court. The care proceedings were stayed.

The Secretary of State informed the father's state that he was required to leave England with his family. The four eldest children claimed asylum and the parents left with the youngest two children. An interim care order was made for the 14 year old.

Pursuant to the Human Rights Act, Barnet sought a declaration that the provisions of the DPA were incompatible with human rights. This application was dismissed.

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

## **Permission**

