



Year of Call

2009

Devil Masters

Shona Haldane QC

@ingli_a on Twitter

Practice Profile

Alan is the only specialist family counsel to practise in both Scotland and in England and Wales. His unique position means that Alan is frequently instructed to provide advice and representation in areas where English and Scots law are in apparent conflict.

His 24 years' experience spans complex and high profile cases; Alan has appeared in most of the landmark cases in England concerning alternative family structures.

An early career as a social worker provided Alan with a thorough grounding in child protection issues. Subsequently an approved social worker (under the Mental Health Acts), Alan went on to acquire an in-depth understanding of psychiatric illness and its treatment.

Alan has since conducted numerous proofs/hearings concerning serious allegations of child abuse, including alleged homicide, factitious illness and shaking injuries. He continues to have an interest in local authorities' duties of care to their service users and is published in this field. His detailed knowledge of adoption applications extends to post placement contact.

Alan also has particular experience of child abduction litigation, both under the Hague Convention and between UK jurisdictions, which is augmented by his LLM degree in International Law.

He also has considerable experience in cases involving adults with incapacity.

Education & Professional Career to Date

Social worker

BA (Essex); MA (Warwick); CQSW (Warwick); Graduate Diploma in Law (Westminster); LLM International Law (Edinburgh)

Appointments

- Joseph Jackson Memorial Prize in Family Law (Middle Temple)

Selected Cases

- **A & others (Children: Scottish Reporters) [2017] EWHC 35**
Status of Scottish Permanence Order with authority to adopt when child subject to English adoption proceedings.
- **DB [2016] EWCOP 30**
Case where a High Court Judge sitting in the Court of Protection, considered whether two severely learning disabled adults who had been placed in an English hospital by Scottish local authorities had become habitually resident in England and Wales.
- **S v Children's Reporter [2016] SLT 1235**
Circumstances in which children should be cited to give evidence in Children's Referrals.
- **TW and JW v Aberdeenshire Council [2012] CSIH 37 and at [2012] Fam LR (Permanence orders)**
- **M v M (Financial Provision) [2011] Fam LR 24**
- **O v Orkney Island Council [2010] 1 FLR 1449 (Conflict of laws between Scotland and England and Wales)**
- **Re Z (Child Abduction) [2009] Fam LR 162**
- **East Sussex County Council v Stedman and Patten [2009] 2 FLR 852 (Interplay of Articles 8 and 10 in Press Restriction Order)**
- **Re B [2008] 1 FLR 1015 (Role of biological father where child being raised by lesbian couple)**
- **Re D [2006] (Contact and parental responsibility: lesbian mothers and known father)**
- **Re R [1998] 2 FLR (Use of force to recover child missing from care)**
- **Re T and A [2000] 1 FLR 859 (Family proceedings, conflict of interests, confidential information)**
- **Re B (Care Proceedings: Issue Estoppel) [1997] 1 FLR (Relevance of findings in previous proceedings)**
- **Re A [1993] 2 FLR 645 (Post adoption contact)**

Areas of Practice

- Family
- Public Law

Publications & Seminars

'Relocation, relocation, relocation', Scots Law Times, 24 June 2016

'Children and same sex parents', Scots Law Times, 11, March 2015

'GC v Glasgow City Council: New Hope for Child Abuse Victims', Edinburgh Law Review, January 2010

'A Muckle Midden: Brussels II bis and the Family Law Act 1986', Juridical Review, 285, 2009

'Institutional Child Abuse after A v Hoare', Journal of Personal Injury Law, 2009

'Personal Injury Claims for Child Protection Failures', Scots Law Times, 173, 2009

'Bairns and Borders: Problems with Family Law Act 1986', SCOLAG, September 2009

'Domestic Violence and Financial Provision', Family Law, 181, 2003

Contributing Author to Insight Westlaw Online Legal Encyclopedia.