

Sam Momtaz QC – 1, Garden Court Chambers, London

Sam Momtaz QC was one of the 113 new QCs appointed following the 2016/17 silk competition. Sam practices exclusively in children law, which mostly involves representing local authorities, parents and children in care proceedings.



Sam attended “an ordinary London comp” and from the age of fourteen worked evenings and weekends (and through university) in his dad’s Camden print shop. Sam first became interested in family law in his teens when his parents’ divorced. He furthered his interest during university and describes it as the “most human type of law”. No one in his family had had any connections with the legal profession. Sam said that he only found out about mini-pupillages when he was himself already a pupil in chambers.

For some ten years Sam did the whole range of family law cases, but then specialised in children’s cases. Sam now appears in the most difficult, sensitive and challenging cases involving the protection of children. He is instructed in complex cases involving serious physical and sexual abuse and factitious disorders. Many of his cases have an international element and require consideration of the child’s habitual residence. Sam is also instructed on family-related judicial reviews and claims for damages under the Human Rights Act 1998.

Sam said he decided to apply for silk when he had reached a stage in his career where he was usually being led by and/or against QCs. He felt that he had reached a ceiling in terms of the sorts of cases that he could get as a senior junior and relished the prospect of taking on the most senior role in the biggest cases. Sam spoke to colleagues including QCs in chambers and – crucially – his old pupil supervisor who was now a high court judge, who were all “quite encouraging” of Sam making a silk application. So, he said, he decided to “give it a bash”. In Sam’s view, mentoring – in a broad sense of the word as well as in terms of the more formal mentoring schemes - was vital when preparing to apply for silk. He felt that some applicants e.g. in niche practices where they had less exposure to the courts or those in chambers where there were not any silks, were at something of a disadvantage in the process. In such cases, more formal mentoring could prove important in levelling the playing field. Sam wondered whether there might be a role here too for QCA in terms of pre-application mentoring for would-be applicants to make the process more transparent and less daunting. For his own part, Sam was very keen to play his part to encourage more suitably qualified women and BAME barristers to apply for silk.

Sam’s own experiences have triggered a deep interest in diversity and involvement in issues affecting BAME barristers. Until recently he was the Family Law Bar Association’s Equality and Diversity Officer and also sat on the Bar Council’s Equality Diversity and Social Mobility Committee. Sam is a member of a Home Office appointed panel carrying out an independent review into the application of sharia law in England and Wales.

Sam considers that the diversity competency to be as important as any other competency in the QC selection process, and that this is something that not all would-be applicants appear to understand. He said that in his experience, the QC Selection Panel were seeking out a deep understanding and through commitment to issues of diversity combined with evidence of real proactivity. Simply paying lip service to diversity would not satisfy the QC Panel. If diversity was something of a blank page for an applicant, he recommended they found an issue which they really cared about, whether connected with gender, BAME, disability, social mobility or any other area, and then to get involved and become active in that field. He agreed that by doing so, it was possible to overcome an initial circumspection or even cynicism about the subject. With real effort, a genuine commitment could be fostered and this would come across to the Panel.

As to preparing to make an application for QC, Sam confesses “I didn’t do this properly”. Although he was obviously successful in the competition, with hindsight he said that he would have made life much easier for himself if he had begun preparing a year or more before making his silk application. He would certainly recommend future applicants do so. As it was, he found completing the lengthy application form daunting and “one of the most difficult things I have ever done”. The form required you to make an in-depth appraisal of your own skills and to consider in detail whether and how you met the all the competencies at a level of excellence in relation to your cases. You also, Sam believed, had to overcome a disinclination to talk about your own excellence; it was a fairly alien experience as you were usually advocating for the client, not yourself. Sam also said it was important to evidence the competencies. He suggested that there was no point in selecting a case because it was in itself substantial if your own role in it was limited. It might well be a lot better to select a less high-profile case where your role (perhaps in carrying out the oral advocacy) was significant and possibly more memorable for your assessors.

Sam said that of all the competencies he probably found advocacy (competency B) the hardest to enunciate, for the simple reason that it was at the core of his job and something he did every day. So he had had to stand back and think about what he had done and provide evidence for the QC Selection Panel.

He believed that the QC Selection Panel rather frowned on applicants seeking outside help with the application process - completing the application form and preparing for the interview - but said that it was inevitable that applicants would seek what help they could from wherever they could get it in order to give themselves the best chance of success in the competition. He had had some training himself but was highly selective in taking away from the training those bits which he felt would work for him; some things he was taught were more useful than others. It was important that you did not come across to the Panel as formulaic or over-prepared. People would inevitably seek training for interview, Sam said, as most will not have had an interview since joining chambers and would be unfamiliar with competency-based interviews.

In the weeks running up to his interview, Sam re-read his application form, and thought about new cases that had done since he submitted his form which he might talk about during his interview. He also gave considerable thought to new law in his field. As to the interview itself, Sam found this “very pleasant”. He was pleased to be interviewed in the first slot of the morning. Overall, the application process was a strange one in that there were periods of quite manic activity (completing the application form, preparing for interview) interspersed with periods when nothing happened, from the applicant’s point of view. He appreciated that the Panel had shaved a number of weeks off the overall length of the competition but still felt it was too long.

Sam was proud to be a QC (“it is a real badge of excellence for the client”) but it had not fully sunk in yet. It was still very early days and in a sense he was starting again at the bottom of a new ladder as the junior QC in chambers in building up a silk practice.

He is a firm believer and practitioner of a healthy life/work balance, which he intends to maintain as a silk. Sam considers it is a matter of being disciplined and ensuring that work and social life are kept separate. He is an avid football fan and devoted follower of Liverpool FC. He also enjoys playing football and is a regular cinema and theatre goer. He likes travelling to far flung corners of the world to get away from it all. Whilst away, he does not read any work emails. The legal world seems able to carry on without him, he said, and if there was a dire emergency he was confident that his Clerk would find a way of contacting him!