



## Kathryn Hayes

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Year of Call: 2000

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Kathryn read Law and Criminology at the University of Sheffield and did the BVC at Nottingham Law School. She was called to the Bar by Middle Temple in October 2000. After a number of years in private practice (where she was the first person in England and Wales to complete a 12-month employed pupillage), she joined Chambers in January 2007.

Kathryn practises primarily in family law (children) and inquests. Until 2018 she also had a civil practice including defendant and claimant personal injury, occupiers' and employers' liability, contract disputes and housing and mortgage disputes. She was successful in the Court of Appeal 'pothole' case of *Crawley v Barnsley MBC [2017] EWCA Civ 36*. She continues to undertake some taxation/ revenue and administrative cases.

Kathryn regularly provides interactive training on safeguarding, the family justice system, family law and court skills to local authorities, social workers and multi-disciplinary groups of public sector workers. Until 2015 she wrote and delivered the Family Law module of the MA in Professional Practice for social workers at the University of Sheffield and consistently had excellent feedback on this course from both lecturers and students.

Kathryn has also delivered training and workshops on various areas of civil law and procedure and has written and delivered sessions on witness training for employees of commercial organisations and local authorities.

Outside Chambers, Kathryn enjoys: spending time with her 3 children; sport – she supports Barnsley FC and Castleford Tigers RLFC and is a Level 2 Rugby League coach; swimming and walking (although not both at the same time!); music; and reading, especially historical fiction.

## Appointments

- Deputy District Judge, North Eastern Circuit – appointed March 2019

## Memberships

- Family Law Bar Association
- Junior Counsel to the Crown

## EXPERTISE

### Family - Children

Kathryn's practice encompasses private and public law as well as FLA injunctions.

### Public Law

In care cases Kathryn acts for local authorities, parents, children and intervenors/ additional parties, with a good understanding of issues across the spectrum. She works hard to ensure that parents, particularly vulnerable ones, have the best possible representation and takes time to explain to them what is happening in court and to their case in general. She has represented a number of parents with learning or mental health difficulties and is sympathetic when dealing with clients with addiction problems or those involved in relationships characterised by domestic abuse. When representing the local authority her aim is always to be "firm but fair" so that parents who face losing their children are dealt with in a professional and understanding manner.

## Cases

**LA v W & S:** Representing a local authority in a case taking 2½ years and involving 5 experts dealing with the father's disability. This case then generated a civil damages claim brought by the father against the local authority. As Kathryn also had a civil practice at this time she was able to draft the defence to this claim and advise the local authority on settlement and costs.

**LA v H & L:** Representing a father in care proceedings involving 7 children; father was just above the Official Solicitor level and so required considerable time in explanation of his position and advice as to the way forward.

**LA v C, C & C:** Representing a 15-year-old child in a second set of care proceedings following a three-year matter involving factitious illness, which the parents had initially won.

**LA v F and N:** Representing a local authority in a five-day final hearing where father changed his position on numerous occasions and produced a mobile telephone recording of conversations he had set up with the mother to prove her involvement in breaching contracts of expectations.

## Private Law

Kathryn undertakes both privately funded and legal aid work and aims to resolve as many disputes as possible by way of negotiation and agreement. Even where this is not possible she is mindful that parents will have to continue to work together after proceedings have ended and will look to ways in which communication can be improved and disagreements reduced. This will often involve lengthy discussions with litigants in person. She also acts for children on occasions when guardians are appointed.

Kathryn undertakes FLA injunctions (non-molestation and occupation orders) for both applicants and respondents and provides tailored and realistic advice on the best way to deal with all such cases. Her children practice enables her to offer advice and support across the whole spectrum of issues which might arise and to look to achieve an holistic solution for every set of circumstances.

## Cases

**G v V:** Representing a mother in a private law dispute which became care proceedings after discovery that her partner was on the Sex Offenders Register.

**N v B:** Representing a French national mother in a residence dispute between two professional parents; father subsequently appealed the decision reached but eventually withdrew that appeal.

**S v P & C:** Representing an 11-year-old child in a contact dispute where he was the only child of 8 living with his father and there were contact difficulties with his stepfather and his siblings.

## Inquests

Kathryn accepts instructions for all parties who might become involved in inquests, from families through RTC drivers and care homes to Government departments, and is familiar with both jury and non-jury inquests. She brings a sympathetic and sensitive approach to cases where people are inevitably emotional and anxious.

## Cases

**H-B:** representing the MoJ in a prison jury inquest involving issues of mental health and drug use within the prison.

**R-G:** representing a care home facing allegations of neglect after the death of an elderly resident with dementia shortly after admission.

**D-B:** presiding over an inquest involving a stabbing within the local drug-dealing community.