



Kate Spence

Email: sheffield.clerk@stjohnsbuildings.co.uk

Phone: 0114 273 8951

Year of Call: 2013

Enters the rankings given her increasing reputation as a children law expert. She regularly acts for local authorities, as well as parents, in cases involving severe bodily harm, complex placement applications and sexual abuse allegations.

Strengths: "She is always on top of her brief, very polite and very open to hearing arguments from other people. She is able to fight her own case and put her own clients' positions forward, and always in a constructive way." **Chambers UK Bar 2022, Up and Coming**

"Recommended Expert" **Legal 500 2022**

'Ms Spence is very thorough and well prepared on all of her cases. She is an excellent advocate and her knowledge and understanding of the law is excellent. She is very good with clients and explains things simply and clearly. She is robust in her advocacy and dealings with other parties.' **Legal 500 2021 – Rising Star**

Kate read law at the University of Manchester and was called to the Bar by the Honourable Society of Lincoln's Inn in October 2013. Kate practices in all areas of children law.

Memberships

- Bar Council – representative for self-employed counsel under seven years' practice
- Family Law Bar Association
- Association of Lawyers for Children

- North Eastern Circuit

EXPERTISE

Family - Children

Public Law

Kate is regularly instructed on behalf of local authorities, parents and children at all stages of public law proceedings, including final hearings, fact-finding hearings and appeals.

Kate has experience of drafting case summaries, detailed threshold documents, skeleton arguments and schedules of findings.

Kate is frequently instructed to represent local authorities, parents and children at urgent interim care order applications or emergency protection order applications at short notice in cases involving serious neglect, non-accidental injuries and domestic violence.

Kate has experience of providing detailed written advice in relation to remedies under the inherent jurisdiction, designation arguments between local authorities and prospects of success.

Kate has a particular interest in cases involving non-accidental injuries and international elements.

Recent cases

A Local Authority v P (2021): Kate represented the Local Authority in a series of High Court hearings regarding Hague Convention 1980 and 1996 applications.

A Local Authority v M v F [2021] EWHC 2794: Kate represented the Local Authority in an unusual case involving the collapse of a final hearing as a consequence of it being discovered that the individual who attended the hearing to act as an intermediary for a party was not competent to fulfil the role. Kate appeared before Lieven J in an application seeking costs against the intermediary and the individual who had facilitated her attendance. A substantial costs order was made and the judgment was sent to the President of the Family Division for guidance to be issued in relation to intermediaries. Read the judgment on [Family Law Week](#).

A Local Authority v B (2021): Kate secured the return of a child to the mother against the recommendations of the Local Authority and Children's Guardian, who both supported the child being placed for adoption.

BB (Care Proceedings) (Mid-Trial Dismissal and Withdrawal of Allegations) [2021] EWFC 20: Kate and Stephen Brown were in a case which provides guidance as to the mid-trial dismissal of public law proceedings and also the evidential consequences flowing

from the withdrawal of allegations. The judgment is available here.

A Local Authority v S (2020): Kate was led by Frances Heaton QC on behalf of the local authority in a lengthy finding of fact hearing concerning a serious head injury to a child.

A Local Authority v C (2020): Represented the local authority in a legal argument relating to the interim placement of children outside of England and Wales.

A Local Authority v P (2020): Represented the local authority in a lengthy and complex case involving allegations of serious abuse and control of children.

A Local Authority v B (2019): Represented a local authority in a series of appeals brought by respondent parents against the making of a placement order. This involved drafting a number of skeleton arguments in relation to both legal and factual disputes which arose within the appeals.

A Local Authority v W (2018): Represented the Local Authority in a case concerning a non-accidental injury to a child. Kate pursued findings despite significant opposition from all of the other parties. All of the findings Kate pursued were made following a contested hearing.

Private Law

Kate regularly acts for parents in disputes over contact and residence. Kate has experience of acting in applications for child arrangements orders, specific issue orders (e.g. to change a child's surname) and prohibited steps orders.

Kate has represented applicants and respondents in cases involving allegations of serious domestic violence, child abuse and sexual violence.

Kate is also regularly instructed to represent children in private law proceedings.

Recent cases

S v C (2021): Kate represented a child in a multi-day fact finding hearing concerning allegations of parental alienation.

M v T (2019): Kate represented the children in a private law matter, which evolved into public law proceedings as a consequence of the extreme hostility between the parents.

K v C (2019): Kate appeared at a multi-day fact-finding hearing on behalf of a mother. Kate secured the findings sought by the mother.

B v M (2019): Appeared at a contested hearing on behalf of a parent facing allegations of parental alienation.

R v W (2019): Appeared on behalf of a mother at a fact-finding hearing involving allegations of serious sexual abuse, physical violence towards a child and domestic violence. Kate secured all of the findings

sought by the mother.

R v W (2019): Appeared on behalf of a mother and obtained a substantial costs award against a respondent.

M v D (2018): Appeared in the High Court to represent a father in a dispute between the parents regarding whether the child should receive medical treatment.

M v T (2018): Appeared on behalf of a father seeking parental responsibility for and contact with his child. Kate obtained the orders sought. Within these proceedings, Kate also successfully argued that a specific issue order should be made to change to the child's surname.