



Simon Heaney

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Year of Call: 2017

Simon qualified as a solicitor in 1998 and has practiced family law throughout his career. He was awarded Higher Rights of Audience in 2002 and was a member of the Law Society Children Panel.

He was called to the Bar by Gray's Inn in 2017.

Simon has developed a strong reputation for acting in a wide range of children law cases in both public and private law. He has particular expertise in dealing with difficult, complex and vulnerable clients.

EXPERTISE

Family - Children

Public Law

Simon regularly represents clients in cases relating to serious non-accidental injury where he has appeared in the family court, High Court and the Court of Appeal.

Likewise, Simon also has extensive experience in dealing with cases involving allegations of sexual abuse, developing a strong reputation for his lateral and diligent approach to his cases, securing the best outcomes, appearing in cases of extreme complexity in the family court, High Court and Court of Appeal.

Simon has also successfully resisted cases of alleged Fictitious Illness, re-opening cases where previous adverse findings have been made and Wardship/Abduction cases involving the recovery of children from countries under terrorist control. He has also been involved in cases regarding unlawful killing in relation to both children and adults.

Private Law

Simon regularly appears in cases involving children being removed from the jurisdiction both in relation to planned applications and recovery. He has appeared in the family court, High Court and Court of Appeal in these cases both in regard to countries that are signatories to the Hague Convention as well as non-Convention jurisdictions.

Simon also appears in intractable, implacable hostility cases and cases involving serious allegations.

He also has experience and expertise of cases involving the withdrawal of medical/life sustaining treatment.

Publications

“**Vulnerable Witnesses: Safety measures**“, Family Law Journal: June 2015

“Prepare for the Unexpected”, Law Society Advocacy Section: October 2015

“Where are we going?”, Law Society Advocacy Section: October 2016

Cases

Re KH (A child) [2012] EWHC B18 (Fam)

Simon represented the mother through the Official Solicitor of a young child with severe brain destruction and significantly reduced life expectancy. Despite the mother being represented by the Official Solicitor, the Court was persuaded to consider the mother’s points of objections to treatments and investigations.

The case was subsequently referred to by the President of the Family Division in Re Jake (a child) [2015] EWHC 2442 (Fam) – ‘The law is reasonably clear and settled. Subject to on important qualification I can take it from the judgment of Pater Jackson J in re KH’ (ibid)

Re E (A child) [2014] EWCA Civ 1754

Simon appeared for the appellant mother of a new born baby following an interim care order based upon a previously unclear finding of the court relating to the child’s sibling.

‘Mr Heaney was entirely right to seek to raise this point, given the unhelpful lack of clarity in the judge’s judgment..’ (McFarlane LJ)

Re P (A child) [2015] EWCA Civ 170

Simon appeared for the appellant father against orders within care proceedings. The father had a histrionic personality disorder and narcissistic personality disorder. Following the making of final care orders, the local authority significantly reduced the father’s contact and involvement, despite recitals in the order and guidance within the judgment. The father sought to discharge the care order and the

application was dismissed. He then obtained leave to appeal to the Court of Appeal and instructed me to conduct the appeal against Leading Counsel for the local authority.

'Despite the father's express instructions which sought to limit Mr Heaney's arguments to the compass of the submitted skeleton argument, which effectively did not deal with the contact issue, we permitted Mr Heaney to develop other lines of argument which were more directly focused upon contact and the 91(14) order. For my part I am both grateful for and impressed by the clarity of Mr Heaney's contribution to this appeal.' – McFarlane LJ

Re K-L (Children) [2015] EWCA Civ 992

Simon appeared for the respondent to the appeal. His client had received differing judgments from the judge at first instance relating to findings of sexual abuse. After the Court of Appeal ordered a re-hearing, Simon subsequently secured exoneration for his client in relation to the allegations.