

Lucy Hendry QC

Year of Call: 1988

Year of Silk: 2021

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Overview

Lucy Hendry QC is a highly experienced and extremely capable child law specialist.

Lucy is renowned for being a strategic and robust advocate with incisive judgment and a clear passion for her work. She appears in all level of courts and is well respected by the judiciary, her opponents and her clients (both lay and professional).

Lucy has a particular expertise in understanding and examining complex medical and ethical issues. She is masterful at undertaking cross examination of eminent experts and she does so in a manner and language that her clients understand.

Lucy is client focussed and, as a consequence, she delivers exemplary client care. She makes it a priority to understand accurately the dynamics behind each case. In so doing she gains the trust of her clients and works tirelessly to advance their case.

Recommendations

Experienced children law specialist whose expertise extends across public and private law. She is active in highly sensitive matters involving allegations of sexual abuse and non-accidental injuries, often with linked issues of drugs and alcohol abuse. Sources laud her patience and ability to deal with vulnerable clients.

Strengths: "She's conscientious and calm with a very good style of advocacy." "She is excellent at preparing for cases, is very thorough with a great presence in court."

Chambers UK 2022/Family/Matrimonial/Western Bar

Strengths: "She is brilliant with clients and she is always thoroughly prepared and extremely conscientious." "She prepares cases in a very logical and thorough way, yet always has dynamic ways of progressing matters."

Chambers UK 2021/Family/Matrimonial/Western Bar

She acts on cases involving wide-ranging issues including adoption, abuse, neglect, addiction and mental health. Her clients include parents, guardians and local authorities.

Strengths: "She's brilliant with clients, fantastic to deal with and is very conscientious. She can process large amounts of information very quickly and keeps you up to speed. She is very approachable and helpful with anything you might need."

Chambers UK 2020/Family/Matrimonial/Western Bar

"Incredibly bright and hard-working." "A formidable advocate. She is always professional and pays excellent attention to detail."

Chambers UK 2019/Family/Matrimonial/Western Bar

'Lucy is incredibly hard-working, clever and has exceptional attention to detail. Her cross-examination is precise, thorough, pertinent and relentless, and her written submissions are both analytical and flawless.'

Legal 500 2022/Child Law (Public and Private)/Leading Silks/Western Circuit

'Lucy is a formidable advocate with admirable attention to detail and forensic analysis of a case. She has an outstanding ability to digest large amounts of evidence in short order and present her case to the court. She is brilliant with her client care and clients always feel at ease with her representing them.'

Legal 500 2021/Child Law (Public and Private)/Leading Juniors/Western Circuit

'Combines second-to-none client skills with great intellect and a faultless work ethic.'

Legal 500 2020/Family and children law/Leading juniors/Regional Bar - Western Circuit

'A fabulous junior with the makings of a silk.'

Legal 500 2018/19/Family and children law/Leading juniors/Regional Bar - Western Circuit

'Subtle in her dealings and very effective in court.'

Legal 500 2017/Family and children law/Leading juniors/Regional Bar - Western Circuit

'Hardworking, persistent and excellent on her feet.'

Legal 500 2016/Family and children law/Leading juniors/Regional Bar - Western Circuit

'She is sensible in negotiations, exerting a calming influence on the case as a whole.'

Legal 500 2015/Family and children law/Leading juniors/Regional Bar - Western Circuit

'3PB's Lucy Hendry 'stands out'.'

Legal 500 2013/14/Family/Western Circuit

Academic qualifications

- LLB (Hons) Law, Kingston

Professional qualifications & appointments

- Accredited Mediation Advocate

Professional bodies

- Family Law Bar Association
- Western Circuit

Family

Public Law

Lucy Hendry QC accepts instructions on behalf of parents, children, intervenors and wider family members.

Lucy is known for her formidable cross examination, informed by her ability to analyse lay professional and expert evidence in the most complex and unwieldy of cases. She is rigorous in her research, especially with regard to evolving medical and scientific / genetic issues, which tend to be prevalent in her caseload.

She has particular interest and expertise in the following:

- Allegations of child death and catastrophic brain injury
- Extremely serious physical injury, including poisoning, bites, burns and lesions
- Allegations of sexual abuse
- Fabricated and induced illness - in parents and their children
- Medical best interest decisions for subject children
- Human Trafficking
- Issues of cultural diversity and whether state intervention is justified
- Vulnerable witnesses: children, young people and parents with cognitive and sensory impairments
- Personality disorders, mental health and addiction issues affecting parenting capacity

Private Law

Lucy is renowned for dealing with sensitive and seemingly intractable cases. First and foremost, a highly effective advocate in the courtroom, Lucy is also renowned for taking a collaborative child focused approach to try to achieve agreed and enduring arrangements for children, thereby reducing the risk of (further) polarisation between parents and averting the need for a trial.

She has a particular interest and expertise in the following:

- Allegations of 'alienation', often including applications for a transfer of residence
- Serious allegations of abuse of subject children: sexual, physical and emotional
- Allegations of rape by spouse or partner
- Domestic Abuse, coercive and controlling behaviour: the application of PD12J
- Complex cases requiring intervention by the local authority
- Separate representation of competent children
- Internal and/or international relocation

Recently reported cases:

Lancashire County Council –v– M (1) F (2) and C (3 By his Children’s Guardian) [2020] EWFC 43. Our client, who had significant mental health issues, faced allegations of causing cerebral injuries and fractures to his baby’s limbs and digits. A creative approach, endorsed by the court, safeguarded his right to a fair trial and ensured that he was able to participate fully throughout.

C v D [2020] EWFC 83. Representing a father who was seeking contact with his son in circumstances where the court had found that he had raped and otherwise abused the mother.

Oxfordshire County Council v a mother, a father and W, X, Y and Z (Children: welfare) [2020] EWFC 29. Representing the children, I differentiated between cultural issues (Arabic and Russian) and deficient parental care – particularly in respect of

the youngest of 4 children who had unmet specialist health needs.

PR v JS & TR (Appeal: Sexual Abuse, Fact Finding) [2019] EWHC 791 (Fam). A successful appeal followed by a rehearing: [2019] EWFC 69. My client was exonerated in respect of allegations that he had sexually abused his 4 year old daughter. After expert intervention, contact between himself and his daughter resumed.

Re T (A Child) [2018] EWCA Civ 650, [2018] 2 FLR 926. Acting pro bono on behalf of the mother, I was instrumental in the appeal being allowed. Describing the case as "unprecedented", the Court of Appeal held that the judge was wrong when she made care / placement orders after the local authority refused to act on her judgment that the child be brought up within the family and not placed for adoption

Kent County Council v A, B, C and D (Children) [2017] EWFC B72. Weight to be attached to evidence after flawed ABE interviews.

Notable cases:

Re M and S (2022): Representing a teenager subject child who faces allegations of causing several fractures to a 6 month old baby.

Re H (2021): I successfully demonstrated that accounts by the alleged victim and another sibling, of sexual abuse perpetrated over the course of several years, were wholly inconsistent and inherently unreliable. As a consequence, the court made no adverse findings against my 15 year old client.

Re W (2021): My client, the father, and his wife were completely exonerated in respect of allegations that either or both had caused fractures to their 5 week old baby.

Re L (2021): I represented a mother who faced allegations of human trafficking and of exposing her son to risky persons and to organised crime.

Re H (2021): I represented a mother whose teenage son had been cleared of terrorism charges. At final hearing, I achieved findings of coercive and controlling behaviour against the father as well as successfully supporting the child's allegations against his father - of physical and emotional harm.

Re O (2021): My client, the father faced allegations of causing significant harm to his baby (near drowning and several fractures). Cross examination of the expert elicited evidence of a single fracture, caused accidentally when he rescued his baby. Successful reunification of baby and both parents.

Re B (2020): I represented a young mother with significant learning difficulties and sensory impairment (deafness). Through cross examination I successfully demonstrated that the children's accounts of sexual abuse allegedly perpetrated by the mother, her partner and other third parties over several years were inherently unreliable. As a consequence, the court refused to make findings of sexual abuse against my client and others.

Re H (2020): Representing a father whose ex-wife, in the aftermath of an acrimonious divorce, was found by the court to have fabricated and exaggerated illness in their teenage daughter. The court further determined that as a consequence of the mother's conduct, the daughter had somatised her own clinical signs and presentation.

Re L (2019): Representing a father whose youngest child had died as a consequence of 'overlying'. Despite this and further injuries (fractures) that predated the child's death, the court ultimately approved a plan for reunification of the older two children with my client and the mother.

Re T & T (2019): Representing a vulnerable teenage mother, I achieved findings that her partner, rather than she, had been responsible for causing 19 fractures to their 8-week old baby.

Some other noteworthy cases:

Re O: Representing a mother whose child, in the context of intractable and complex marital breakdown, had become mute and was refusing to attend school.

Re W: Representing a mother who tried to drown her 5 year old son whilst suffering with a serious psychotic / mental illness. The central issue at final hearing was whether it was in the child's best interest for him to be rehabilitated to his mother's care.

Re C: Representing a 14 year old child, who required detention, assessment and treatment under the Mental Health Act in a secure psychiatric unit.

Re S&G: Representing the parents of three children whose adoptive placements had broken down.

Re K: Seeking and obtaining leave from the Court of Appeal for a mother to defend adoption proceedings in respect of her two children.

Re S: Representing the guardian. The subject child was made a ward of court so that a best interests medical plan could be achieved in the face of persistent obstruction by both parents.

Re L: Representing the children whose mother had been murdered by their father. Achieving placement of both children with their grandmother.