3PB BARRISTERS

Sarah O'Hara

Year of Call: 1984
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Family

Sarah is a Family Law specialist with over 25 years experience in all aspects of the jurisdiction. She has appeared at all levels of the Family Court from Magistrates to the Court of Appeal.

She accepts instructions in public and private law children work, having extensive experience of acting for all parties in care proceedings including parents, extended family members, Local Authorities, Guardians and the OS. She has a particular interest in NAI cases, which include rib and limb fractures, substantial bruising, brain and skull injuries. Her experience and seniority frequently mean she appears against Leading Counsel.

Sarah is experienced in working with:

- Parents suffering with mental health problems
- Parents with addiction and substance abuse problems
- Parents with PTSD as a result of their own poor upbringing
- Parents with cognitive and communication difficulties
- Cases of alleged chronic child neglect
- Serious cases of alleged sexual abuse
- Serious cases of alleged non accidental injury
- Finding of fact hearings involving multiple medical experts
- Extended family members seeking Special Guardianship Orders or child arrangement orders

Through her work with Guardians, Sarah has developed a specialism in cases where one parent has murdered, or is alleged to have murdered, the other, leading to complex issues of placement and contact for the children.

Another growing area of work with Guardians is the problems of jurisdiction in public and private law cases (Brussels II) where the children concerned are foreign nationals living in the UK. Sarah has been involved in all forms of private law applications including residence, contact, specific issue, prohibited steps, 16.4 CG cases and removal from the jurisdiction,

Recent cases:

2017

- Re W - Represented the child in a case where mother suffering from mental illness had attempted to kill the child on three occasions. Interesting juxtaposition of ideas of recovery between treating adult mental health professionals and child protection professionals. Succeeded in keeping child in placement with his uncle under SGO
- Re D - Represented the children in a long running finding of fact on skull and limb fractures where issues of mental

capacity were challenged in a discrete hearing. Parents/ alleged perpetrators represented by leading counsel

- Re M - Represented LA in proceedings against severely learning disabled parents. Required new approach to presentation of the evidence and forensic techniques
- Re S - Acting for children in case a factitious illness where alleged perpetrators represented by leading counsel
- Re W - Acting for alleged perpetrator in ring of sexual abusers and sexual exploitation case.

2016:

- Concerned question of ordinary residence and habitually resident under Brussels II
- Child adopted in UK, adoptive family moved to Eire. Adoption broke down seven years later. Parents returned child, who by then required specialist therapeutic care to original UK local authority. Successfully pursued the LA argument that authorities in Eire responsible because child ordinarily and habitually resident there immediately before parents deposited child with LA in UK
- DCC v C - Care and placement application acting for a mother with severe bi polar and communication difficulties. Successfully secured an assessment at home with her baby daughter against the arguments of the LA. Successfully argued the case for 'supported' parenting for a parent with a disabling mental illness
- Re K - Represented a mother charged with making and publicising over a 100 indecent images of her 8 year old daughter and digital penetration. LA seeking findings that she had physically sexually abused the child herself for purposes of personal gratification. Successfully argued the role of the mother, whilst abusive and reprehensible, had been under the agency of a convicted paedophile who had groomed her and used her for that purpose
- HCC v Nasar
- Re N - Represented mother in care proceedings relating to baby that she dropped causing skull fracture. M had communication difficulties anxiety attacks and agoraphobia. Second child born during proceedings . M vulnerable victim of abuse as a child in care and as an adult through her relationships. Successfully supported M to have a part in the proceedings and have her position promoted
- Re JC - Acting for LA in its first case to proceed through the PSMC (Parental substance misuse court) being piloted in Bournemouth. This required a different approach to care proceedings with a different focus and timetable. Prosecuted to a successful conclusion of an agreed rehabilitation of children to mother.

Earlier cases:

- Re VCB - 2015 : representing the CG on question Brussels II jurisdiction and permanent removal from jurisdiction
- Re G - 2015 : finding of fact on life threatening head injuries: alleged NAI
- Re HK - 2015 : representing the CG on NAI 8 day finding of fact fractured limbs
- Re PL- 2014 : representing the CG on NAI 10 day finding of fact fractures
- Re S- 2014: representing the CG on question of Brussels II jurisdiction
- Re A- 2014: representing gender reassignment mother in care proceedings
- Re B- 2014 : representing father in NAI found to be co- perpetrator of serious injury to baby achieved phased return to parents
- Re KJ 2014: represented mother in 8 day NAI finding of fact resulting in exoneration of mother.

Sarah has provided training in giving evidence, compiling reports and court attendance to a selection of professionals including Social Workers, Health Visitors, Midwives, Doctors, Guardians, Teachers and Support Workers.

She is happy to provide future workshops or seminars tailored to specific groups, along with other colleagues from the 3PB Family Team. She is a member of the Dorset Family Justice Board and a trained mediator.

Recommendations

Sarah O'Hara is well respected for her expertise in complex public children law cases, including those in which there are allegations of serious injuries. She regularly acts for guardians and local authorities, as well as being instructed to act for parents and family members.
Strengths: "Sarah is experienced, user-friendly and brings judges on to her side."

Chambers UK 2024/Family/Children/Western Bar

Strengths: "A hugely experienced advocate, with great skill in patiently explaining matters to both professional and lay clients."

Chambers UK 2023/Family/Children/Western Bar

Strengths: "A really solid advocate." "Her tour de force is representing guardians."

Chambers UK 2022/Family/Children/Western Bar

Strengths: "She is extremely confident no matter what the issue and she provides speedy reports back on cases." "She is direct, to the point, and her advocacy is well pitched when appearing for the guardian."

Chambers UK 2021/Family/Children/Western Bar

'Sarah is a strong advocate with a deep empathy for her clients. She is always well-prepared and efficient and able to get to the heart of cases.'

Legal 500 2024/Family: Children and Domestic Violence/Leading Juniors/Western Circuit

'A strong advocate, with a wealth of experience, and is excellent at tackling large complex cases . She is a safe pair of hands.'

Legal 500 2023/Child Law (Public and Private)/Leading Juniors/Western Circuit

'Sarah is extremely sensible, thorough, and persuasive. She is strong and argues well in court.'

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

'Very thorough - has a good grasp of the issues very quickly. Good communication skills.'

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

'A strong advocate, who cuts through to the heart of any matter.'

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

'She has notable strength in placement and adoption cases.'

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

'A powerful and incisive advocate.'

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

Academic qualifications

- MA (Cantab)

Scholarships

- Harmsworth Scholar, Middle Temple

Professional qualifications & appointments

- Trained Mediator

Professional bodies

- Dorset Family Justice Board
- Member of Family Law Bar Association