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## Practice Profile

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### Summary of Practice

- Public Law child care
- Private Law children
- Ancillary Relief
- Civil actions against the police and public authorities.
- Human Rights Law
- Judicial Review
- Employment law
- Personal Injury/Prison law
- Contract law

Stephen has a background in criminal law where he prosecuted and defended in the most serious of cases as junior alone and as leading junior. He was appointed to the Attorney General's Panel of Prosecution Advocates for 6 years. Stephen lectures on such topics as public interest immunity for police officers, immigration officers and social workers and the interface between family law and criminal law to local authorities and police forces.

#### **Family Law:**

Stephen is regularly instructed in complex care proceedings on behalf of parents and guardians, dealing with all forms of sexual abuse allegations, non accidental injury, serious neglect, forced marriages and indecent images. He also represents parents in contact and residence disputes, cases of child abduction, medical treatment (children and patients), cases of wardship/within the inherent jurisdiction and ancillary relief. Stephen was ranked in Chambers UK 2012 and 2013 for family law.

#### **Civil actions against the police and public authorities:**

Stephen has extensive experience in civil actions against the police where he represents claimants and regularly appears in both jury and non jury actions. He regularly deals with cases of assault, unlawful arrest, false imprisonment, misfeasance in public office, malicious prosecution and breaches of European Convention rights.

Stephen has developed a successful practice in representing children and parents from Children Act care proceedings in Human Rights Acts damages claims against local authorities and health authorities. He has an expertise in dealing with cases involving the witness protection programme.

#### **Human Rights Law**

Stephen has developed an expertise representing children, parents and grandparents from Children Act proceedings in Human Rights Act damages claims against local authorities and health authorities.

In addition Stephen represents a wide range of Claimants in civil actions against wider public authorities including families left bereaved by the wrongful release of psychiatric patients , farmers in a large scale fraud claims , actions against Local Authority planning departments and actions against the Home Office.

**Judicial Review:**

Stephen has made a number of appearances before the Administrative Court involving the refusal to allow early release of prisoners, miscalculation of prison terms, procedural unfairness in a doctor being struck off the medical register, government conspiracy to withhold information from serving prisoners, failures by magistrates to allow adjournments and interpretation of sentencing statute in respect of young offenders.

In the **Prison law** field, Stephen has dealt with numerous cases involving prisoners sustaining injuries by reason of attack by fellow prisoners, prison officers and by reason of unsafe work and other practices. Stephen has appeared in numerous contract disputes and has particular experience in dealing with civil cases involving allegations of fraud and is currently engaged in representing a large number of farmers in a large scale fraud claim. In **Employment law**, Stephen has experience in dealing with cases concerning disability discrimination, race and sexual discrimination and whistle-blowing cases.

**Published Articles:**

Are you sitting comfortably - Operation of Limitation Act 1980, Solicitors Law Journal - [Jan 2010]

Stephen's Privacy Policy can be downloaded here.

**Areas of Practice**

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- Civil
- Family
- Regulatory & Professional Discipline
- Inquests
- Road Traffic
- Public Access

**Reported cases:**

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- KCC v B W and S ( Combined Judgment. Delay Refusal to split siblings [2017] EWFC B5
- Medway Council v R and Ors [2016] EWFC B104
- Medway Council v A & Ors (Learning Disability: Foster Placement) [2015] EWFC B66
- Kent CC v D & Ors [2014] EWFC 59
- Kent CC v D & Ors (2) (Fact Finding) [2015] EWFC 93
- Kent CC v D & Ors (3) (Application for Re–hearing) [2015] EWFC 94
- Kent CC v D & Ors (5) (Re- hearing) [2015] EWFC 96
- London Borough of Barnet v M/F [2014] EWFC B152
- Medway Council v W [2014] EWFC B190
- Medway Council v W (2) (Welfare Hearing) [2015] EWFC B233
- Medway Council v W (3) (Further Fact Finding re Further Allegations) [2015] EWFC B234
- Hertfordshire CC v F [2014] EWHC 2159
- Re B (Children) [2012] EWCA Civ 1275
- Re Y (a Child: Care proceedings) [2011] All ER (D) 03 Dec
- Re H (Children) (Sexual Abuse: fact finding) [2011] All ER (D) 69 May
- Re H (Children) [2006] (concurrent criminal and family proceedings) All ER (D) 294 Dec; EWCA Civ 1875
- Re E (Children) (Domestic violence: direct contact) [2005] All ER (D) 86
- Re B (a child) [2000] 1 WLR 790, [2000] 1 FCR 297, [2000] 1 FLR 334, [2000] Fam Law 320
- Re S ( A minor) ( Appeals from the Principal Registry ) [1998] 1 FCR 119
- XYZ v Chief Constable of Gwent Constabulary: [2014] EWHC 1448 (QB)

- PBD v Chief Constable of Greater Manchester [2013] EWHC 3559
- West Midlands Police v Lorenzo CA [2012] EWCA Civ 1863.
- ABC, JKL & XYZ v A Chief Constable (High Court, Queen's Bench Division, 13 September 2012)
- Hussain v Chief Constable of West Mercia Constabulary [2008] EWC Civ 1205, [2008] WLR (D) 342
- Crown Prosecution Service v Picton [2006] EWHC 1108
- R v Crown Prosecution Service ex parte Stebbeds [ 2004] EWHC 2252
- Hutt v Metropolitan Police Commissioner [2003] EWCA Civ 1911, The Times December 5 2003.
- R ) on the application of C) v Balham Youth Court [2003] All ER (D) 325, Crim LR 636, 167 JP 525
- R v Wallace ( Life Sentences ) [2001] 2 Cr APP R (S) 427
- JG v Legal Services Commission, Law Society, Secretary of State [2013]2 FLR 1174 , [2013] Fam Law 1125
- JG v Lord Chancellor & Law Society [2014] 2 FLR 1218,[2014] 3 FCR 567,[2014] HRLR 18,[2014] Fam La 1097
- Tinsa v GMC [2008] All ER D 140

## Memberships:

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- Police Action Lawyers Group
- Family Bar Association
- Criminal Bar Association
- Kent Bar Mess

## Additional Information:

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Stephen is a proud season ticket holder at Tottenham Hotspur FC.

## Recent Cases

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### K.C.C. v. S & C [Medway CC] 2017

Baby Shaking Death of 5 month old son

Stephen Chippeck acted for the step-father in this 5 week Fact Finding involving the death of a 5 month old boy following a shaking incident. Instructed by Patrick Lawrence Solicitors.

### Medway Council v. X 2016

Care Proceedings

Stephen Chippeck leading Lizzie Wilson representing a learning and physically disabled mother who was alleged to have made up false rape allegations and child cruelty allegations against F. Following the hearing the allegations against her found to be false and her allegations against F found to be true and her child ordered to remain with her.

### Medway Council v. B 2016

Father accused of NAHI to baby

Stephen Chippeck representing learning disabled father with Paul Storey QC. F alleged to have caused serious head injury to baby. After the hearing F found not to be responsible for any injury.

### **Kent County Council v. Y 2016**

Father alleged to have caused NAHI to 9 day old baby

Stephen Chippeck representing young father alleged to have caused serious non- accidental injuries to his 9 day old baby.

### **Medway Council v A & Ors [2015] EWFC B66 2015**

"Shaken Baby Case"

Stephen Chippeck represented a learning disabled mother where allegations of shaking were found to be false and the baby was returned to her.

### **XYZ v. Chief Constable of Gwent Constabulary: [2014] EWHC 1448 (QB) 2014**

Misfeasance in a public office

Stephen Chippeck represented claimant in a claim of misfeasance in a public office brought by a police informer who was a Fathers4Justice campaigner arrested in possession of bullets and gunpowder.

### **London Borough of Barnet v M/F [2014] EWFC B152 2014**

Wardship / inherent jurisdiction proceedings

Stephen Chippeck representing a mother in wardship / inherent jurisdiction proceedings.

### **Hertfordshire CC v. F [2014] EWHC 2159 2014**

Care Proceedings

Stephen Chippeck representing mother with very significant learning disabilities.

### **PBD v. Chief Constable of Greater Manchester [2013] EWHC 3559 2013**

Breach of Contract

Stephen Chippeck represented Claimants on the witness protection programme in their claim for breach of contract against Greater Manchester Police.

### **JG ( A child) v. LSC, Law Society & Secretary of State for Justice [2013] 2 FLR 1174 , [2013] Fam Law 1125 (Ryder J) 2013**

Judicial Review

Stephen Chippeck represented the applicant concerning the obligations of the Legal Services Commission to fully fund the costs of a single joint expert report ordered in proceedings under the Children Act 1989 in circumstances

where the child had a public funding certificate but the parents did not.

### **West Midlands Police v. Lorenzo CA [2012] EWCA Civ 1863 2013**

Civil action against the Police

Stephen Chippeck represented Claimant in jury action where several police officers were found by a jury to have carried out a racist attack on a Rastafarian citizen. Decision upheld in the Court of Appeal.

### **ABC, JKL & XYZ v. A Chief Constable (QB Div; 13 Sep 2012) 2012**

Breach of Contract

Stephen Chippeck represented Claimants in action for damages for breach of contract and negligence who had been part of the force's witness protection programme.

### **Re: B (Children) [2012] EWCA Civ 1275 2012**

Immediate removal of Children

Stephen Chippeck represented M, dealing with when the immediate removal of children from their mother's care is necessary and proportionate at an interim stage.

### **Tinsa v. GMC [2008] All ER D 140 2008**

Judicial Review

Stephen Chippeck represented a doctor on his appeal against the decision of the GMC to erase him from the medical register.

## **Notable Cases**

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### **Medway Council v W [2015] EWFC B234 2015**

Father alleged to have sexually abused his children

Medway Council v W (Fact Finding: Familial Sexual Abuse allegations and Local Authorities Approach) [2014] EWFC B 190

Medway Council v W (2) (Welfare Hearing) [2015] EWFC B233

Medway Council v W (3) (Further Fact Finding re Further Allegations) [2015] EWFC B234

Series of cases where Stephen Chippeck represented a father alleged to have sexually abused his children. Following the hearing the allegations were found to be false

### **Kent CC v D & Ors [2015] EWFC 96 2015**

Child Trafficking case

Kent CC v D & Ors [2014] EWFC 59

Kent CC v D & Ors (2) (Fact Finding) [2015] EWFC 93

Kent CC v D & Ors (3) (Application for Re-hearing) [2015] EWFC 94

Kent CC v D & Ors (5) (Re- hearing) [2015] EWFC 96

Series of High Court hearings where Stephen Chippeck with Paul Storey QC represented a mother alleged to have been involved in complex child trafficking where the allegations were found to be false after a re-hearing

### **JG (Appellant) v. Lord Chancellor & Law Society [2014] 2 FLR 1218, [2014] 3 FCR 567, [2014] HRLR 18, [2014] Fam Law 1097 2014**

Judicial Review

Stephen Chippeck acted for the appellant reversing Ryder J. A decision by the LSC not to fully fund the costs of a joint expert report ordered in private law proceedings under the Children Act 1989 , where the child had a public funding certificate but her parents did not was unlawful.

### **Hussain v. Chief Constable of West Mercia Constabulary [2008] EWC Civ 1205, [2008] WLR (D) 342 2008**

Misfeasance in a public office

Stephen Chippeck represented the Claimant before the Master of the Rolls - what constitutes psychiatric or physical injury for the purposes of misfeasance in public office.