

AMANDA BEWLEY

Call 2005

ABOUT ME

Amanda specialises in all aspects of Private and Public Law Children, maintaining an almost even split between those two broad practice areas. She also practices in Coroners' Courts undertaking Inquests.

Amanda joined Coram in March 2019 from St. Mary's Family Law Chambers, a specialist, award-winning family set based in the East Midlands. She has been ranked as a leading individual in the Legal 500 for 4 consecutive years and brings to Coram a wealth of experience and expertise beyond her year of Call.

Amanda has developed a solid reputation for meticulous case preparation and for being a fearless and skilled advocate who is approachable and quickly able to build a rapport with her clients. She provides sensible and robust advice.

Amanda has a particular interest and aptitude in representing parents with mental health issues and learning difficulties. This was recognised in the most recent publication of the Legal 500, "She has particular expertise in acting for parents with mental health issues" and the 2016 edition, "Experienced in representing parents with mental health issues and learning difficulties." Accordingly, Amanda is regularly instructed to represent the most vulnerable and volatile clients by virtue of their complex mental health issues. In addition, she is instructed by other parties to proceedings such as on behalf of children where complex mental health issues are a factor due to her expertise in this area.

EXPERIENCE

Public Law Children

A local authority v A and R

Alleged non-accidental injury: burns to face

Amanda represented a mother in proceedings. The child had sustained linear burns to his face. There were two experts due to the police instructing an expert in parallel criminal investigations. One expert tendered the opinion that the burns were caused by hot liquid being deliberately dripped onto the child's face. The other expert was unable to offer an opinion regarding mechanism. Amanda was instructed for the final hearing only and upon thorough review of the evidence felt that there was a potential mechanism which had not been considered by the experts. The suggested mechanism was rejected by one and accepted by the other, more experienced, expert. The court did not make findings

of inflicted injury but made an SGO in favour of a family member as this was not a single-issue case. A subsequent Appeal against that decision succeeded on the basis of Amanda's primary Ground of Appeal whilst the findings regarding the injury remained ring-fenced at her invitation.

A local authority v B and B

Sexual abuse and incest/local authority failures

Amanda represented an intervenor who had only just reached majority in a 2-week finding of fact hearing heard by a Designated Family Judge sitting as a Judge of the High Court pursuant to s.9. The case involved a long history of incest and sexual abuse and included historic as well as recent sexual abuse allegations which were heard by the court. No findings were made against Amanda's client. At Amanda's invitation, and led by her cross-examination, findings were made against the local authority of systemic and individual failures.

A local authority v V and G

Complex mental health issues

Amanda represented a child in care proceedings where the parents both suffered from complex and severe mental health difficulties. The plan was for final care and placement orders to be made where the child was arguably too old with too many complex needs for there to be a realistic prospect of finding an adoptive placement for her. The guardian supported the applications for care and placement orders and those orders were ultimately made by the court.

This case ran for 5 days and there were special measures to enable the father who had a complex diagnosis of borderline personality disorder, Bi-polar disorder and high functioning Asperger's to take an active part in proceedings.

During the course of proceedings, the mother had twice been hospitalised for attempting suicide by taking an overdose of lithium. Following one such attempt, she was left in a coma for a significant period of time.

Amanda saw the mother distressed in public following one of the court sitting days and intervened to ensure that the mother was safe. The mother was suicidal and Amanda took steps to ensure the

mother's safety and wellbeing were protected. In his Judgment, the Judge commended Amanda for her actions in ensuring that the mother got home safely and also for Amanda's compassion and care.

A local authority v S and B

Child Sexual Exploitation/Police failures

Amanda represented a mother in a 22-day case before a Designated Family Judge sitting as a Judge of the High Court pursuant to s.9. The mother ran a brothel and the allegations included inter alia the sexual exploitation of children. The court did not make the most serious findings which were in respect of CSE. The case was complicated by the involvement of a party who required the use of an intermediary and a raft of ground rules so that the proceedings were understood by that party. Presentation of the case had to be tailored to take account of those ground rules. Amanda sought findings against the police for repeated failures in respect of their investigatory processes which were adopted by the court in its Judgment. The children remained in a family placement at the conclusion of the proceedings.

A local authority v C, H and H-C

Representation of a competent child/complex mental health issues

Amanda represented a competent child in care proceedings where she wished to live with her mother, against the recommendation of the children's guardian. This was a complex case: Amanda met with the child on two occasions and the child met the Judge twice. There were psychological and psychiatric reports on the parents, both of whom suffered from complex mental health issues. In addition, there were incidents of domestic violence, rape and attempted suicide in the parents' relationship. The mother had been sectioned previously due to periods of psychosis. The maternal grandparents lived most of the year in New Zealand and some months in the UK. There were complex legal issues around the status of the children in the UK and New Zealand which necessitated the local authority obtaining a specialist advice. This hearing lasted 12 days and included expert evidence from a psychiatrist.

A local authority v S and T

Sexual abuse/mental health issues/child witness

Amanda represented a mother in proceedings where the step-father to the eldest child had been sexually abusing her within the family home. The mother had learning difficulties and was on a regime of prescribed medication for chronic pain which made taking her instructions very difficult and which required lots of extra conferences with the client to ensure that her instructions were taken properly and were fully understood. The case was difficult on its facts and included cross-examination of the child with a number of specific measures put in place which ensured that the best evidence could be obtained whilst ensuring that the parties' rights to a fair trial were upheld.

A local authority v S, W and M

Non-accidental injury: subdural Haematoma/metaphyseal fracture/extensive bruising/novel area of medical evidence

Amanda represented a mother in proceedings where a 5-year-old had suffered over 30 bruises suspicious of being non-accidental, a metaphyseal fracture of the tibia and subdural haemorrhages ("SDH") consistent with a shaking injury. The SDH were unusual for a child of this age and there was a paucity of information as to causation of such an injury in a child of that age within the medical research available to the medical experts instructed in this case. The court removed the mother from the pool of perpetrators and was able to identify the perpetrator in respect of the injuries at the conclusion of the finding of fact hearing in this matter.

Private Law Children

H v M

Implacably hostile mother/parental alienation syndrome/r.16.4

Amanda represented an implacably hostile mother in protracted r.16.4 proceedings. An expert had been instructed in the case who concluded that this was one of the most compelling examples of parental alienation syndrome that he had encountered. The conclusion of the report was that if the mother was unable to "turn it around" then the children should live with their father and spend time with their mother. The case required a very tailored and careful approach including robust and sensible advice to ensure that the children were not removed from their mother's care and that they maintained a relationship with their father.

W v H

Fabricated allegations of rape of the mother and physical abuse of the children

Amanda represented a father where the mother, a litigant in person, made allegations which included rape of the mother and physical abuse of the children. The finding of fact hearing took 4 days. The style and content of Amanda's cross-examination had to be tailored to take account of the obvious difficulties with the case whilst ensuring that the father's case was put properly and fearlessly. Following robust and forensic cross-examination of the mother and compelling oral submissions, the Judge made findings that the mother had fabricated allegations of marital rape and physical abuse of the children to prevent a proper relationship between the children and their father.

B v B

Refusal of contact where father's partner materially involved in torture and murder of an individual

Amanda represented father. Mother was refusing contact because father's new partner had been materially involved in a high-profile torture and murder of a young woman. At an adjourned final hearing, Amanda persuaded the court that the negative risk assessment undertaken was wholly deficient and that a new assessment should be undertaken. The replacement risk assessment was positive and, following a contested final hearing, contact was reinstated and father's partner could be involved on a supervised basis.

A v A

Honour Based Violence/r.16.4/child witness

Amanda represented 2 children via a children's guardian pursuant to r.16.4. The children lived with their father in a confidential location. The father and children were at risk of suffering honour based violence and had been relocated with the assistance of a multi-agency honour based team informed by a risk assessment undertaken by the police.

This was a complex case where Amanda had to be alive to the fact that the children – both of whom had capacity to instruct – might potentially require separate representation during the course of the

proceedings. The proceedings concluded with provision for indirect contact between the children and their mother thereby keeping them safe.

Inquests

Represented Nottinghamshire Children's Social Care and Nottinghamshire Safeguarding Children's Board in a month-long Inquest touching the death of Amber Peat. Amber was a 13-year-old girl who was found hanged in bushes not far from her family home. The Inquest drew the attention of the National Press and Article 2 was engaged.

PRACTICE AREAS

Private Children

Public Children

Inquests

EDUCATION

Called to the Bar by Inner Temple (November 2005)

Bar Vocational Course – Manchester Metropolitan University

LLB (Hons) – University of Liverpool

PROFESSIONAL MEMBERSHIPS

The Family Law Bar Association

The Honourable Society of the Inner Temple

The Midland Circuit

APPOINTMENTS

Secretary to the East Midlands FLBA, 2016-2018

Midland Circuit Representative on the Bar Council's Wellbeing at the Bar Working Group, 2017-2018

Circuit Junior to the Midland Circuit, 2014-2015

TESTIMONIALS

Client testimonials

“The client and I found you to be very well prepared, organised and methodical in your approach. You were professional and at the same time had a real personal touch and empathy for the client. An ideal combination.” SH – Nottingham

“The client thinks you did a splendid job for him and speaks about you in glowing terms (with very good reason, I must add). You were very impressive in court and at all other times when dealing with myself and the client. Look forward to working with you again soon.” PH – Lincoln