



GARDEN COURT CHAMBERS

# Lyndsey Sambrooks-Wright

YEAR OF CALL: 2008



Lyndsey specialises in public children law, international family law and Court of Protection matters. Lyndsey is also an experienced family law mediator.

"Is able to explain complex legal concepts in an easy to understand way to lay people, and gets to the root of the issue at hand quickly."

LEGAL 500, 2020

"Has ambition and talent to match. I really rate her as a first-class junior in all public law matters."

LEGAL 500, 2021 (CHILDREN LAW)

If you would like to get in touch with Lyndsey please contact the clerking team:

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You can also contact Lyndsey directly:

[lyndseysw@gclaw.co.uk](mailto:lyndseysw@gclaw.co.uk)

## FAMILY LAW

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Lyndsey is regularly instructed in all areas of family law, including public law, private law and international family law. In particular, Lyndsey's practice largely encompasses complex public law matters dealing with matters such as non-accidental injury (including Suspected Inflicted Head Injury resulting in death of the child); drug misuse and ingestion of drugs by children; serious sexual abuse; and radicalisation. She is well-versed in challenging complex medical evidence.

The crossover between Lyndsey's family law and Court of Protection practice means that she is experienced in representing vulnerable clients, including those with significant mental health issues or lacking capacity, and teenagers moving on from local authority care. She is frequently instructed in matters concerning deprivation of liberty.

Lyndsey's practice also encompasses international matters, including jurisdictional disputes and abduction. She has a special interest in cases involving transgender issues.

### NOTABLE CASES

#### ***Re T* [2021] UKSC 35**

Appeal concerning the use of the inherent jurisdiction of the High Court to authorise a local authority to deprive a child of their liberty in a non-registered placement. The Supreme Court held that the use of the inherent jurisdiction to authorise deprivation of liberty in non-registered provision was permissible but expressing serious concern about its use to address a shortage of adequate resources.

#### **Discharge of interim care orders: *Re H-B-S* [2020] EWCA Civ 1027**

Represented respondent father in appeal relating to discharge of interim care orders during a part-heard fact-finding hearing. Guidance given by Court of Appeal on correct approach to discharge and delay.

**Care proceedings dismissed against parents accused of fracturing baby's arm and leg. Re C [2018]**

Represented the mother in a case whereby the parents were accused of causing a number of non-accidental fractures to a baby, an allegation supported by all the medical experts in the case.

At the end of a six-day fact-finding hearing, no findings were made against either parent, the care proceedings were dismissed and the children were returned home.

**Contact put in place for mother of baby who had ingested Class A drugs. Re R-L [2017]**

Represented mother in care case whereby young infant had suffered developmental delay due to ingestion of Class A drugs. Contact regime put in place for mother.

**Children rehabilitated to parents following allegations of inappropriate physical chastisement. Re R, N and D [2017]**

Represented Tamil mother in care case with allegations of inappropriate physical chastisement. Children rehabilitated to parents' care.

**Acted in application for reintroduction of contact to transgender parent**

**Re E [2015]:**

Represented parent in private law children case whereby one parent was undergoing gender reassignment. Issues relating to reintroduction of child to parent after long period of no contact.

**Represented Local Authority in case of shaken baby syndrome. Re M [2013]**

Acted as junior alone for Local Authority in case of shaken baby syndrome. After ten day fact-finding hearing, findings were made that the child had been shaken. Child subsequently rehabilitated to parents.

**Represented Local Authority as led junior in case of alleged shaken baby syndrome. *London Borough of Islington v Al Alas and Wray [2012] EWHC 865 (Fam):***

Acted as led junior representing the Local Authority in alleged case of shaken baby syndrome, in which the child was instead determined to have died as a result of a complex medical condition.

## **INTERNATIONAL FAMILY LAW**

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Lyndsey has acted in cases involving jurisdictional disputes, relocation applications and child abduction matters.

## NOTABLE CASES

### **Jurisdiction deemed to lie in Spain, despite consent order accepting that jurisdiction remained in England and Wales.**[GW v MW \[2015\] EWFC 56:](#)

Successfully argued that the matter should be heard in Spain, despite previous consent order accepting that jurisdiction remained in England and Wales.

### **Determined that matter should be heard in England and Wales despite children being habitually resident in Eire.**[T v T \[2012\] EWHC 2877 \(Fam\):](#)

Successfully argued that England and Wales was the appropriate jurisdiction for a private family law dispute, where the children's habitual residence was deemed to lie in Eire and the issue of jurisdiction was contested.

## COURT OF PROTECTION

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Lyndsey regularly appears in the Court on Protection on behalf of the Official Solicitor, ALRs, family members and local authorities. She is instructed in a wide range of matters including welfare and deprivation of liberty issues, s21A challenges and cases under the inherent jurisdiction. Lyndsey has dealt with issues relating to forced marriage and capacity to marry, restrictions on internet use, physical abuse and complex medical issues.

Lyndsey's extensive family law experience means that she is particularly well-placed to represent vulnerable clients in the Court of Protection, including in cases involving young people moving from local authority care to adult social care.

Lyndsey also has experience in property and affairs disputes, including in relation to Lasting Powers of Attorney and Deputies.

## CRIMINAL DEFENCE

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Lyndsey began practicing criminal law in 2008 and defended clients for ten years in a range of cases including serious violence, sexual offences, drug offences and fraud. Lyndsey now focuses upon linked family and criminal law proceedings, including disclosure applications, reporting restrictions and Public Interest Immunity proceedings.

## **NOTABLE CASES**

### **Case considering interplay of MCA and MHA 2005: *Re CW* [2023]**

Represented Official Solicitor in Court of Protection case considering services under s117 of MCA 1983, as well as interplay of MCA and MHA 2005, when attempting to house and treat P.

### ***Re T* [2021] UKSC 35**

Appeal concerning the use of the inherent jurisdiction of the High Court to authorise a local authority to deprive a child of their liberty in a non-registered placement. The Supreme Court held that the use of the inherent jurisdiction to authorise deprivation of liberty in non-registered provision was permissible but expressing serious concern about its use to address a shortage of adequate resources.

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Represented mother in care case whereby young infant had suffered developmental delay due to ingestion of Class A drugs. Contact regime put in place for mother.

### **Acted in application for reintroduction of contact to transgender parent: *Re E* [2015]**

Represented parent in private law children case whereby one parent was undergoing gender reassignment. Issues relating to reintroduction of child to parent after long period of no contact.

### **Acted in international jurisdictional dispute: *GW v MW* [2015] EWFC 56**

Successfully argued in Hague Convention matter that children were no longer habitually resident in England and Wales.

### **Represented Local Authority in case of 'shaken baby syndrome': *Re M* [2013]**

Acted as sole junior for Local Authority in case of 'shaken baby syndrome'. After ten day fact-finding hearing,

findings were made that the child had been shaken. Child subsequently rehabilitated to parents.

**Led junior in case of alleged 'shaken baby syndrome'. *London Borough of Islington v Al Alas and Wray* [2012] EWHC 865 (Fam)**

Acted as led junior representing the Local Authority in alleged case of 'shaken baby syndrome', in which the child was instead determined to have died as a result of a complex medical condition.

**Successful application in international jurisdictional dispute. *T v T* [2012] EWHC 2877 (Fam)**

Succeeded in establishing that England and Wales was the appropriate jurisdiction in Hague Convention matter despite there being written agreement indicating the contrary.

## MEDIATION

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Lyndsey qualified as a mediator in 2014 through ADRg. She mediates family cases involving children and financial arrangements, medical issues and intergenerational disputes. Further details can be found on the [Garden Court Chambers Mediation website](#).

## WHAT OTHERS SAY

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"Is able to explain complex legal concepts in an easy to understand way to lay people, and gets to the root of the issue at hand quickly."

**Legal 500, 2020**

## BACKGROUND

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Prior to coming to the Bar, Lyndsey worked as an assistant to a Consultant Clinical Psychologist providing medicolegal reports to the family courts and specialising in transgender issues. Lyndsey has produced publications through this partnership.

Lyndsey joined Garden Court Chambers in 2018 following ten successful years at a busy common law set. She is an associate member at Garden Court North Chambers and regularly practices in both London and the North-West.

## PUBLICATIONS

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Lyndsey is a contributor to [Emergency Remedies in the Family Courts](#), writing on applications under the Children Act 1989 and Family Law Act 1986, as well as issues arising in relation to committal proceedings.

Other publications include a discussion of the issues faced by [transgender clients within private law children proceedings](#) and applications under the [Gender Recognition Act 2004](#). Lyndsey has also been interviewed by LexisNexis regarding the decisions in *J v B (Ultra-Orthodox Judaism: Transgender)* [2017] EWFC 4 and *Re M* [2017] EWCA Civ 2164. At this link, Lyndsey [considers the ramifications](#) in *AP v JP (Transgender Applicant for Declaration of Valid Marriage)* [2019] EWHC 3105 (Fam).

Lyndsey has also recorded Family Law Week podcasts on parental alienation, representing clients with disabilities, children's participation in family proceedings and competence of children in family proceedings.

Lyndsey was previously contracted to edit and rewrite the Practical Law (Thomson Reuters) domestic abuse section. She has produced a number of articles for Practical Law, including publications on [s20 agreements](#) and [claims under the Human Rights Act](#).

## TRAINING AND SEMINARS

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Lyndsey has produced training materials and undertakes seminars for the benefit of professional clients, including for Family Law Week, MBL and DG Legal. Lyndsey has a particular interest in issues relating to transgender clients and chaired group sessions discussing the impact of the Gender Recognition Act 2004 at the International Women's Conference 2015.

Lyndsey spent some months in Cambodia in 2015 working with a number of NGOs specialising in human rights advocacy, following which she continued to advise and assist remotely.

## AWARDS

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Jordan's Young Family Lawyer of the Year award finalist (2012)

Major Scholar (Lord Astbury), Middle Temple (2007)

Major Scholar (Lord Astbury), Middle Temple (2006)

## EDUCATION

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Call to the Bar, Middle Temple (2008)

Bar Vocational Course, BPP Law School (2008)

Graduate Diploma in Law, City of London University (2007)

BA (Hons) English Language and Literature, Oxford University (Pembroke College) (2005)

## PROFESSIONAL MEMBERSHIP

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Haldane Society of Socialist Lawyers (executive committee)

Resolution

FLBA

COPPA

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