

ALC – OUTSTANDING NEWCOMER AWARD

NOMINEE: Jamie Phillips, solicitor, Bindmans LLP, Admitted 1.11.2011

DX 37904 King's Cross, Tel: 02078334433

NOMINATED BY: Deirdre Fottrell QC,

1 Garden Court, DX LDE 1034 Chancery Lane, Tel: 02077977900

NOMINATION:

I am pleased to nominate Jamie Phillips of Bindmans as the Outstanding Newcomer in the Field of Child Law.

It seems to me that he is a worthy recipient of this award and that he should be of recognised because he is an excellent example of the impact that a committed and skilled children's lawyer can make to a case. In many ways he is the epitome of the values and ethos of the Association of Lawyers for Children.

In 2015 -16 I worked with Jamie on a difficult High Court case which required the Court to consider complex arguments about the application of the 1996 Hague Convention in the context of care proceedings. Jamie's grasp of the technical legal issues was impressive and unusual given the novel arguments involved.

His professionalism and commitment to his client was evident in the way in which he prepared and presented her case. The client was socially isolated with a range of personal difficulties. Jamie demonstrated generosity and compassion in the considerable amount of time that he spent with her. Throughout the many months leading up to the trial he worked unusually long hours and made himself available to her in person and on the phone beyond what would be expected and reflecting his concern for her wellbeing and stability.

He was encouraging and positive throughout the case to a client who was not always easy to manage. He treated her with dignity and respect when she struggled to contain her anxiety and he had a calming effect on the most difficult days before the trial and during the long process.

It became very clear to me that Jamie's commitment and skill was such that the entire direction of the case and the outcome of it, was positively altered by his work. The client was ultimately most fortunate to be represented by him. It is no exaggeration to say that his work on her behalf helped change her life and that of her child.

At a time when the legal aid work of children's solicitors is so under appreciated, it is right that the ALC would recognize and celebrate the hard work and skill of one of its rising stars. In nominating Jamie, I do so knowing that his work in this case was typical of his practice and that he has impressed colleagues and peers in other cases with a similar level of commitment and skill.

Deirdre Fottrell QC, 28th October 2016

VIEW OF OTHERS IN SUPPORT:

Daisy Hughes, 1 Garden Court, 28 October 2016: *"I have worked closely with Jamie on a case involving parental drug misuse and the analysis and interpretation of hair strand tests for the*

presence of illicit drugs. Jamie's client first came to him wishing to appeal the original decision removing her young child permanently from her care.

Jamie took on the case and pursued it tenaciously to the Court of Appeal, achieving the overturning of the original decision and a re-hearing in the High Court in light of complex and technical issues in relation to the science of hair strand testing. Jamie's commitment and dedication to pursuing the client's case, his thorough grasp of the import of the scientific evidence (partly due to his own research into the field) and his consequent ability to perceive gaps or weaknesses in that evidence mark him out as a truly exceptional.

Unlike many of his contemporaries at other firms whom the client had previously contacted, Jamie was able to spot the potential for a successful appeal. Although the case has yet to come on for a re-hearing in the High Court, it is in my view clear that it will mark an important development in the way in which hair strand tests are treated in family cases. Ensuring that such evidence is reliably interpreted is plainly of enormous import to the children subject of care proceedings up and down the country.

In addition to his fine forensic skills, his patience, kindness and empathy towards his client is second-to-none. She has repeatedly told me how grateful she is for his support and how impressed she is by his ability. I am not surprised.

As such, I am very pleased to join family law colleagues in nominating Jamie for the ALC Outstanding Newcomer award. "

Emma Hudson, 1 Garden Court, 26 October 2016: *"Jamie Phillips is one of the best solicitors I have ever worked with. He represents his clients as only a truly fine lawyer does, with a superb combination of ferocious competency and endlessly patient compassion.*

I have worked on a number of very difficult, notable cases with him with unexpected success. We are currently involved in a complex NAI case involving issues of bone fragility arising from vitamin D deficiency/malnutrition. His management of the experts and the case generally has been outstanding, as always. As his cases progress his efficiency becomes apparent and legendary to all those involved in the case, often to Jamie's detriment as he becomes the 'go to man' for getting impossible things done yesterday. He is always one step ahead in a case and annoyed it isn't two steps. Always inventive, always challenging, always thinking well outside the box. Always striving to learn and perfect his own methods. Working on a case with him is a real partnership that pushes the boundaries with extraordinary results in relation to the cases I have done with him.

His clients are treated to a holistic gold star service that goes way beyond office hours and duties. They are nurtured, cajoled and above all listened to with sympathy and gentleness. His disarming modesty belies a steely ability to fight injustice and a genuine wish to represent the disadvantaged. His attitude is both refreshing and inspiring to work with and it is a privilege to be briefed by him. "

Flora Grossman, Partner and Joint Head of the Family Department at Bindmans LLP: *Jamie joined the team in 2014 has quickly established himself as a first-rate children lawyer. I have no hesitation in supporting his nomination for the ALC's Outstanding Newcomer award. His practice focuses on acting for parents within care proceedings, often involving a significant international element. Clients comment on the sensitivity and excellent client care that he brings to bear in public law proceedings,*

often leading to a better result than a client might otherwise have achieved without such solid support and guidance. He balances his soft-skills with a strong tactical awareness and knowledge of the law, and routinely demonstrates exceptional ability in progressing litigation in a proactive manner to the benefit of his clients. He has acted for key parties in two matters in which the judgments are expected to be reported on Bailii, and is currently representing a client in a second case (in addition to the matter mentioned by Daisy Hughes, above) in the Court of Appeal.

In addition to acting for parents, he has built a significant caseload of matters in which he advises and represents prospective Special Guardians and adopters within complex care proceedings where the proposal is that the child should be placed with them outside of the UK. He is able to draw from his extensive private law and international child law experience, meaning that all bases are covered. Particular highlights within the last 12 months not mentioned above include:

- *Obtaining exceptional case funding from the Legal Aid Agency (this in itself a substantial achievement) to represent the mother of a physically disabled child who, unaware of the consequences of doing so, removed the child from the UK to Ireland without the father's consent. Hague Convention proceedings in Ireland had resulted in the child being made subject to a return order, but there were serious concerns as to the impact on the child's medical care his welfare and development if the return went ahead. Through adopting an innovative approach and close working with the mother's representatives in Ireland, Jamie was able to assist the mother in avoiding the child's immediate return through issuing private law proceedings in England and seeking an interim order (eventually obtaining through the father's agreement) allowing the child to remain in Ireland pending her full application for permission to relocate with the child to Ireland, notwithstanding the Irish return order. The relocation application later concluded by consent with agreement that the child should continue to reside in Ireland; Jamie's early case strategy therefore avoided two unnecessary and potentially harmful moves for a vulnerable child, the client later commenting that his 'professionalism, belief and understanding is what got me through a very difficult time'.*
- *Acting for the Polish grandmother of a child subject to English care proceedings. The grandmother was already caring for the child's two full siblings as a result of previous care proceedings, but concerns were raised by the Children's Guardian and an independent assessor as to her ability to meet the new child's needs. Through realistic advice at an early stage and careful consideration of the issues being raised, Jamie was able to help the client to understand and start to address the professionals' concerns and assisted in ensuring that her genuine insight came across in her written evidence to the court. In a contested final hearing, with the Local Authority, Guardian and independent expert all supporting the adoption of the child and the grandmother the lone voice seeking placement of the child within the family, the court determined that the child should be placed with the maternal grandmother and her two full siblings."*