

## Tina Cook QC

Call 1988

Telephone [020 7831 0222](tel:02078310222)

Email [clerks@42br.com](mailto:clerks@42br.com)



### Introduction

*“Tina Cook is excellent. She does a lot of public law work and has extremely good judgement. She is very clear, knows what position to focus on and is a very good cross-examiner” – Chambers and Partners 2017/18*

*“Tina is utterly dedicated to her cases and clients and prepares in an exemplary manner” – Legal 500 2017/18*

Tina is a family law specialist and has practised in family law throughout her professional career.

Her practice spans all areas of family law with a particular emphasis on children work. She often acts in complex, multi-party and high conflict intractable private law disputes.

Tina’s private law practice involves working for both applicants and respondents.

In her public law children work she acts for parents, children, local authorities and extended family.

Tina has experience of handling cases involving suspected non-accidental and fatal injury and FGM/C, sexual abuse, neglect and domestic abuse, where there are parental mental health, learning disability or capacity issues, concerns around substance abuse and addiction, and involving children with special educational needs and disabilities / complex medical needs. Her experience covers applications such as inherent jurisdiction cases concerning proposed medical treatment of minors

Tina’s practice includes matters with international aspects, including abduction, leave to remove and cross border families. She is also experienced in dealing with in post-care applications such as applications for discharge of care or placement orders, leave to oppose adoption orders and contested adoptions. Tina has also worked for parents and Local Authorities in radicalization cases (where parents are accused of supporting ISIS or wishing to take their children to Syria), and more recently where Local Authorities allege that it is the views and ideology of parents that leads to harm of their children.

In addition, Tina is experienced in cases involving Human Rights Act claims or issues relating to reporting restriction orders or publicity. Her practice also encompasses the range of injunctive work, including Pt IV Family Law Act and forced marriage.

Tina is instructed at first instance in the Family Court, the Court of Protection, and the High Court; she has also appeared in the Court of Appeal.

Tina is married with three children. When time permits, she enjoys entertaining cooking, watching sport and going to the cinema and theatre.



## Recent and Current Cases

Tina has recently been instructed in a number of cases involving the new Practice Direction 12J, private law domestic violence in private contact and Child Arrangement orders.

In addition, she has a large number of ongoing Ehlers-Danlos/genetic disorder and vitamin deficiency cases.

She also has current radicalisation cases for both parents, children and Local Authorities.

## Career Reported and Major Cases

- [Lancashire County Council v TP & Ors \(Permission to Withdraw Care Proceedings\) \[2019\] EWFC 30 \(09 May 2019\)](#)  
The treatment of two transgender children had been one of the issues in the case. The decision sets out helpful guidance on leave to withdraw care proceedings and the difficulty and complexity of dealing with transgender children and the understanding of professionals of best practice in such cases.
- [Re LG \(Re-opening of Fact-finding\), Re \[2017\] EWHC 2626 \(Fam\) \(03 October 2017\)](#)  
Appeal heard by Mr Justice Baker emphasizing the importance of the active application of Practice Direction 12J (Domestic Abuse in family proceedings) The court must, at all stages of the proceeding consider whether domestic violence is raised as an issue, either by the parties or by Cafcass and if so must: identify at the earliest opportunity the factual and welfare issues involved; consider the nature of any allegation, admission or evidence of domestic violence or abuse, and the extent to which it would be likely to be relevant in deciding whether to make a child arrangements order and, if so, in what terms; give directions to enable contested relevant factual and welfare issues to be tried as soon as possible and fairly; ensure that, where violence or abuse is admitted or proven, any child arrangements order in place protects the safety and well-being of the child and the parent with whom the child is living, and does not expose them to the risk of further harm. In particular, the court must be satisfied that any contact ordered with a parent who has perpetrated violence or abuse is safe and in the best interests of the child; and ensure that any interim child arrangements order (i.e. considered by the court before determination of the facts, and in the absence of admission) is only made having followed the guidance at paragraph 25 to 27 below.
- [H \(A Child : Hair Strand Testing\) \[2017\] EWFC 64 \(29 September 2017\)](#)  
Mr Justice Peter Jackson (as he then was) giving definitive guidance on the need for caution in and the benefits of hair strand and other drugs testing.

- [East Sussex County Council v AG \(Finding of Fact\) \[2017\] EWHC 536 \(Fam\) \(06 March 2017\)](#)  
A case where the mother and father were found to have poisoned their 5 month old son, with life threatening amounts of alcohol and antihistamine.
- [AD & AM \(Fact-Finding: Re-Hearing\) \[2016\] EWHC 2912 \(Fam\) \(16 November 2016\)](#)  
A complex case where a Mother, a medical professional, was found to have seriously injured her infant son, then applied 4 years later to re-open the finding of fact. The re-opening application was granted and the Mother called national and international expert evidence to support her assertion that the accident had a natural cause. The Court gave guidance on the instruction of foreign “experts”. The findings were upheld.
- [M \(Children\), Re \[2016\] EWCA Civ 937 \(09 September 2016\)](#)  
Acting for a mother in the Court of Appeal where the Court gave guidance as to whether the court has jurisdiction to make wardship orders once a young person had turned 17 (s.31(3)). The Court of Appeal clarified that the court’s powers to make orders under the wardship jurisdiction were also curtailed heavily by s.100 (2) to (5).
- [C, D & E \(Children\), Re \[2015\] EWFC 92 \(22 May 2015\)](#)  
Acting for a Local Authority in a historic sexual abuse allegation case where the allegations were made by family members of the most serious abuse. The evidential difficulties of seeking such findings after more than 15 years was explored by the court.
- [Devon County Council V EB & ORS \(Minors\) \[2013\] EWHC 968 \(FAM\) \(22 February 2013\)](#)  
Devon v EB was the first case where EDS was a feature involving infant twins both of whom suffered subdural haemorrhages and bone fractures. Tina Cook QC and Katie Phillips appeared on behalf of the father. The court was unable to make findings and the proceedings were dismissed. The unknown aetiology was of particular importance given the links to EDS.