

Jonathan Bennett

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Jonathan is a very experienced family practitioner, specialising mainly in public law care proceedings, but also practising in the field of adoption, special guardianship and private law proceedings. He is regularly instructed in complex care proceedings involving non-accidental injury, death of a child, emotional, physical and sexual abuse, cases with an international element, and adoption. He appears in all levels of court including the Court of Appeal and acts for all parties within the proceedings.

Family Law

Jonathan has a very busy and comprehensive Family Law practice. In the last 3 years he has represented a local authority in an 8 day fact-finding hearing into injuries suffered by a baby, and continues to represent a local authority in a case before the High Court in which the mother and the children have fled overseas. He has represented a father initially in a fact-finding hearing into a child's injuries, and then within the welfare part of the final hearing. He regularly represents parties within applications for Deprivation of Liberty orders and has represented a Children's Guardian in a fact-finding/welfare hearing over 5 days.

Selected Cases

- *SL v JA & Anor* [2024] EWHC 1784 (Fam) – High Court Family Division
- *R (Children: Findings of Fact)* [2024] EWCA Civ 153 – Court of Appeal
- [East Sussex County Council v AG \(Finding of Fact\)](#) [2017] EWHC 536 (Fam) (06 March 2017) – High Court Family Division
- *Re W (A Child)* [2017] EWHC 829 (Fam) – High Court Family Division
- *Re: H (A child)* [2015] EWCA Civ 1284 – Court of Appeal
- *Medway Council v JB & Ors* [2015] EWHC 3064 (Fam) – High Court Family Division
- *WSCC v H & Ors (Children) (Care Proceedings:Brain Injury)* [2015] EWHC 2439 (Fam) – High Court Family Division

- Re AD & AM (Non-Accidental Injury: Welfare) [2014] EWHC 4899 (Fam) – High Court Family Division
- [M-F \(Children\) \[2014\] EWCA Civ 991](#) (15 July 2014) Court of Appeal
- R (A Child), Re Court of Appeal (Civil Division), 12 June 2013 [2013] EWCA Civ 899
- A Local Authority v K Family Division, 11 October 2011 [2011] EWHC 2581 (Fam); [2012] 1 F.L.R. 765; [2012] Fam. Law 124
- C (A Child) Court of Appeal Neutral Citation Number: [2012] EWCA Civ 535 – an appeal against a finding that the Mother was responsible for non-accidental injuries made by a judge effectively without notice to the parties at the disposal hearing, when a different judge had been unable to decide which of the parents was responsible for the causation of the injuries at a previous fact-finding hearing
- A Local Authority v K And Others [2011] EWHC 2581 (Fam) [2012] 1 FLR 765 – case involving the death of a child where the President decided that no fact-finding hearing was necessary or appropriate
- Re A (A Child) Court of Appeal Neutral Citation Number: [2007] EWCA Civ 1058 [2008] 1 FLR 1423 – a case involving non-accidental injury and whether a judge’s finding that both parents were responsible for causing injury independently to a child was sustainable, as well as a reminder to Counsel to seek any amplification of findings required at the fact-finding hearing
- Re Brandon Webster (a child) sub nom Norfolk County Council v Nicola Webster & 5 ors (2006), [2006] EWHC 2733 (Fam), (2007) EMLR 7 : (2007) 1 FLR 1146 : (2007) HRLR 3, High Court – concerning the right to hold care proceedings with the media admitted, and to publicise the details of the case generally
- Re Brandon Webster (A CHILD) sub nom Norfolk County Council v (1) Nicola Webster (2) Mark Webster (3) Brandon Webster (A Child by his Children’s Guardian) (2006), [2006] EWHC 2898 (Fam), High Court – concerning the right to instruct further medical experts in complex care proceedings
- In Re R (A Child) (Adoption: Contact) 15th September 2005 Times Law Reports, [2006] 1 FLR 373, Court of Appeal – the principles to be applied for leave to apply applications under s.10 Children Act 1989 as applied to adoption cases
- SH and RH v Suffolk CC Neutral Citation Number: [2003] EWHC 429 (Fam) High Court Family Division – appeal from a FPC – the court (Sumner J) made useful comments about the type of case which Magistrates should hear, and over what length of hearing
- Re B and T (Care Proceedings: Legal Representation) [2001] 1 FLR 485, Court of Appeal, – the right to legal representation under the Human Rights Act in care proceedings
- Northamptonshire CC v Islington BC [1999] 2 FLR 881, 2000) 2 WLR 193 (care/ designation of local authority under Children Act 1989), Court of Appeal
- Re G (Adoption: Illegal Placement) [1995] 1 FLR 403, Court of Appeal Re R (A Minor) (Contempt) [1994] 2 FLR 185, Court of Appeal Re SW (A Minor) (Care Proceedings) [1993] 2 FLR 609 Re W (A Minor) (Secure Accommodation Order) [1993] 1 FLR 692

Publications

- Family Law Journal, May 2001 Number 6, Article on Legal Representation in Care Proceedings – a commentary on the decision of the Court of Appeal in Re B and T (Care Proceedings: Legal Representation) [2001] 1 FLR 485

Qualifications

- MA (Cantab) Hons

Education

- Huddersfield New College, Trinity Hall Cambridge (MA Hons)