



Ben Mansfield

Call: 2005

Barrister

Testimonials

He handles a broad range of serious public law children cases.

Legal 500, 2019

Experienced in public law proceedings

Legal 500 - 2017

Experienced in public law proceedings

Legal 500 2016

His preparation for a case is careful and thorough

Leading Junior in Family and Children Law - Legal 500, 2015

Practice Profile

Private

Ben undertakes complex private law cases including:

- Parental alienation.
- Surrogacy.
- International relocation.
- Intractable contact disputes and High Conflict cases.
- Domestic violence.

Barristers | Mediators | Arbitrators

+44 (0)20 7421 8000

4 Field Court, Grays Inn, London WC1R
5EF

Areas of Experience

- Private Law Children
- Public Law Children
- International
- International Movement of Children
- Modern Families and Fertility Law

Contact Clerks

Telephone: 020 7421 8019

Email: clerks@36family.co.uk

Contact Ben

bmansfield@36family.co.uk

Ben is renowned for his mastery of the detail of the case, skilled negotiation and focused and effective cross-examination, and his ability to instil confidence in his clients.

Public

Ben undertakes serious and complex public law cases, including:

- Catastrophic injury and death.
- Radicalisation.
- Sexual abuse.
- Care cases with a Human Rights Act element.
- Re-opening of fact-findings.
- Contested adoption.

His cases are often in the High Court containing complex medical and legal issues, and he is well regarded for his written and oral advocacy, and management of challenging evidence.

Work Undertaken

Private law - children

Public law - children

International children

Human Rights Act claims

Appointments & Memberships

- Inner Temple
- Family Law Bar Association
- Midland Circuit
- Deputy Chair of the Leicester and Leicestershire Family Justice Board, Education and Training sub-committee

Notable Cases

A City Council v A Mother & A Father & Ors (Care Proceedings: Radicalisation) [2019] EWHC 3076 (Fam)

High Court: Care proceedings where the key issue was radicalisation and extremist material. The children are placed at home under final care orders with exceptional support measures including monitoring of electronic devices. The Judge praised the approach to assessment, and often it is criticised in this category of cases.?

H (A Minor) v Northamptonshire County Council & Legal Aid Agency [2017] EWHC 282 (Fam)

High Court: care proceedings with Human Rights claim. Authority on third party costs orders in care proceedings (obtained against the Legal Aid Agency), and procedural guidance given as to how to prosecute Human Rights Act claims associated with care proceedings.

A and Anor v Northamptonshire County Council and Ors [2018] EWHC 3244 Fam

High Court: re-opening of fact finding for non-accidental injury with arguments about Ehlers Danlos Syndrome. Successfully resisted re-opening.

Northamptonshire County Council & Anor v Lord Chancellor (via the Legal Aid Agency) [2019] 1 FLR 169

High Court: Ground-breaking litigation against the Legal Aid Agency for Declaratory Relief that Legal Aid Agency decision(s) to attach care proceedings statutory charge to HRA damages was unlawful. This resulted in a change in policy by the Lord Chancellor with clear guidance set out as to how to avoid the cross-application of the care proceedings statutory charge to HRA damages.

Re: Q (A Child) (Interim Care Order: Jurisdiction) [2019] 2 WLR 1161, Fam D

High Court: Statutory interpretation of the Children Act 1989 provisions in relation to the ability or otherwise of the court to make an interim care order after a child's 17th birthday. Decision that there is no power to do so but that in exceptional circumstances care proceedings can continue for children who are aged 17.

M (Children) [2019] EWCA Civ 1364

Court of Appeal: Resisted a challenge to the decision of Keehan J in to disclose parents' statements and position statements to the Police during care proceedings. The court considered the case of EC (Disclosure of Material) [1996] 2 FLR 725 and found that it was compliant with the Human Rights Act.

Education and Qualifications

Nottingham Law School, Bar Course - very competent

Nottingham Law School, Graduate Diploma in Law - commendation

London School of Economics - International Relations and History - 2:1 joint honours