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## \*Maria Hancock

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### Practice Overview

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Maria Hancock's is a working door tenant at 30 Park Place and predominately practices from Westgate Chambers in Lewes, East Sussex.

With a qualification in Social Work and a background in Child Protection before being called to the Bar, Maria Hancock is adept at handling all Children Act work at all degrees of complexity in all levels of courts. She represents parents, grandparents and other relatives, Guardians (children), separately represented children, Local Authorities and particularly vulnerable parties through the Official Solicitor. Her expertise in Children Act matters extends to all areas in applications brought in public law and private law proceedings, including Adoption, Care Orders, Special Guardianship Orders, Wardship, Inherent Jurisdiction and Secure Accommodation Orders – such applications arising from issues which include physical, sexual, emotional harm, cultural and religious issues, FII and Domestic Violence.

She is also trained in relation to the recently introduced DVPOs.

Maria Hancock is extremely approachable and gives expert advice, representation and guidance through all stages of proceedings.

She accepts work under the Direct Access scheme.

She also specialises in associated Judicial Review applications and has experience, for example, of cases where the lawfulness of a Local Authority's approach to financial assistance provided under Special Guardianship regulations is under scrutiny, and where the lawfulness of a Local Authority's Pathway Plans for Care Leavers is in question and where the lawfulness of a Local Authority's action in deliberately frustrating a parent's ability to apply for a revocation of Placement Order is criticised by the Court of Appeal.

Likewise, she specialises in Human Rights applications within care proceedings – for example, involvement in a case where children were entitled to findings being made against a Local Authority in light of that Local Authority's decision-making about inappropriate foster placements, and where there have been breaches of a young person's rights and unlawful deprivation of liberty in Secure Accommodation situations and where there has been insufficient adherence to guidance in respect of Police Protection Orders vs Emergency Protection Orders.

Court of Protection Maria Hancock is experienced in providing advice and representation and guidance in cases which involve, for example, capacity decisions involving care, medical treatment and safeguarding liberty (DOLS situations).

### Notable and Reported cases



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- Re K – A.
    - High Court case including an intractable Contact dispute. Represented a Father against whom serious allegations had been made by the Mother. No findings made. Contact not ordered due to psychological impact upon Mother who had care of the child.
  
  - Re K and A – A.
    - High Court case involving serious intra familial sexual abuse including rape. Represented one of the three fathers. Care Orders/Placement Orders made.
  
  - Re F (A Child) [2008] EWCA 439, [2008] 2 FLR 550.
    - Represented a Father in an Appeal in a case in which the Local Authority's conduct was described as an example of the worst kind of sharp practice, disgraceful, an abuse of power and wholly unacceptable. In the bringing of the Appeal, the Father was described as having done a public service in exposing the Local Authority's disgraceful conduct.
  
  - Re A (Children) (Non-Accidental Injury) [2009] EWCA Civ 1577, [2010] 2 FCR 588.
    - Represented a Mother in a non-accidental injury case involving a three day old baby, in which the family said that hospital staff had caused the injury. Mother found not to have caused the injury.
  
  - Re H (2010)
    - Represented a Mother whose 18 month old child had sustained serious fractures, including bilateral skull fractures. Mother exonerated.
  
  - Re P (Children) (Identity of Mother) [2011] All ER(D) 96, [2011] EWCA Civ 795
    - Represented the children in a case where the eldest child's maternity was in dispute. Child refusing to participate in DNA test. The County Court was found not to have erred in refusing to order a Fact Finding Hearing on the issue. Importance of knowledge of parentage. Appropriateness of Fact Finding Hearings.
  
  - A v ESCC and Chief Constable of Sussex Police [2010] EWCA Civ 743
    - Represented a Mother at an earlier stage in these proceedings, bringing a Human Rights claim on her behalf in respect of the appropriateness of taking Police Protective powers as opposed to issuing an application for an Emergency Protection Order.
  
  - A Council v M and Others (No 1) (Fact Finding, Adoptive Child; Artificial Insemination) [2012] EWHC 4241 (Fam), [2013] 2 FLR 1261, FD.
  - A Council v M and Others (No 2) (Welfare; Adoptive Children; Artificial Insemination) [2012] EWHC 4242 (Fam), [2013] 2 FLR 1261, FD.
  - A Council v M and Others (No3) (Reporting Restriction Order; Adoption; Artificial Insemination) [2012] EWHC 2038 (Fam), [2013] 2 FLR 1270, FD.
  - A County Council v M and Others (No 4) (Foreign Adoption: Refusal of Recognition) [2013] EWHC 1501 (Fam), [2014] 1 FLR 88, FD.
  
  - Re A and E.



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- (forthcoming) – Represented a Father who is resident in Namibia in Care Proceedings. Findings sought and made against a Local Authority that failed to involve him sooner.
  - Re A and B (Children; Brussels II Revised; Article 15) [2014] EWHC 3516 (Fam)
    - Represented the children in public law proceedings transferred to the Czech Republic

## Recommendations

- “She is further recognised for her understanding of mental health issues and Court of Protection proceedings. She gives very calm presentations but can also be very persuasive in court; she’s not frightened to stand up for her clients.” “Maria is very good at cross examination. She can tease out information that sometimes even takes those in the case by surprise.” (Chambers & Partners 2015)
- “Her practice in children matters is very highly thought of by the judiciary and instructing solicitors. She has a particular specialism in care proceedings . . . numerous complicated care cases ranging from contested maternity and adoption to allegations of serious physical, sexual and emotional abuse.” (Chambers & Partners 2014)
- “A Children Act specialist, with particular expertise in cases involving physical, sexual and emotional harm.” (Legal 500 2014)
- “Maria Hancock has gained a reputation as a tenacious advocate for parents in contested care and contact disputes.” (Legal 500 2013)

## Education & Qualification

- B.A. (Hons) OU
- CQSW

## Memberships

- FLBA
- Chair, Kent & Sussex FLBA
- Bar Representative on Sussex FJB
- South East Circuit
- Sussex Bar Mess
- Member of Chambers Trust Committee