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## SIMON JOHNSON

"Simon has an incredible knowledge of the subject combined with significant experience. He is able to deal with most difficult and vulnerable clients when at court, putting them at ease and explaining the court process to them in clear terms they can understand."

Legal 500 2024

Call: 1981

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Simon was called to the Bar (Gray's Inn) in July 1987, having previously been in practice as a solicitor (admitted November 1982). He is a specialist child care practitioner and is instructed on behalf of parents, family members and children.

Simon deals with cases involving the most serious issues, including non-accidental injury, sexual abuse and extreme neglect.

Simon's breadth of experience, and what has been described by instructing solicitors as a notable thorough approach to case preparation and presentation, makes him an effective advocate whose services are frequently sought by solicitors and who is engaged in court on most days. He also brings to his dealings with lay clients a vast experience of, and sympathetic understanding towards, the variety of human characteristics, limitations and failings that bring his clients into contact with the family law system. He has very extensive experience of dealing with clients with psychiatric and psychological difficulties, including learning difficulties and who have a history of substance abuse.

He maintains an interest in education law. He has written articles on this subject and has contributed to *Westlaw UK Insight*.

### Notable Cases

- **Medway Council v JL, AJ and X** Judgment of Theis J given on 17 November 2016, reported [2016] EWFC 78 (Fam): long running and complex case involving issues of placement of a child in care overseas and the proper approach to be taken by the court to a plan for adoption by family members.
- **Aburn v Aburn** [2016] EWCA Civ 72 Decision of the Court of Appeal in relation to the proper approach to setting the level of periodical payments following divorce.
- **Croft v Broadstairs & St. Peter's Town Council** [2003] EWCA 676 Civ [2003] All ER (D) 273: claim by

employee or compensation for psychological damage caused by employer's conduct.

- **Re D (Grant of Care Order: Refusal of Freeing Order)** [2001] 1 FLR 862 CA
- **Re H (A Minor) Re K (Minors) (Child Abuse: Evidence)** [1989] 2 FLR 313 CA
- **Medway Council v Mother & Ors** [2014] EWHC 308 (Fam) **Theis J** 31 January 2014. Alleged non-accidental injury of baby shaking: observations on use of section 20 of Children Act 1989, burden and standard proof and medical evidence.

## Qualifications

- LLB (Hons.) (Wales) Aberystwyth 1979
- Passed Solicitors' Final Examination, College of Law, Chester 1980

### Languages

Basic French, German and Italian.

## Outside Interests

Reading (esp. history), music (he reviews concerts for a local newspaper), walking, cinema, travel and trying to make his French, German and Italian a little less basic.

Simon was active in local politics until he found it was incompatible with his professional commitments. He was an elected member of Kent County Council from 1993 to 1997 and held office as Vice-Chair of the Education Committee and Chair of the Special Educational Needs Sub-Committee. He has served as a school governor.

## Publications

Simon maintains a deep interest in the development of child law and family law generally. Throughout his years in practice has been a regular contributor to Family Law magazine and other legal journals.

He is a co-author of two well received books: *Assessments of Parents in Care Proceedings* (Jordans 2014) and *Child Protections Proceedings: Care and Adoption Orders* (LexisNexis 2017).

**Simon's notable articles include:**

- In a New York adoption state of mind [2016] February Family Law Magazine
- Decisions, decisions: choice of school and the 'judicial reasonable parent' [2013] August Family Law Magazine
- 'Religion, Children and the Family Courts' [2013] May Family Law Magazine
- 'What do Children Cases Actually Decide?' [2012] April New Law Journal
- 'How Many Parents Does a Child Need?' [2012] March Family Law Magazine
- Case note on Re T (Residential Parenting Assessment) [2011] EWCA Civ 812: [2011] September Family Law Magazine
- 'God Never Gave Her a Chance: Won't an Independent Social Worker?' Applications for Assessments [2011] August Family Law Magazine
- 'Pre-Nuptial Agreements after Radmacher v Granatino' [2009] August Family Law Magazine
- Case note on Holmes-Moorhouse v Richmond upon Thames London Borough Council [2009] 1 FLR 904 [2009] March Family Law Magazine
- 'Shared Residence Orders: For and Against' [2009] February Family Law Magazine

He has also spoken on a variety of legal subjects at the regular seminars organised by Stour Chambers and other venues. He is a visiting lecturer in Family Law at the University of Kent.