Five Pump Court Chambers

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Lydia Stephens



Barrister

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Practice overview

Lydia is a criminal and family barrister. After completing pupillage at a criminal set, where she prosecuted and defended in the Youth, Magistrates' and Crown Court Lydia joined 5 Pump Court, where she has developed a broader practice that incorporates family and regulatory work too.

Lydia's criminal practice is broad. She is instructed in cases involving serious violence, domestic abuse, sexual offences, weapons (including firearms), drugs and arson. She is a **Grade 2 CPS General Crime Panel** Prosecutor and works almost exclusively in the Crown Court where she is regularly instructed in serious case with vulnerable complainants and witnesses.

In respect of her defence practice, Lydia is adept at representing clients in cases involving violence and sexual offences. Before pupillage, Lydia worked for nine months as a criminal defence paralegal at **Freemans Solicitors and for 3 months as a volunteer with Amicus in Philadelphia, Pennsylvania** (USA). Lydia is familiar with the challenges faced by criminal solicitors, and she is at ease representing clients from a range of different backgrounds.

These experiences have assisted Lydia in her transition into **family law** in which she accepts instructions in both public and private children proceedings and applications for domestic abuse injunctions. She has represented parents, Local Authorities, applicants and

respondents and is particularly comfortable in cases involving domestic abuse.

Lydia is known for her thorough preparation, clear and pragmatic advice and her ability to deal with and challenging witnesses and clients in a firm but sensitive manner. She is a calm and persuasive advocate.

Lydia also has experience acting as a case presenter for the **Nursing and Midwifery Council (NMC)** in the early stages of fitness to practise proceedings and welcomes instructions in this area.

Criminal Prosecution

Lydia is a **Grade 2 CPS General Crime Panel** Prosecutor. Alongside Crown Court trials she regularly conducts PTPHs, appeals from the Magistrates' Court, ground rules and other interlocutory and interim hearings as well as complex sentencing hearings and proceedings under the Proceeds of Crime Act 2002.

Her prosecution practice includes cases involving serious violence, domestic abuse, sexual offences, weapons (including firearms), drugs and arson.

Within those areas Lydia is particularly skilled at taking on cases requiring detailed and advanced preparation. She takes a thorough approach to case preparation and is attentive to ensuring that the relevant evidence and information are properly before the Court. She is able to provide practical advice on procedural and evidential issue, preliminary applications and acceptable pleas. She is a fair and measured prosecutor and a confident advocate well versed in CPS policies.

R v AG: Prosecuted a complex series of committals for sentence involving a young defendant who crossed several relevant age thresholds and had committed a large and significant range of offences including violence, weapons and motoring. Lydia produced a 35-page sentencing document outlining the relevant law, guidance and ancillary matters to assist in the sentencing hearing.

R v KES: Prosecuted a defendant charged with a section 18 wounding against an individual who sustained life changing injuries. Lydia was able to question experts as to the complex effects that the defendant's mental health conditions may or may not have had on his ability to form the requisite intent.

R v SG: Successfully prosecuted a defendant charged with arson and criminal damage after attempts to start a fire in a hotel room.

Criminal Defence

Lydia represents defendants in the Magistrates', Youth and Crown Court and is increasingly instructed in serious and complex defence matters. Her

practice encompasses a range of offences including violence, domestic abuse and sexual offences.

She is known for her thorough preparation, clear advice and focused, robust advocacy. She is particularly comfortable representing vulnerable or challenging clients from a range of different backgrounds and approaches sensitive cases with vigour and without judgment.

Her recent experience includes acting as led junior defence counsel in a murder case in which her client had been charged with murdering his wife. The case involved complex psychiatric evidence. The Crown ultimately accepted a plea to manslaughter by reason of diminished responsibility and the defence were able to persuade the Court to exercise their discretion in departing from the starting point ultimately securing a 2-year suspended sentence for the client.

R v AK: Represented a defendant in the Crown Court for breach of a suspended sentence order. Notwithstanding the accepted breach, Lydia mitigated on the defendant's behalf and persuaded the Court not to activate the SSO. The breach was instead marked by way of a fine and the order allowed to continue with reduced conditions.

R v RD: Represented a defendant charged with obstructing a police officer at a first appearance. The defendant had provided a false alibi on behalf of another who was under police investigation. After the defendant pleaded guilty Lydia mitigated on the defendant's behalf and they received a conditional discharge.

R v AB: Defended a sentence in the Crown Court whereby the defendant faced a significant period in custody for strangulation. Lydia persuaded the Court to accept an adjournment for the preparation of an expert report to assess the defendant for any mental health issues and the impact they may have had on his culpability.

Family law

Lydia represents clients in applications for domestic violence injunctions such as non-molestation, occupation orders. She can form a rapport with her clients quickly and engage with litigants in person on their behalf in a calm manner despite the often emotionally charged nature of such cases.

Lydia has acted for parents in private children cases and for parents and Local Authorities in public children cases. Lydia is aware of the law and the importance of managing expectations at Court.

Prior to pupillage Lydia gained extensive pro bono experience as a volunteer at Support Through Court at the Birmingham Civil and Family Justice Centre. She also has a long-standing interest in family law and she actively welcomes instructions in this area.

Lydia's practice in criminal law where she deals with highly emotive issues, clients from a wide range of backgrounds who are in very stressful circumstances, and allegations of domestic abuse, has equipped her with the skills needed to undertake instructions in this area.

K v M: Represented a private law applicant seeking a NMO against her partner following various allegations of controlling and abusive behaviour. The bench found the majority of the allegations proven and ordered the NMO.

C v C: Represented an applicant seeking a child arrangement and prohibited steps order following concerns about drugs use. The Court granted the orders in the terms proposed and ordered the applicant's costs be paid by the respondent at Lydia's request.

Regulatory

Lydia has experience acting for the **Nursing and Midwifery Council (NMC)** in the early stages of fitness to practise proceedings. She is developing her regulatory practice and welcomes instructions in NMC proceedings.

Education

- BTC, BPP University - Merit
- GDL, BPP University - Commendation
- BA Hons English Language & Literature, University of Oxford - 2:1

Memberships

- Criminal Bar Association
- Family Law Bar Association
- Women in Criminal Law

Prizes

- Lady Margaret Hall, Thackeray Prize — 2019
- Lincoln's Inn Lord Denning Scholarship — 2020
- BPP Career Commitment Scholarship — 2020
- Lincoln's Inn Debating Shield Winner — 2021

Notable Cases

R v DR (Prosecution): Successfully prosecuted a serious domestic abuse case involving a particularly vulnerable complainant who had made several retraction statements during the proceedings. Through careful and sensitive questioning, Lydia was able to elicit an account from the complainant detailing the offending and explaining the circumstances in which the

retraction statements had been made. Lydia secured convictions despite the significant evidential challenges presented by the retractions and their potential impact on the complainant's credibility.

R v RC (Prosecution): Successfully prosecuted a defendant charged with possession with intent to supply a Class A controlled drug. In the absence of supporting telephone evidence, Lydia built the prosecution case from the surrounding circumstances, drawing together the available evidence to establish that the drugs were held for the purpose of supply. Lydia secured convictions despite the significant evidential challenges presented,

R v KES (Prosecution): Prosecuted a defendant charged with a section 18 wounding against an individual who sustained life changing injuries. Lydia was able to question experts as to the complex effects that the defendant's mental health conditions may or may not have had on his ability to form the requisite intent.

R v AS (Defence): Acted as led junior defence counsel in the defence of an 80-year-old man charged with the murder of his wife. The case involved complex psychiatric evidence. The Crown ultimately accepted a plea to manslaughter by reason of diminished responsibility and the defence were able to persuade the Court to exercise their discretion in departing from the starting point ultimately securing a 2-year suspended sentence for the client.

R v RB (Defence): Represented a defendant at sentence for possession of indecent images, committed whilst on licence following previous serious sexual offending. Despite the seriousness of the offending, Lydia secured a non-custodial sentence and successfully challenged a number of proposed SHPO terms, arguing that they were too broad, disproportionate and unenforceable.

R v AK (Defence): Represented a defendant in the Crown Court for breach of a suspended sentence order. Despite the breach being accepted, Lydia successfully persuaded the Court not to activate the suspended sentence. The breach was instead marked by way of a fine and the existing order was allowed to continue with reduced conditions.

K v M (Family): Represented a private applicant in family proceedings seeking a non-molestation order against her partner following allegations of controlling and abusive behaviour. The majority of the allegations were found proved and the Court made the non-molestation order.

C v C (Family): Represented an applicant in family proceedings seeking a child arrangements order and prohibited steps order following concerns regarding drug use. The Court granted the orders in the terms proposed and, following Lydia's submissions, ordered the respondent to pay the applicant's costs.