



## Kirsty Day – Barrister

Called 2016

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### **Profile:**

Kirsty joined Chambers as a Tenant in April 2019 following the successful completion of her Third Six Pupillage.

Prior to completing Pupillage, Kirsty worked as a Coroner's Inquest Officer for Kent County Council where she handled deaths in custody and progressed them through to Inquests. Prior to this, Kirsty was a research Assistant for Professor Wayne Morrison at Queen Mary University London.

During her time at University, Kirsty volunteered for Vocalise where she taught debating in HMP Wormwood Scrubs. She was also an IPSEA advocate representing parents of children with learning disabilities at Education Tribunals across London, including at the Royal Courts of Justice. Kirsty also volunteered at the Queen Mary Legal Advice Centre in the family law department and was a manager of the Queen Mary Pro Bono Society where she organised events for students to access and pursue a career at the Bar.

### **Family**

Kirsty specialises in both public and private family law.

In private proceedings, she has represented clients (including parents and grandparents) at all stages of child arrangement hearings, financial remedy hearings and enforcement hearings with cases involving additional complexities such as international relocation and domestic violence issues. Kirsty also has experience of representing clients in applying and resisting non-molestation orders in addition to Fact Finding Hearings.

Kirsty has also acted in care proceedings including applications to be added as a party to proceedings, Interim Care Orders and applications from the Metropolitan Police Service for disclosure from care proceedings.

Her approachable but professional nature ensures clients are put at ease. She is dedicated to every client and approaches each case with enthusiasm and skill.

### **Crime**

Kirsty has represented a wide variety of clients from all backgrounds. Kirsty regularly appears in both the Magistrates' and the Crown Court and has experience with Trials, Bail Applications, PTPH's, Sentences, Appeals and minor POCA hearings.

Kirsty has represented clients on first appearances for offences of theft to rape and has trial experience involving various offences including Indecent Exposure, Domestic Violence and Domestic Burglary.

Kirsty is also adept at handling legal applications to exclude and introduce evidence, drafting advices and mitigating on behalf of her clients.

Kirsty also regularly defends in road traffic matters including special reasons and exceptional hardship hearings.

### **Youth Court**

Within her criminal practice, Kirsty frequently appears in the Youth Courts handling difficult clients charged with serious offences including armed robbery, GBH and Wounding and possession of offensive weapons.

Kirsty often achieves good results at trials and at sentencing hearings and has the ability to build a rapport quickly with vulnerable clients to ensure she is able to communicate their case effectively and convincingly to the court.

### **Notable Cases**

#### *Crime*

**R v W (Youth Court) 2020:** Secured an acquittal for a vulnerable 15-year-old who was accused of PWITS Class B and Possessing a Bladed Article. The defendant had been the victim of modern slavery and had the benefit of an expert psychologist. The defendant did not give evidence at trial and he had a significant learning difficulty and a traumatic past.

**R v G (Youth Court) 2020:** Successfully argued an Abuse of Process point which necessitated a voir dire in the youth court on the basis that the police had promised the defendant a caution (which the police denied) and yet the case had proceeded to prosecution and trial.

**R v H (Youth Court) 2020:** Persuaded a court to pass a non-custodial sentence for a young person with a significant history who had committed a S18 GBH, robbery and possessing a bladed article.

**R v J 2020:** Persuaded the CPS to discontinue a case due to the misconduct of police officers in investigating the offence.

**R v F 2019:** Secured a half-time acquittal for a defendant accused of assaulting a police officer on the basis that the officer was acting outside of the execution of his duty at the time as he had tasered the defendant twice unnecessarily.

### *Family*

**R v N 2020:** Represented a client in a 3-day Fact Finding Hearing involving several allegations of serious sexual offences resulting in some of the findings being proven.

**R v L 2018:** Appeared for a client in the High Court in an emergency hearing which prevented the other parent from abducting the couple's young child to a foreign country.

### **Testimonials**

*“thank you for all the trouble you put in to securing [the defendant's] eventual acquittal [...] I know that [the defendant] and his father join me in thanking you as they telephoned me as soon as they got out of court and were quite overcome [...] Again many thanks for all your hard work and dedication.”*

*“She clearly has ability and I thought her manner to be professional and effective.”*

### **Awards & Scholarships**

Lincoln's Inn Pupillage Award - 2017

Lincoln's Inn Kennedy Scholarship - 2015

ULaw Advocacy Award in Family Law – 2015

Queen Mary University Pearl Prize in Family Law - 2014

Queen Mary Legal Advisor Award - 2014

### **Memberships**

Bar Pro Bono Unit (Panel Member)

Lord Denning Society (Scholar)

IPSEA (Tribunal Support Worker)

The Honourable Society of Lincoln's Inn

Family Law Bar Association

Criminal Bar Association

### **Interests**

Roller Skating (Grade 2)

Musical Theatre (Watching not participating!)

Karate (1st Dan in Karate, 1st Dan in Self Defence)

Sewing

### **Contact Details:**

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