



**Five Pump
Court Chambers**

5 Pump Court
Temple, London
EC4Y 7AP, UK
clerks@5pumpcourt.com
Tel: 020 7353 2532

Lydia Stephens

Barrister

Call: 2021

lydiastephens@5pumpcourt.com

Please call 020 7353 2532 to instruct



Practice overview

Lydia is a criminal and family barrister. Lydia undertook pupillage at a pure crime set where she appeared regularly in the Youth, Magistrates' and Crown Court both prosecuting and defending a full range of offences. Lydia is currently on the CPS General Crime Panel at Grade 2. Following the successful completion of pupillage Lydia undertook a third six at 5 Pump Court where she is now a full tenant practising and accepting instructions in both criminal and family law.

Prior to pupillage Lydia worked as a criminal defence paralegal at Freemans Solicitors for 9 months covering all areas of criminal law. She is familiar with criminal procedure and the issues facing solicitors practising in this area, and is accustomed to working with clients from a range of different backgrounds. She has strong communication skills and is able to explain the law and procedure clearly.

Lydia also worked as an Amicus volunteer in Philadelphia, Pennsylvania for 3 months. Amicus is a charity that advocates for fair legal representation for those facing the death penalty in the U.S.A.

Lydia is a strong and persuasive advocate as well as an empathetic presence who can work with the most challenging clients whilst remaining calm and patient. She is able to take on complex cases and assimilate the information quickly. Her advocacy skills combined with her

legal knowledge and ability to relate to people mean she is a great choice for criminal and family work.

Criminal Prosecution

Lydia is a Grade 2 prosecutor for the CPS. She has prosecuted trials and lists in the Magistrates' Court across a wide range of offences.

Lydia has also prosecuted a full range of hearings in the Crown Court including: PTPHs, complex sentences, ground rules hearings and proceedings brought under the Proceeds of Crime Act 2002.

Recent cases include R v AG where she 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; and R v SYF where she successfully prosecuted a hearing brought under s.22 of the Proceeds of Crime Act. The Crown sought a variation of a previous confiscation order after it was found that some of the seized assets had a value higher than originally thought.

Criminal Defence

Lydia has defended a wide range of offences in the Magistrates Court at first appearance, trial and sentence including drugs; weapons; violence and sexual offences. She has also appeared in the Youth Court representing youths at first appearance and other types of hearings.

Lydia has often been instructed in trials at short notice and is able to deal with the information quickly and effectively in order to provide a high level of advocacy. She is able to advise on applications which might be appropriate and to prepare those quickly.

In addition, Lydia has appeared regularly in the Crown Court for PTPHs, bail applications and sentences, delivering concise and persuasive submissions to achieve the best outcome for the client.

Recent cases include:

- R v LR: Represented a young defendant charged with a domestic assault by beating at trial in the Magistrates' Court. During cross-examination of the complainant and an independent witness Lydia was able to note inconsistencies between their accounts. Following a compelling closing speech on those inconsistencies the Court acquitted the defendant.

- 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 VD: Represented a defendant at a special reasons hearing in the Magistrates' Court. The defendant had driven a significant distance whilst over the legal alcohol limit. Lydia presented the defendant's case as to how she drove whilst drunk to escape a domestic assault at her home. Special reasons were found and the defendant was not disqualified.
- R v ST: Represented a defendant who was charged with common assault upon a family member in the Magistrates' Court. The evidence of the alleged assault was captured in part on the BWV of an officer and was of a tenuous but compelling nature. Lydia succeeded in persuading the Crown to offer no evidence in exchange for an agreed non-conviction restraining order under s.5 Protection from Harassment Act 1997.
- 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 RM: Represented a defendant charged with common assault at trial in the Magistrates' Court. During cross-examination of the complainant Lydia was able to undermine their account by noting inconsistencies in their two witness statements and their evidence in chief. The Court found there was room for doubt and the defendant was acquitted of that charge.
- 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 regularly represents clients in applications for non-molestation orders and private children proceedings.

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.

Civil litigation

Lydia is building her experience in civil cases. Lydia has experience of prosecuting and defending regulatory matters in the Magistrates' Court. She has prosecuted and defended cases arising from failure to adhere to licensing conditions under the Housing Act 2004. Her familiarity with the rules and procedure in the Magistrates' Court makes her a natural choice for work of this type.

Before commencing pupillage Lydia undertook pro bono at Support Through Court at the Birmingham Civil and Family Justice Centre. She gained experience of helping and advising clients on their cases which included housing and personal injury matters.

Education

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

Memberships

- Criminal 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 CA: Prosecuted an appeal against conviction in the Crown Court in which the defendant was charged with threatening another with an offensive weapon (under section 1 of the Prevention of Crime Act 1953). When the complainant did not attend Court for trial Lydia

advanced a hearsay application to adduce the complainant's 999 call under the res gestae exception. The application was opposed by the defence who argued the call was not an example of res gestae and it would be unfair to admit it. Though the Court excluded the evidence given the prejudicial effect it would have on the defendant they were convinced by Lydia's submissions that the call was indeed an example of res gestae.

F v F: Represented an applicant at a return hearing for a without notice non-molestation order. Despite the absence of the applicant Lydia was able to manage the hearing in line with the applicant's instructions.

R v CC: Represented a defendant at an exceptional hardship hearing. Following compelling arguments related to the defendant's work, health and responsibility for her mother the Court did not disqualify her.

R v AB: Represented a defendant at a committal for sentence. The defendant was charged with intentional strangulation, assault by beating (x2), harassment (putting in fear of violence) malicious communications and criminal damage under £5000 (against his mother and former partner). Notwithstanding the fact that the starting point for strangulation alone is 18 month custody, Lydia (with the assistance of an expert report) was able to secure a suspended sentence for the defendant.

R v VP: Represented a defendant charged with breach of a non-molestation order arguing lack of knowledge and therefore reasonable excuse. Notwithstanding the fact the Court found the NMO had been served they were persuaded by Lydia's examination in chief such that the defendant was acquitted.