



Stephanie David

Year of call: 2016

Email: stephanie.david@39essex.com

Phone: +44 (0)20 7832 1111

"Stephanie has a brilliant legal brain: she is able to see problems and work them through before arriving at the best answer." The Legal 500 2024

"An engaging, courageous advocate." The Legal 500 2024

Steph has a multi-disciplinary practice focussing on matters affecting health, sport and the environment. She is ranked as a "rising star" in administrative law and human rights, as well as Court of Protection, and a "leading junior" in environmental law by The Legal 500. Her experience spans a wide range of work, from public interest judicial reviews, regulatory work to private law claims and commercial claims.

She holds degrees from the University of Cambridge and the London School of Economics, where she was awarded the prize for the best mark in the LLM in Human Rights (2014).

Steph is a regular contributor to the Journal of Environmental Law, LawInSport and Sport Resolutions. She has peer reviewed for the Australian and New Zealand Sports Law Journal.. She has also contributed to the latest edition of Wilmot-Smith on Construction Contracts (4th edition, May 2021),

Areas of expertise

Administrative and Public

Commercial

Civil Liberties and Human Rights

Healthcare

Environment and Planning

Sport

Court of Protection and Medical Treatment

Court of Protection and Medical Treatment

Steph has an extensive practice in the Court of Protection, spanning matters relating to health and welfare, including serious medical treatment and urgent applications. She is ranked as a "rising star" by The Legal 500. She regularly represents the Official Solicitor, family members, NHS Trusts, and Integrated Care

Boards.

She is a member of the Court of Protection Bar Association.

Notable recent instructions include:

- ***Re X (Catastrophic Injury: Collection and Storage of Sperm)* [2022] EWCOP 48** – As sole counsel, instructed by the hospital trust in an urgent out of hours application made by the parents of a 22-year-old man, X, who suffered from a catastrophic stroke, for a declaration that it would be lawful to retrieve X's gametes and for them to be stored both before and after his death on the signing of the relevant consents. Raised issues in relation to X's Article 8 Convention rights and the consent requirements in the Human Fertilisation and Embryology Act 1990.
Judgment
- ***Cambridge University Hospitals NHS Foundation Trust & Anr v (1) GW (by her litigation friend, the Official Solicitor) and (2) PW* [2021] EWHC 2105 (Fam)** – As sole counsel, sought authorisation for two treatment plans (in relation to multiple sclerosis and self-harm) and the use of physical restraint for a young person. The application raised a complex jurisdictional issue and was determined pursuant to the inherent jurisdiction and section 8 of the Children Act 1989.
- ***Birmingham City Council v (1) MS (by her litigation friend, the Official Solicitor) (2) LS and (3) NHS Birmingham and Solihull CCG* (Case No: 13607901)** – Raised a discrete issue of information-sharing with P's mother; and engaged the Article 8 Convention rights of both MS and LS
- ***CD (by her litigation friend, the Official Solicitor) v Suffolk County Council & Others* (case no. 13667835)** - As sole counsel for the NHS hospital trust, case raised difficult issue of CD's capacity to manage her diabetes; and consideration of whether capacity should be assessed on a macro basis or in respect of each micro-decision (***Greenwich London Borough Council v CDM* [2019] EWCP 32**)
- ***A NHS Hospital Trust v T (by her proposed litigation friend, the Official Solicitor) & Anr* (case no. 13960658)** - As sole counsel for the applicant NHS Trust, seeking an anticipatory order in the event that T lost capacity to make decisions about her obstetric care and delivery. There was an issue in relation to the authorisation of deprivation of liberty, following the case of ***NHS Trust 1 and another v G* [2014] EWCOP 30** and ***GSTT v R* [2020] EWCOP 4**.

Memberships

- Administrative Law Bar Association ("ALBA")
- Women in Sports Law ("WiSL")
- Court of Protection Bar Association ("CPBA")
- UK Environmental Law Association ("UKELA")

Qualifications

Education

- 2018, Asian International Arbitration Centre, Certificate in Sports Arbitration
- 2014-2016, City Law School, Bar Professional Training Course
- 2012-2014, Master of Laws, London School of Economics and Political Science ("LSE"), Distinction
- 2011-2012, City Law School, Graduate Diploma in Law, Distinction
- 2008-2011, Emmanuel College, University of Cambridge, Human, Social and Political Sciences, MA Hons (Cantab)

Scholarships and Prizes

- 2014 – Prize for best mark in LLM in Human Rights at the London School of Economics and Political Science
- 2013 – UK Semi-Finalist in the Jessup Public International Law Moot
- 2012 – Lord Denning Scholarship, Honourable Society of Lincoln's Inn
- 2009, 2010 – Senior Exhibition at Emmanuel College, University of Cambridge
- 2008 – Prime Minister's Global Fellowship

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

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clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com