



KYLE SQUIRE

Year called 2013

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OVERVIEW

Kyle has a strong reputation as a specialist in Court of Protection and children cases. Ranked as a leading junior in both practice areas in the Legal 500, it is noted that “Kyle is very knowledgeable in the niche specialism of issues where the Mental Capacity Act and Children Act cross over” (Legal 500 2024, Court of Protection).

As well as his practice through Chambers, Kyle is employed as counsel at Great Ormond Street Hospital for Children NHS Foundation Trust, a world leading children’s hospital based in London. In that role, he regularly represents the hospital in the High Court in relation to serious medical treatment applications, as well as in the Court of Protection.

Given his experience at GOSH, Kyle is well placed to act in cases which concern serious medical treatment or require forensic examination of medical evidence. Kyle regularly appears in the High Court, often against leading counsel.

PRACTICE AREAS

Court of Protection
Public Law Children
Private Law Children
TOLATA
Inquests

EXPERIENCE

Court of Protection

Kyle has a strong reputation in the Court of Protection, regularly instructed in complex cases which involve issues such as serious medical treatment, fluctuating capacity, and novel points of law. He takes instructions from P (the person who lacks capacity) by their litigation friend (often the Official Solicitor), NHS Trusts, local authorities and family members.

Regularly appearing before Tier 3 judges and having been instructed by the Official Solicitor in the Court of Appeal, Kyle has acted in a number of cases which have clarified or advanced the law in the Court of Protection. He is particularly sought after for cases involving young adults, where there is transition from children's services to adult services.

Kyle also represents vulnerable adults who are at risk of forced marriage, and where there are difficult questions over their capacity to engage in sexual relations and marriage.

Public Children

Regularly instructed in serious public children cases, most often involving allegations of serious nonaccidental injury, sexual abuse, or the risk of forced marriage, Kyle's experience working in a hospital makes him well placed to consider difficult and complex medical evidence, and to challenge experts on their opinions.

Kyle regularly represents vulnerable parties through litigation friends and the Official Solicitor. His knowledge of Court of Protection issues complements his work with vulnerable parents well, and he had been described by solicitors as 'going above and beyond what is expected of counsel'.

EDUCATION AND PROFESSIONAL MEMBERSHIPS

LLB Law (Hons) First Class

Professional Memberships

Court of Protection Bar Association F
amily Law Bar Association

CASES

[An NHS Trust v G \[2024\] EWHC 2207 \(Fam\)](#) – Acting for an NHS Trust in a case which considered the limits of parental consent to treatment for significant psychiatric conditions, concluding that the MHA Code of practice is wrong and requires updating.

[J v Luton Borough Council \[2024\] EWCA Civ 3](#) – Appeal acting on behalf of the Official Solicitor against a best interests decision that P should not travel to Afghanistan.

[Coventry City Council v MK \[2023\] EWHC 249 \(Fam\)](#) – Before Morgan J, representing P (through the Official Solicitor) in concurrent COP and FMPO proceedings where the court was required to determine the validity of a marriage which was alleged to have been contracted by proxy, and the consequent remedies given that P lacked capacity.

[Re S \(Children: Party Status\) \[2022\] EWCA Civ 1717](#) – Represented local authority as respondent to appeal where the determination of party status of a non-family member was appealed.

[Re K & L \[2021\] EWFC B39](#) – Representing a mother in fact-finding hearing concerning allegations of forced marriage. Significant criticisms of local authority’s investigatory process made by judge.

[A County Council v KK & Ors \[2020\] EWCOP 68](#) – Representing local authority in High Court proceedings before Mrs Justice Lieven relating to medical decisions concerning 17-year-old girl who mismanages her diabetes, raising ethical, moral and legal issues.

PUBLICATIONS

Round, K. and Squire, K (2021) ‘Protecting Liberty “In Practice”’: Principles and Mechanisms for Child Care Lawyers’ [2021] Fam Law 1544

TESTIMONIALS

“Kyle is very knowledgeable in the niche specialism of issues where the Mental Capacity Act and Children Act cross over. He has good interpersonal skills and a sound understanding of the law” -
Legal 500 2024, Court of Protection, Tier 5

“Kyle is extremely knowledgeable and reassuring towards clients and is always contactable and wellprepared. He is an excellent advocate”
Legal 500, Children, Tier 5

“Kyle is a knowledgeable barrister able to apply the legislation necessary to put forward the LA's case. He is a very polite, courteous barrister who provides advice on difficult complex issues”
Legal 500 2023, Children, Tier 5

“An outstanding advocate who represents clients fearlessly whilst maintaining professional relations with his colleagues and other advocates”
Legal 500 2022, Children, Rising Star

“Has an eye for detail. He is able to disseminate complex information quickly but with accuracy. Kyle is approachable and friendly. He is articulate during his advocacy, addresses all relevant complex points without being verbose”
Legal 500 2021, Children, Rising Star

AWARDS

Hubert Greenland Scholarship, Lincoln's Inn

Nominee for Richard Isaacson Memorial Scholarship

Lord Denning Scholarship, Lincoln's Inn

Best Student in Civil Litigation and Evidence on BPTC

Best Student in Criminal Litigation and Evidence on BPTC

Oxford University Press Prize for Transnational Commercial Law
