

## Stephen Reeder



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### Profile

He is an experienced advocate before all levels of domestic tribunal including the Administrative Court, High Court, Court of Pro

tection, Court of Appeal and Supreme Court. His Convention rights practice concentrates on socio-economic rights and Articles 5 (deprivation of liberty) 6 (fair determination), & 8 (private & family life), together with Article 1 of the First Protocol (property rights). He is experienced in drafting applications to the European Court of Human Rights and in acting for third party interveners in cases raising important issues of law and practice.

In addition he has a long standing practice in dispute resolution which concentrates on those same areas of law. Whilst much of his work is for individuals, both publicly and privately funded, he also regularly undertakes advisory, litigation and dispute resolution work for commercial and voluntary/NfP organisations, central and local government, social landlords and trades unions. This client group values his combination of legal specialism, commercial acumen, clear advice, tenacious advocacy and client-centred service.

### What the directories say

*"Stephen is an exceptional advocate. He is a joy to work with."* - Chambers and Partners 2023

*"He is incredibly experienced in this area and exudes real authority."* - Chambers and Partners 2022

### **Related practice areas**

Court of Protection & Mental Health  
Mediation

### **Publications & Training**

Stephen is an experienced author, lecturer, broadcaster and trainer. He is a contributing author to the 'New Law Journal' and to the 'Butterworths Human Rights Online' service. He writes the 'remedies' chapter of 'Supperstone Goudie & Walker on Judicial Review'. He co-authors volume 21 ('Housing') of 'Atkins' for Lexis Nexis.. He is the human rights editor of 'Tottel's Older Client Law Service'. He authors practice notes for the Lexis Nexis professional on-line service. He has delivered speeches and training for a wide range of organisations including Butterworths, CLT Training, Lime Legal, Legal Network Television, the Chartered Institute of Housing, Centrepont, Shelter, The Crown Estates, The West London Housing Partnership, The Devon Homelessness Managers Group, the Housing Law Practitioners Association and a large number of local authorities and registered providers. For many years he devised and helped deliver the annual seminar programme presented by the Housing & Social Welfare Team at Doughty Street Chambers. Since 2010 he has been a member of the organising committee for the annual national conference of the Housing Law Practitioners Association. He is a very experienced chair and facilitator and is often called upon to perform such roles at conferences and seminars provided by external organisations.

### **Mental Health and Court of Protection**

Much of Stephen's time is spent in the Court of Protection grappling with the provisions of the Mental Capacity Act 2005. He regularly accepts instructions from families, local authorities and the Official Solicitor in relation to litigants lacking capacity. He is very experienced in 'best interests' cases relating to welfare, healthcare, residence, contact and deprivations of liberty. He has a particular interest in dementia, the welfare of older persons, senior healthcare, withdrawal of life-sustaining treatment and end of life decisions. He is also well known for his expertise in issues of media access and open decision making relating to the CoP and has

advised a number of media and campaigning organisations. Many of his cases have attracted media attention. See [here](#) for examples.

## Housing and Social Welfare

Stephen offers a wealth of experience in all areas of housing related public and private law.

His public law practice concentrates on judicial reviews relating to homelessness and social housing allocation, and on section 204 homelessness appeals in the county court. Stephen has particular expertise in vulnerability and intentionality decisions which have a mental health context. In addition he has been contracted by a number of local housing authorities to carry out homelessness review decisions under the Housing Act 1996 in particularly complex cases.

He regularly appears in the county court in complex possession claims including those where anti-social behaviour is alleged. His combination of specialism in housing and mental health/capacity has made him the 'go to' barrister for housing cases where capacity and mental health are issues and/or where Article 8 ECHR defences are relevant to claims for possession. He is regularly instructed by the Official Solicitor and his agents on such matters.

Disrepair and poor housing conditions have always been an important part of Stephen's practice. He has acted in thousands of such cases. This has included a large number of multi-party actions relating to estate disrepair, infestations, pollution and inherent defects, together with estate renewal programmes. He was counsel in the Kinghold Estate, Five Estates, Wellington Estate and Marquess Estate multi-party litigation. His work representing the occupiers over a number of years during the estate renewal of the Marquess Estate in Islington was widely reported in the legal and mainstream press. He continues to undertake this work including those funded by Conditional Fee Arrangements.

## Community Care and Health

Stephen represents disabled and otherwise vulnerable adults and children in judicial review claims of public authorities in relation to community care and health care, mental health aftercare, Children Act assistance and National Assistance Act provision. He has a particular interest in the care and settlement of youths leaving the secure estate.

## Human Rights Law

His Convention rights practice concentrates on socio-economic rights and Articles 5 (deprivations of liberty) 6 (fair determination), & 8 (private & family life), together with Article 1 of the First Protocol (property rights).

## Mediation

Stephen is a CEDR and ADR Europe trained mediator with many years experience. He has been listed in the directory of mediators of the Bar Council of England & Wales since its inception. In 1994 he was a founding partner of the 'Housing Mediation Service' which provided specialist mediators for housing & property related disputes. He has extensive experience whether acting as a lead mediator or representing parties at mediations. He also has experience as a joint/second mediator in large scale dispute resolution. In recent years he has acted as mediator and represented parties in relation to the following types of dispute :

- Welfare related best interests issue disputes arising from Court of Protection or Family Court proceedings
- Property & affairs best interests disputes arising from Court of Protection proceedings
- Social welfare assistance disputes arising in Judicial Review or private law proceedings relating to homelessness, social housing allocation, community care provision, disability provision, mental health aftercare, Children Act assistance, and National Assistance Act provision
- Care home cost disputes involving care providers, commissioners, funders and service users
- Domiciliary care service and cost disputes involving care providers, commissioners, funders and service users
- Multi-party social housing regeneration schemes involving registered social housing providers, development partners, occupiers and other stakeholders
- Large-scale programmes for the displacement of occupiers to make way for urban regeneration schemes involving registered social housing providers, development partners, occupiers and other stakeholders
- Development and scheme disputes between social housing development partners and other stakeholders
- Anti social behavior and nuisance disputes

Stephen also accepts instructions to resolve disputes using inquisitorial med/arb determination models. He is a member of the Centre for Justice faculty of assessors which consists of 16 of the leading dispute resolution specialists in the UK. Since 2006 Stephen has enjoyed a part-time judicial appointment and sits on the Eastern Circuit. This judicial experience is a useful addition to his skill set for use in ADR and mediation.

Please **click here** to view full mediation profile.