

Timothy Bergin

Call: 1987



Tim is a highly experienced family barrister with over 30 years' experience at the Bar. Specialising predominantly in all matters concerning children's welfare, with emphasis on child protection, Tim is regularly seen at the family courts in and around Sussex and London representing parents and guardians in complex care cases.

In addition to public law, Tim has a strong reputation for representing parents in private law proceedings, in particular cases involving allegations of domestic abuse.

Recently commended by local judge in a complex child abuse case as providing *"excellent assistance to his client, particularly as he has managed, against last minute challenges, to keep the hearing on track which has been greatly appreciated, as has his strong advocacy"*.

In addition to offering his services as a family advocate, Tim is a family mediator having trained in 1997. He offers all aspects mediation and has used his empathy and sensitivity to assist separating parents to reach decisions on how best to separate. He is prepared to use alternative methods to assist parents to reach solutions by involving other professionals where appropriate, into the mediation process such as psychologists and child therapists.

Tim is a qualified Arbitrator under the Children Scheme and has undertaken arbitrations via MST and Zoom.

Between 2018 and 2021, whilst maintaining his practice at the Bar, Tim undertook a role at the City Law School, University of London as lecturer on the Bar Vocational Training Course teaching civil procedure, opinion writing and advocacy. This has helped him refocus and to improve his skills when returning full time to his chosen career at the Bar.

Outside his practice at the Bar, Tim is a keen motorcyclist and trains other motorcyclists to advanced rider level and is the Chair of RoSPA Southern Riders, a charitable organisation with over 300 members, which offers advanced motorcycle training with the aim to improve motorcycle riding and reducing road traffic

accidents.

Tim is an active member of the Mid-Sussex Triathlon Club and Marlins Swimming Club, and is particularly keen on open water swimming which he does throughout the year. Also, when time allows he is an enthusiastic skier

'He offers sound, sensible and proactive advice and advocacy.'

Legal 500 2021

I have commended Mr Bergin on his excellent assistance to his client, particularly as he has managed, against last-minute challenges, to keep the hearing on track which has been greatly appreciated, as has his strong advocacy. Mr Bergin represented him with great skill and strength.

Judge, 2021

"He brings tremendous sensitivity to harrowing children's work."

Legal 500

Children (Public Law)

Within public law children Tim is instructed in complex and lengthy Care Proceedings, representing parents, guardians and local authorities. Having an established court-based practice, he is able to put clients at ease via his familiarity with the process and calm manner.

Selected Cases

- **Re C (Child) [2013]**: Represented appellant mother in successful appeal – approach of court when child returned to mother's care.
- **Re G (Children) [2013] EWCA Civ 1017**: 'Man of straw and costs' – Counsel for mother (respondent) in lower court – appeal dismissed.
- **Re G [2013]**: Six day fact-finding hearing – represented father – serious injury to child's genitalia- finding that mother caused injury.
- Represented father in case involved fractured skull to baby. Case lasted 11 days and a finding made that the perpetrator was the child-minder.
- **Re M [2018]** represented father in 3 week case involving allegations that he had sexually abused his three young children. The Local Authority was represented by Leading and Junior Counsel.

Children (Private Law)

Tim has experience of representing both mothers and fathers in applications for orders in contentious private law cases involving allegations of parental alienation, intractable contact disputes, and domestic and international relocation. Tim also acts for parents in section 8 Children Act 1989 applications, including those which feature non-compliance and enforcement, require a rule 16.4 guardian, involving permission to remove children from England and Wales, and where special guardianship orders are sought.

Mediation

Tim trained as a Family Mediator in 1997, and has extensive experience working with separating parents. This has involved issues concerning children, finances and relocation abroad.

In light of the recent move to remote working and the backlog of cases delaying court dates, Mediation is an excellent alternative to going to court as it works well remotely, resolves issues within a reasonable timeframe and with considerable success.

Arbitration

After being admitted as an Arbitrator under the Children Scheme in 2017, Tim has undertaken arbitrations in person and remotely. Tim offers this service to separating parents and families as a way to quickly, clearly and cost-effectively conclude their case where the court was unable to accommodate the parties within a reasonable timescale.

Direct Access

Tim accepts work from lay clients via [Direct Access](#). You can view his profile [here](#).

Appointments

- Chairman of RoSPA SMART
- School Governor (2003 – 2006)
- Sussex Bar Mess Representative (2004 – 2007)
- Bar Council Human Rights Facilitator (1998)
- Advisor for the RSPCA on animal hoarding cases.
- Legal trainer to Social Services departments.
- Speaker for Schools.

Education

- Family Law Mediator
- Arbitrator (Children Scheme)
- MPhil (Exon)
- LLB (Hons)

Memberships

- FMA
- Lawyer's Who Mediate

Publications

- *'Alternate careers to the Bar: are they as good as you think?'* Counsel Magazine, 2022