



GARDEN COURT CHAMBERS

Lorna Cservenka

YEAR OF CALL: 2021, PREVIOUSLY ADMITTED AS A SOLICITOR IN 1997



Lorna handles children proceedings particularly complex care proceedings with a significant proportion of her work coming from Children's Guardians or parents accused by social services of abuse.

"I know you do your job above the best! You go beyond and you never gave up. Thank you for your incredible efforts from day one. You are a credit to your company."

PARENT CLIENT

"I have found that Ms Cservenka is meticulous in her preparation of cases and attention to detail. As an advocate, she is always very well prepared for trial, including prepared questions for witnesses. In my experience, she is very skilful in her cross-examination of witnesses and drawing out the key issues in the case. Her written and oral submissions are well thought out and include relevant case law."

If you would like to get in touch with Lorna please contact the clerking team:

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FAMILY CHILDREN'S LAW

Lorna has worked as a family law solicitor specialising in public law family work for 23 years before joining the bar. She is experienced in representing Children's Guardian's, separately represented children, parents, and other family members in public law family cases involving the following issues:

Alcohol and drug abuse, including proceedings in the FDAC courts

Hair strand testing and toxicology disputes

Domestic abuse

Non-accidental injury and physical abuse

Factitious and induced illness

Sexual abuse

Emotional abuse and neglect

Physical chastisement

Care proceedings where there is an international element including whether proceedings should be transferred to other jurisdictions

Applications for placement orders

Applications for secure accommodation orders and deprivation of liberty (DOLS) orders

Applications for emergency protection orders

Applications for discharge of care orders

Applications for contact with children in care

Lorna regularly represents vulnerable clients who have a learning disability, mental health issues and substance misuse issues.

Lorna is experienced in representing clients seeking to be joined as a party to care proceedings seeking child arrangements orders, special guardianship orders, or adoption orders.

FAMILY LAW

Private children work

Lorna has experience representing children via their Children's Guardian under r16.4 Children Act 1989 in private family law cases in fact-finding hearings and contested final hearings.

Lorna is experienced in special guardianship and adoption applications.

Lorna is instructed in private law children cases involving contact and residence applications including fact-finding hearings and contested final hearings where there are serious allegations of physical, sexual abuse or domestic abuse, parental alienation and cases involving applications to remove children permanently from the UK

Domestic abuse

Lorna is instructed in applications for non-molestation orders and occupation orders in cases involving serious physical and psychological harm and coercive control.

Lorna has experience of cases involving Female Genital Mutilation Protection Orders

NOTABLE CASES

Representation of grandmother in care proceedings

Lorna represented the grandmother of four children who was joined to care proceedings as an intervenor. The youngest child was a baby who was thought to have suffered multiple fractures to all of the child's limbs at various different times. The grandmother was considered to be within the pool of potential perpetrators. Expert evidence was called that established that the child suffered vitamin D deficiency and Ehlers Danlos syndrome. At a five-day fact-finding hearing, the family members were all exonerated from responsibility for the fractures.

Representation of r16.4 Guardian

Lorna represented the Children's Guardian in private law children proceedings for a Child Arrangements Order. Neither parent was represented. A five-day fact-finding hearing took place to determine the issues of whether the father had sexually or physically abused the children whilst they were in his care.

Deprivation of liberty and secure accommodation order

Lorna represented an 11-year-old Child via their Children's Guardian in relation to an application made by the local authority for a care order, deprivation of liberty order and secure accommodation order. Due to the shortage of secure unit places available in England and Wales, a deprivation of liberty order was sought to enable hospital staff to prevent the child from leaving a hospital ward whilst she remained there until a secure placement could be found. The NHS Trust was joined as a party in the proceedings. After a number of weeks, a secure accommodation unit was found and the court then made a secure accommodation order.

LB Richmond v B & W & B & CB [2010] EWHC 2903 (Fam) - Alcohol hair strand testing case

Lorna was the solicitor representing the mother in care proceedings which centred on her use of alcohol. The client had spent six months in a residential rehab. When she left the rehab centre alcohol hair strand testing was completed. The results contradicted her reported abstinence. Further testing was undertaken which contradicted the initial alcohol hair strand test. The High Court deemed the case a point of Wider Public Interest and heard evidence from the two testing companies about their conflicting results. The children were successfully returned to the mother's care.

BACKGROUND

Lorna was a solicitor for 23 years before joining the bar. She specialised in family law and particularly public family law cases and private law cases involving substantial allegations of abuse. Lorna was an accredited Law Society Children Panel solicitor, an accreditation that recognised her skill in representing children and young people. In 2011 Lorna won the prestigious Legal Aid Practitioner's Group Family Law Legal Aid Lawyer of the Year award. The award was given in recognition of her work representing the mother in care proceedings involving the first challenge to alcohol hair strand testing evidence. The case set the guidelines for how hair strand tests should be conducted. Lorna has conducted her own advocacy throughout her career.

TRAINING AND SEMINARS

Lorna appeared on the Sky News breakfast show live broadcast to discuss proposals to introduce a "Cinderella law" making emotional abuse of children a criminal offence - 30 May 2015

Lorna was a presenter in the panel discussion Trimega Webinar entitled [Women In Forensic Science And Child Protection](#) hosted by Meg Munn MP, Chair of the All-Party Group on Child Protection - 20 June 2012

Lorna was a speaker (with Alex Verdan QC and barrister George Butler) in a webinar entitled: The use of forensic science in child protection and the Public Law Outline - 24 April 2012

Lorna appeared on the BBC London region news programme, interviewed by Pdraig O'Brien in relation to the issues about alcohol hair strand testing that arose in the Richmond case. The accompanying article appears here: [Hair test 'nearly cost mother baby' - BBC News](#) - 1 December 2010

Lorna was requested by the Association for Lawyers for Children to address a parliamentary meeting at the House of Lords on Vulnerable Children and the Law chaired by Lord Walmsley in relation to the impact of proposed changes to the legal aid system - 7 July 2009

EDUCATION

College of Law, Chester - LPC

University College of Wales, Aberystwyth - LLB Hons

PROFESSIONAL MEMBERSHIP

Association of Lawyers for Children

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