



Katharine Scott

Year of call: 2000

Email: ks@39essex.com

Phone: +44 (0)20 7832 1111

Katie Scott advises and represents a broad range of clients in community care, mental health, and human rights claims. She specialises in welfare, medical treatment and property and affairs disputes in the Court of Protection (where the dispute concerns an incapacitated adult) or the family division (where the dispute concerns a child).

She is currently instructed as one of the junior counsel to the Infected Blood Inquiry and appears regularly at inquests (specialising in deaths that arise in hospitals).

She is an accredited mediator. She mediates a wide range of disputes, with a special focus on disputes in respect of incapacitated adults.

Katie has many years of experience working with vulnerable clients and witnesses and has had vulnerable witness training.

Areas of expertise

Court of Protection and Medical Treatment

Inquiries and Investigations

Administrative and Public

Alternative Dispute Resolution

Healthcare

Court of Protection and Medical Treatment

"She is brilliant; she is very good at picking through points of law and cases that involve tricky mental capacity issues, and her written work is very good." "A talented barrister who is sensitive when navigating cases and has a real gift for knowing how to pitch issues. She is an extremely reliable pair of hands." "She's personable, easy to work with and knows her stuff inside out. She's also very practical and reassuring."
Chambers and Partners 2020.

Katie has extensive experience in the Court of Protection and the High Court (when the inherent jurisdiction is invoked) in disputes concerned with the health, welfare, medical treatment and finances of incapacitated adults. She also acts in medical treatment disputes concerning children.

Cases of note

- **Re Y [2018] UKSC 46** - The case which established there is no obligation to bring cases

concerned with the withdrawal of life-sustaining treatment for those with a prolonged disorder of consciousness before the court in the event of agreement that withdrawal is in the P's best interests.
Judgment

- ***PW v Chelsea and Westminster Hospital NHS Foundation Trust and Others* [2018] EWCA Civ 1067** - A case concerning permission to appeal a "best interests" decision and transparency order concerning a patient with end-stage dementia.
Judgment
- ***Re X (deprivation of liberty)* [2015] EWCA Civ 599** - A case in which the Re X procedure for those deprived of their liberty outside the statutory scheme was designed.
Judgment
- ***Avon and Wiltshire Mental Health Partnership v WA & Anor* [2020] EWCOP 37** - A case concerning novel points about the best interests decision, when the court found the patient had capacity to litigate, but not capacity to make decisions about their medical treatment.
Judgment
- ***United Lincolnshire Hospitals NHS Trust v CD* [2019] EWCOP 24** - A case which established the court's ability to make contingent declarations under the Mental Health Act 1983 (MCA) in respect of CD, who at the time of the hearing had capacity to make decisions about her obstetric care. Followed in numerous subsequent cases.
Judgment
- ***An NHS Trust v CV, C NHS Trust, D NHS Trust CX (through his Children's Guardian)* [2019] EWHC 3033 (Fam)** - A case in which the court considered the provision of medical treatment to a 'Gillick competent' child.
Judgment
- ***NHS Trust v JP* [2019] EWHC 1672 (COP)** - A case in which the court considered the appropriate treatment plan for the delivery of JP's baby, including the administration of a general anaesthetic to her in the community.
Judgment

Recommendations

- *"She is a really personable advocate."* Chambers and Partners 2023
- *"She has a sharp and incisive legal brain."* Chambers and Partners 2023
- *"A very reliable junior who absorbs information and complex legal arguments incredibly quickly."* The Legal 500 2023
- *"She is one of the most sensible advocates I've ever come across, insofar as she has a particular gift for identifying the central point in a case, and she's imaginative in trying to find solutions."* Chambers and Partners 2019

Memberships

- Court of Protection Bar Association

Qualifications

Education

- 1998 – 1999 Inns of Court School of Law: BVC: Very Competent
- 1997 – 1998: BPP Law School: CPE: Distinction
- 1994 – 1995: University College London: MA Hons: Anglo-American Literary Relations

- 1991 – 1994: University of Surrey/University of Manchester: BA Hons English: 2:1

Scholarships and Prizes

- 1997 – 1998 – BPP: Prize for most outstanding exam performance
- 1997: Lincoln's Inn Scholarship

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

BARRISTERS • ARBITRATORS • MEDIATORS

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