



Annabel Lee

Year of call: 2010

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"She is extremely efficient, responsive and hard-working. Her skeleton arguments are exceptional." Chambers and Partners

"Very responsive and good at communication. Her drafting and advocacy are excellent-she is always in full control." Chambers and Partners

Annabel specialises in public law and human rights, in particular, in healthcare and mental capacity law. She also accepts instructions in commercial and construction law.

As a public lawyer, her broad experience encompasses areas such as: judicial review, human rights, mental capacity, mental health, inquests, education, information rights, community care, healthcare, immigration and public international law. Annabel regularly appears in a wide range of courts and tribunals, including the High Court.

Annabel is consistently recommended as a leading junior for Administrative and Public Law (including Local Government) and Court of Protection (Health and Welfare) by The Legal 500 and Chambers and Partners.

Areas of expertise

Administrative and Public Law

- Education Law
- Health and Social Care
- Immigration and Asylum
- Inquests and Inquiries
- Information Rights
- Public International Law

Commercial Law

Mental Capacity and Mental Health

Regulatory and Disciplinary

Mental Capacity and Mental Health

Annabel frequently appears in the Court of Protection and is instructed by individuals, the Official Solicitor, local authorities, NHS bodies and care homes. She has dealt with a wide range of disputes regarding residence, care, deprivation of liberty, contact, property and financial affairs, and serious medical treatment. She has acted in complicated welfare proceedings, including serious medical treatment cases in the High Court.

She has particular expertise in cross-border cases involving the international protection of incapacitated adults and regularly acts for the Health Service Executive of Ireland in cross-border placements.

She is a contributing editor of 39 Essex Chamber's Mental Capacity Report and the leading practitioners' textbook, Court of Protection Practice.

Her recent work includes:

- ***D (by his litigation friend, the Official Solicitor) v Birmingham City Council* [2019] UKSC 42**: represented the Official Solicitor in a successful appeal in the Supreme Court concerning the issue of whether parents can in law consent to the deprivation of liberty of an incapacitated 16 or 17 year old (led by Alex Ruck Keene and Henry Setright QC).
- ***NHS Trust v Y* [2018] UKSC 46**: represented the Intensive Care Society and Faculty for Intensive Care Medicine as interveners in the Supreme Court concerning the requirement to come to court before clinically assisted nutrition and hydration can be withdrawn with a prolonged disorder of consciousness (led by Alex Ruck Keene).
- ***Briggs v Legal Aid Agency* [2017] EWCA Civ 1169**: represented the Official Solicitor in the Court of Appeal regarding the extent to which medical treatment issues fell within the scope of section 21A of the Mental Capacity Act 2005 (led by Vikram Sachdeva QC)
- ***Salford Royal Hospital NHS Foundation Trust v P* [2017] EWCOP 23**: acted for the family of a patient concerning the withdrawal of clinically assisted hydration and nutrition where the patient was in a minimally conscious or permanent vegetative state (led by Victoria Butler-Cole)
- ***Cumbria CCG v S* [2016] EWCOP 32, *Salford Royal Hospital NHS Foundation Trust v P* [2017] EWCOP 23**: acted for the family of a patient in an application to withdraw clinically assisted hydration and nutrition from a patient in a minimally conscious or permanent vegetative state (sole counsel).
- ***HSE Ireland v PA, PB and PC* [2015] EWCOP 36**: acted for St Andrew's Healthcare in the leading case on the international protection of vulnerable adults concerning the recognition and enforcement of foreign orders (sole counsel).
- ***Re ARL; Public Guardian v ICL* [2015] EWCOP 55**: acted for a property and affairs deputy in an application by the Public Guardian to revoke the deputyship (sole counsel).
- ***Re MOD and others (Deprivation of Liberty)* [2015] EWCOP 47**: acted for a local authority in an application to authorise a deprivation of liberty where the Official Solicitor was not in a position to act as litigation friend (sole counsel).
- Acted for the family of a patient in a medical treatment application to authorise the provision of antibiotics, dialysis and CPR to a patient in a coma.
- Acted for an NHS Trust in an application for the administration of anti-retro viral medication to a patient with schizoaffective disorder.

Annabel also has been instructed in a wide range of mental health proceedings including Mental Health Tribunal hearings and applications to displace a nearest relative. She has also been involved with a number of judicial review challenges concerning aftercare duties under section 117 of the Mental Health Act 1983.

Recommendations

"She is extremely efficient, responsive and hard-working. Her skeleton arguments are exceptional." Chambers and Partners (2021)

"Very responsive and good at communication. Her drafting and advocacy are excellent-she is always in full control." Chambers and Partners (2021)

"Annabel's drafting is very succinct, very clear and detailed. Her advocacy is very persuasive and she is indeed a very good negotiator at the pre-hearing discussions with the other party's set." The Legal 500 (2021)

"Annabel is a very conscientious and hard-working junior counsel with a real eye for detail. She is also very personable and easy to work with." The Legal 500 (2021)

"She is a good advocate – she focuses her points and deals with matters very carefully." Chambers and Partners (2020)

"She is always on top of the latest legal developments and thinks outside the box to find the right solution for the client." *"Very approachable and thorough."* Chambers and Partners (2020)

"Thinks outside the box to find the right solution for the client." The Legal 500 (2020)

"A conscientious junior with a real eye for detail." Legal 500 (2020)

"She is an excellent junior: sharp, clever, and with an amazing ability to take on cases at last minute with a very busy diary." Chambers and Partners (2019)

"Annabel is really good with clients in stressful situations, and she's able to stand her ground with senior barristers in cases." Chambers and Partners (2019)

"She is excellent, reliable, inventive and intelligent. Annabel is willing to go the extra mile and is very professional." Chambers and Partners (2018)

"I think she adds a real vibrancy, she's really passionate and great with the clients in court. She really thinks creatively about problem solving." Chambers and Partners (2018)

Appointments

- Equality and Human Rights Commission C Panel of Counsel
- Attorney General's London C Panel of Counsel (from 1 March 2019 to present).
- UK Supreme Court Judicial Assistant to Lord Clarke of Stone-cum-Ebony and Lord Carnwath of Notting Hill (September 2013 to August 2014).
- Trainee (Pegasus Scholar) at the European Court of Human Rights, Strasbourg (September to December 2012).

Memberships

- Advocates for International Development (A4ID)
- British Institute of International and Comparative Law (BIICL)
- Constitutional and Administrative Law Bar Association (ALBA)
- Court of Protection Bar Association (CPBA)
- Human Rights Lawyers Association (HRLA)

Qualifications

- BVC, City Law School (2009-10) LLM
- (Public Law & Human Rights) (Distinction) UCL (2008-09)
- BA (Law), University College, Oxford (2005-08)

Prizes and Scholarships

- Pegasus Scholarship (ECtHR), Inner Temple (2012)
- Colombos Public International Law Prize, Middle Temple (2011)
- Athens Scholarship, Administrative Law Bar Association (2011)
- Queen Mother Scholarship, Middle Temple (2009)
- World Finalist, Jessup Public International Law Moot Court Competition (representing UCL) (finished 2nd in world) (2009)
- Best Respondent Memorial, Jessup Public International Law Moot Court Competition (UK rounds) (2009)
- National Finalist, The Times/Herbert Smith National Advocacy Competition (2008)
- Winner, Oxford Law Society Crown Office Mooting Competition (2008)
- National Finalist, Bar National Mock Trial Competition (2004 & 2005)

Additional Information

Publications

- Court of Protection Practice 2015, 2016, 2017, 2018, 2019 and 2020 (forthcoming) Editor, Jordan Publishing
- Court of Protection Law Reports, Editor, Jordan Publishing
- Disciplinary and Regulatory Proceedings (8th edition) – Contributor, Jordan Publishing
- Atkin's Court Forms: Human Rights volume 21(3) (2014) (with Hodge Malek QC, Jenni Richards QC and Jennifer Thelen)
- Wilmot-Smith on Construction Contracts (3rd Edition) – Contributor, Oxford University Press 2014
- McManus, Education and the Courts (3rd edition, 2012) (contributor)
- Administrative Court Digest (regular contributor)

Articles

- Withdrawing life-sustaining treatment: a stock-take of the legal and ethical position (2019) Journal of Medical Ethics (with Alex Ruck Keene)
 - Managing Cuts Lawfully (2016) ELGLB Apr, 7-22 (with Fenella Morris QC)
 - Focus on Article 13 ECHR (2015) JR 20(1), 33-41 Deprivation of Liberty Update (2015) Eld LJ 5(4), 415-519 (with Alex Ruck Keene)
 - Managing Cuts: Lawful Decision-Making, PSED and Consultation (2015) Eld LJ 5(2), 182-189 (with Fenella Morris QC)
 - Testamentary Capacity [2013] Eld LJ 272 (with Alex Ruck Keene)
 - Update: Court of Protection (with Alexander Ruck-Keene) S.J. 2013, 157(33) Supp (Private Client Focus)
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