



Katherine Barnes

Year of call: 2014

Email: katherine.barnes@39essex.com

Phone: (0)20 7832 1111

"Katherine is a brilliant advocate." Chambers and Partners

"Katherine is an excellent barrister and a pleasure to work with. She is dedicated and works hard. She is responsive, insightful, and you can trust her to get the best possible results." Legal 500

Katherine is a public law specialist. She has an exceptionally diverse practice which ranges from commercial regulatory work (including planning, environment and procurement) to public interest and human rights matters.

She is recognised by Chambers and Partners and/or Legal 500 in the fields of public law, civil liberties & human rights, planning, environment, community care and education.

Katherine graduated from Queens' College, Cambridge with a first class degree in French and Spanish before converting to law. She then obtained an LLM with distinction in public law and human rights from the London School of Economics.

She has appeared as sole counsel in the Court of Appeal, High Court, Upper Tribunal, Court of Protection, County Court, Crown Court and Magistrates Courts.

As former co-chair of Young Legal Aid Lawyers, Katherine is committed to access to justice and legal aid work. She is also a member of the Equality and Human Rights Commission's panel of counsel.

Areas of expertise

Planning

Environment

Energy and Natural Resources (including nuclear)

Administrative and Public

Education

Community Care and Mental Health

Healthcare

Regulatory, Disciplinary and Licensing

Community Care and Mental Health

Katherine practises all areas of community care and mental health with particular expertise in related claims for judicial review, including policy and strategic challenges. Her work in this area includes advice and litigation relating to:

- Care needs assessments under Care Act 2014
- Care packages under the Care Act 2014 and Continuing Healthcare
- Closure of facilities and services for people with disabilities
- Charging policies
- Direct payments
- Disabled Facilities Grants
- After-care under s.117 of the Mental Health Act 1983
- Detention under the Mental Health Act 1983 (including applications for displacement of the nearest relative)
- Challenging and defending provision for vulnerable children under s17/s20 Children Act 1989
- Regulation of care homes by the Care Quality Commission
- Multiple Court of Protection health and welfare matters, including disputes about residence, care and contact

Katherine is ranked by Chambers and Partners in the field of community care: *"Katherine is passionate about the subject and goes the extra mile for her clients."* (Chambers and Partners).

Cases of note:

- ***R (Eveleigh) v Secretary of State for Work and Pensions* [2023] EWCA Civ 810** - challenge to the Government's National Disability Strategy on the basis it failed to comply with consultation requirements.
[Judgment](#)
- ***R (KG) v HT Trust Limited* [2021]** - Acted for the claimant in a successful challenge to a decision by a private care home provider to close her home. The case was concerned with s73 of the Care Act 2014 and the circumstances in which private providers will be subject to human rights obligations.
- ***R (AP) v Oxford Health NHS Foundation Trust* [2021]** - Acted for a hospital trust in a judicial review of the decision to transfer to another hospital an individual detained under s3 Mental Health Act 1983.
- ***In The Matter of P (Discharge of Party)* [2021] EWCA Civ 512** - Acted for the first respondent local authority in an appeal to the Court of Appeal from the Court of Protection on the grounds of procedural unfairness.
[Judgment](#)
- ***Health Service Executive of Ireland v Ellern Mede Moorgate* [2020] EWCOP 12** - Successful application for the recognition and enforcement of protective measures imposed abroad in relation to a young woman with severe anorexia.
[Judgment](#)
- ***AS v Kingston Hospital NHS Foundation Trust* [2018]** - Successful challenge to the decision to introduce a policy of charging blue badge holders for car parking at the hospital.

Recommendations

Katherine is listed by Chambers and Partners and The Legal 500 in public law, civil liberties & human rights, planning, environment, community care and education:

"She gives strategic advice, is very pleasant to work with and is very helpful with the client." Chambers and Partners 2022.

"She is extremely thorough, has great attention to detail and an exceptional understanding of the core issues in her cases. She is also a pleasure to work with." Chambers and Partners 2022.

"Her strengths are clarity of advice, willingness to think outside of the box, and her ability to resolve an issue expediently." The Legal 500 2022.

"Katherine is an excellent barrister and a pleasure to work with. She is dedicated and works hard. She is responsive, insightful, and you can trust her to get the best possible results." The Legal 500 2021.

Memberships

- Administrative Law Bar Association (ALBA) (committee member)
- Association of Regulatory and Disciplinary Lawyers (ARDL)
- Education Law Association (ELAS)
- Human Rights Law Association (HRLA)
- Planning and Environmental Bar Association (PEBA)
- United Kingdom Environmental Law Association (UKELA)
- Young Legal Aid Lawyers (YLAL) (former co-chair)

Qualifications

Education

- Queens' College, University of Cambridge, BA(Hons) French and Spanish (First Class) (2010)
- City University, GDL (2012)
- The London School of Economics, LLM Public Law and Human Rights (Distinction) (2013)
- BPP University, BPTC (2014)

Scholarships and prizes

- Foundation Scholarship, Queens' College, University of Cambridge (2010)
- Lord Haldane Scholarship, Lincoln's Inn (2011)
- Hardwicke Award, Lincoln's Inn (2012)
- Lord Mansfield Scholarship, Lincoln's Inn (2013)

Additional Information

In her free time, Katherine enjoys travel, theatre and reading novels. She also sings with Voce Chamber Choir, whose concerts have ranged from Tallis to Poulenc to singing with the Rolling Stones at Glastonbury.

Languages

- French (fluent)

- Spanish (fluent)

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