

## ARIANNA KELLY

Year of call: 2013

Clerked by: Mark Ronson Luke Heywood

**AREAS OF EXPERTISE:**

Court of Protection: Health & Welfare Court of Protection: Property & Affairs Health & Social Care Judicial Review Inquests



## Health & Social Care

Arianna regularly acts for local authorities, health authorities and private individuals in community care and healthcare matters. Arianna has been involved in a range of judicial reviews of community care assessment and eligibility decisions, and advises on matters relating to ordinary residence, charging, deferred payment agreements and debt recovery. Arianna has also given dozens of lectures and trainings on the Care Act 2014, and is happy to speak to large or small groups and a range of professional audiences.

### Profile

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Arianna is a specialist in mental capacity, community care, mental health and healthcare law. Arianna acts in a range Court of Protection matters including those relating to welfare, deprivations of liberty, property and affairs and serious medical treatment. Arianna regularly acts for local authorities, health authorities, family members and on behalf of the Official Solicitor in Court of Protection matters.

Arianna works extensively in the field of community care, and worked with many local authorities on the implementation of the Care Act 2014. She frequently advises in and undertakes judicial review work in relation to eligibility and care planning decisions, as well as on issues relating to community care charging and debt recovery. She also advises public authorities on policies relating to health and social care. Arianna has been published on community care finances and offered extensive trainings in these areas.

Arianna appears in the First-Tier Tribunal for Mental Health and in proceedings for the displacement of nearest relatives. She advises on a range of issues relating to the Mental Health Act 1983, including on the intersection of mental health and community care law.

Arianna qualified as an attorney in the United States in 2008 and practised there between 2008 and 2012; she has worked in public policy in both the United States and the United Kingdom and sits on the National Committee for the Court of Protection Practitioners Association. Arianna was ranked in Chambers & Partners UK 2018 as an 'Up & Coming' Junior in Court of Protection: Health & Welfare: All Circuits.

Arianna is on both the Attorney General's Regional Panel and the Equality and Human Rights Commission Panel of counsel.

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### Areas of Expertise

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Court of Protection: Health & Welfare

Court of Protection: Property & Affairs

Health & Social Care

Inquests

Judicial Review

### Notable Cases

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X and Y (Delay: Professional Conduct of Expert) (Rev 1) [2019] EWHC B9 (Fam)

Re FX [2017] EWCOP 36

## Memberships

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Member of the Honourable Society of the Inner Temple, 2013

Member of the Northern Circuit, 2014

## Publications

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- Community Care Law and Local Authority Handbook (Third Edition, 2015): Chapter 6 – Finance and Charging
- Westlaw Insight: Local government functions (promotion of well-being)
- Arianna has also written for Jordan's Public Law Online in the areas of community care, healthcare, education and immigration.

## Qualifications

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Harvard College, A.B., Government, cum laude 2005

Harvard Law School, J.D., cum laude 2008

London School of Economics, LLM, with distinction 2013

Admitted to the Massachusetts Bar, 2008

## Recommendations

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"She's extremely thorough in her approach and has great attention to detail. She's totally on top of the facts and is a very good advocate." "An excellent cross-examiner." - Chambers & Partners UK 2020

"Talented public law junior, regularly appearing in the Court of Protection in cases concerning mental health, residence and welfare. She is also well regarded for her handling of property and affairs matters" - Chambers & Partners UK 2018

"She has an incredible knowledge of the academics of the law, excellent drafting skills, and she can convey very complex points in a simple and easy to understand way." - Chambers & Partners UK 2018

"Arianna has an impressive and wide knowledge of the law applicable to Court of Protection matters, including an in-depth knowledge of mental health and community care law." - Chambers & Partners UK 2018



Arianna Kelly