



Kings Chambers Serious  
Medical Treatment Group  
(KSMT) Court of Protection  
Team

Kings Chambers

## THE KINGS SERIOUS MEDICAL TREATMENT GROUP

**The Kings Serious Medical Treatment Group (KSMT)** operates within the Court of Protection Team at Kings Chambers. The group is widely recognised for their leading expertise at all levels in undertaking serious medical treatment work nationally.

Led by **Sam Karim QC**, this specialist KSMT will provide advisory and advocacy support for all serious medical treatment cases in the Court of Protection, Family Division and the Inherent Jurisdiction. Members have expertise in withdrawing artificial hydration/nutrition, cancer treatment, application relating to individual's permanent vegetative state, amputation, minimally conscious patients and cases involving the use of physical restraint and sedation.

The service provided by KMST includes an out of hours advice and representation managed by a dedicated team of Clerks (please contact **Mark Ronson** at first instance: [mronson@kingschambers.com](mailto:mronson@kingschambers.com) or call out of hours Chambers mobile: 07971 176422).

### The KSMT Group consists of:



**Sam Karim QC** who is nationally regarded for medical treatment work and one of the leading silks in Court of Protection work (Chambers & Partners, 2017, 2016). He has specific experience with urgent applications for life saving medical treatment, non-urgent medical treatment, “end of life” withdrawal of medical treatment, treatment of suicidal patients (including emergency treatment following overdose) and advanced directives. Recent cases in include, *North Cumbria University NHS Foundation Trust & Anor* [2017] EWCOP 1 782 (Holman J): successfully obtained declarations that in relation to serious medical treatment, namely the removal of Basal Cell Carcinomas, *Bristol NHS Trust v. AB* [2016] 1 EWCOP 67 (Baker J): successfully obtained declarations that in relation to serious medical treatment, namely the removal of cancer, *County Durham & Darlington NHS Foundation Trust* [2014] All ER (D) 06: successfully obtained declarations to withdrawn life sustaining treatment (artificial nutrition and resuscitation) on the basis that it would be futile, would not result in a therapeutic benefit and would not be in the patient’s best interests, and *An NHS Foundation Trust* [2014] All ER (D) 92: successfully obtained declarations to withdrawn life sustaining treatment (artificial nutrition) on the basis that it would be futile, would not result in a therapeutic benefit and would not be in the patient’s best interests.



**Simon Burrows** is a leading practitioner in mental health and Court of Protection work. Involved in many significant cases in the development of the MCA and the MHA, as well as public law challenges to compulsory detention under both Acts. He advises public authorities on important and sensitive cases, and also represents individual patients or their families in challenges to detention. He has sat as a judge in mental health cases since 2003. He writes and lectures widely on the subjects. Relevant cases include *P (by the Official Solicitor) v Cheshire West & Chester Council* [2014] UKSC 19, *Re A (A Child) (Medical Treatment: Removal of Artificial Ventilation)* [2015] EWHC 443 (Fam)(Mr Justice Hayden). Recent plaudit includes “*Admired junior who has significant experience of handling Court of Protection cases relating to best interests, deprivation of liberty and the Mental Health Act. He is a Mental Health Tribunal judge. Expertise: "He's excellent as an advocate, and is also helpful, approachable and available."* (Chambers and Partners).



**Eliza Sharon** regularly represents individuals lacking capacity (either through the Official Solicitor or alternative litigation friends), family members, Local Authorities and health bodies In Court of Protection health and welfare cases, which range from disputes over capacity, residence and care, deprivation of liberty, to serious medical treatment cases and cases where there is an overlap between the Family Court and the Court of Protection. Eliza regularly advises and acts in associated Human Rights Act claims arising out of the above. In addition, Eliza also undertakes property and affairs work which is informed by a background in matrimonial finance and cohabitation law. She has been consistently recommended by Chambers and Partners and Legal 500 in this area. Relevant case includes *PC & NC v A Local Authority* [2013] EWCA Civ 478 (Court of Appeal).



**Francesca P. Gardner** practices in all areas of Court or Protection, including welfare disputes, serious medical treatment and property and affairs matters. Francesca receives regular instructions from public bodies (including local authorities, health trusts and CCGs), private individuals and the Official Solicitor. Francesca was appointed as an Accredited Mental Health Tribunal Panel Member in 2013 and has experience in all Mental Health Act matters including complex restricted matters and those that inevitably overlap with the Mental Capacity Act 2005. Francesca has experience of representing the protected party before concurrent proceedings before the First-Tier Tribunal and the Court of Protection and Nearest Relative Displacement Proceedings. Francesca has extensive experience in cases concerning the interface between the Mental Health Act and the Mental Capacity Act. She is recommended in this area by Chambers and Partners. Relevant cases include *AG, Re* [2016] EWCOP 37 (6 July 2016), *NCC v TP (Capacity of TP)* [2016] EWCOP B3, *NCC v TP* [2016] EWCOP B4, *NCC v TP (Best Interests)* [2016] EWCOP 61.



**Arianna Kelly** is a specialist in mental capacity 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 frequently lectures and trains on issues relating to mental capacity law and the Court of Protection, including trainings for best interests and mental capacity assessors.