

# Helen Mulholland KC

Year of call 1999 | Year of silk 2023

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*Helen is a specialist medical barrister. She accepts instructions in all areas of healthcare law, with particular expertise in cases of medical negligence and serious medical treatment decisions.*

*She undertakes the most serious **medical negligence** cases, with particular expertise in cases of neurological and neurosurgical injury; she is also regularly instructed on birth damage cases. Helen is recognised for her exceptional trial advocacy, and has extensive experience of cross-examining medical experts; she is frequently instructed in medical negligence liability trials of particular complexity. In addition to her trial acumen, Helen is a highly accomplished negotiator and undertakes countless mediations and JSMs.*

*Helen has considerable experience of cases involving serious medical treatment decisions, both in the Family Division and the **Court of Protection**. She has been involved in many cases involving complex treatment and withdrawal of life-sustaining treatment and understands the extreme sensitivity of such cases.*

*Helen has appeared in several high-profile treatment decision cases – in particular she represented the hospital Trust in the case of **Alta Fixsler** throughout the proceedings: at first instance, in the Court of Appeal and in written submissions to the Supreme Court.*

*Helen accepts instructions on a 24 hour basis to address urgent treatment decisions and is prepared to conduct out-of-hours hearings. In cases*

*involving serious medical treatment, Helen receives instructions on behalf of hospital Trusts, families and the Official Solicitor.*

*In addition to serious medical treatment cases, Helen undertakes more complex health and welfare cases in the **Court of Protection**, particularly those cases which involve complex medical issues or cases in a hospital setting.*

*Helen represents interested persons in the Coroner's Court and has been involved in several inquests involving deaths in a healthcare setting. She is familiar with the coronial process and has acted for doctors, hospitals and patients' families at the Coroner's court.*

*In her personal injury practice, Helen has extensive experience in all aspects of catastrophic injury cases arising from road traffic accidents and has particular experience in brain injury claims.*

*Helen is passionate about advocacy training. She is a qualified advocacy trainer and teaches nationally and internationally. She is proud to teach on behalf of her Inn (Middle Temple) and the Northern Circuit, where she is joint head of pupil advocacy training.*

*Helen sits on the Executive Committees of the Professional Negligence Bar Association, Personal Injury Bar Association and Middle Temple Northern Circuit Society and is a member of the Court of Protection Bar Association.*

## Expertise

### Clinical Negligence

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### Court of Protection

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## Inquests

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## Serious Injury

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## Significant Cases

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[Manchester University NHS Foundation Trust v Verden \[2022\] EWCOP 4 \(Preliminary Hearing re: Reporting Restrictions Order\)](#)

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[Manchester University NHS Foundation Trust v Verden \[2022\] EWCOP 9 \(Substantive Hearing\)](#)

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[Manchester University NHS Foundation Trust v Fixsler \[2021\] EWHC 1426 \[Fam\], \[2021\] EWCA \(Civ\) 1018](#)

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- Withdrawal of life-sustaining treatment in a child.
  - The judgment at first instance can be found [here](#).
  - The Court of Appeal judgment can be found [here](#).
  - The second judgment of the High Court is found [here](#).
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[Aderounmu v Colvin \[2021\] EWHC 2293 \(QB\)](#)

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Serious medical treatment case, involving amputation in a patient with complex physical and mental health needs.

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[An NHS Foundation Trust v ZA \[2021\] EWCOP 39](#)

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Serious medical treatment case, involving amputation in a patient with complex physical and mental health needs.

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[XX v A Hospital Trust \(ongoing\)](#)

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Clinical negligence claim involving serious treatment decision on behalf of a protected party. Claimant rendered tetraplegic as a result of delay.

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XY v A Hospital Trust (ongoing)

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Clinical negligence claim concerning patient detained under MHA who absconded and sustained life-changing injury as a result of an act of self-harm. Achieved admission of liability for Claimant. Quantum ongoing.

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XX v A Hospital Trust (2020)

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Settlement of £2.6m achieved for Claimant (following 2 days of mediation) who suffered life-changing injury when injured during a routine gynaecological procedure.

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[Bell v Nottingham University Hospitals NHS Trust \(2020\)](#)

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Case of undiagnosed and untreated endometriosis. Acted for Claimant who achieved a settlement of £500,000.

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[Dowson v Lane \[2020\] EWHC 642 \(QB\)](#)

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Alleged failure to refer for suspected Charcot foot. Helen successfully defended the GP Defendant at a liability trial in the High Court. Case had estimated value of £1.5m.

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AB (A Protected Party) v EF (2019)

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Wrongful birth claim concerning a protected party and whether C had capacity to consent to sex and (separately) to contraception. Settlement of £1.65m approved in the High Court.

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Armstrong v East Lancashire Hospitals NHS Trust (1) Lancashire Teaching Hospitals NHS Foundation Trust (2) (2018)

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High Court trial. Cauda equina case. Helen successfully defended the Hospital Trust at a liability trial.

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## Memberships

- Professional Negligence Bar Association
- Personal Injury Bar Association

## Qualifications

- BA (Hons) Italian & French 1997
- Common Professional Examination (Chester) 1998
- Bar Vocational Course (Inns of Court School of Law) 1999

# Recommendations

## Chambers UK 2023

"Helen is impressive in court."

"She is a brilliant advocate and always very well prepared."

"Her written advice and pleadings are logical and thorough."

"Her extensive knowledge of the practice area gives clients confidence in her. She has excellent advocacy skills and her written work is logical and thorough."

"Helen is excellent. She brings an empathetic approach with clients and is incisive and deft with experts."

## Legal 500 2023

'Helen is extremely professional with good quality work. She has the ability to be empathetic in the right situations, but also firmer when appropriate for a particular case.'

'Helen is a steely and impressive advocate. Her advice is pragmatic. Fiercely intelligent and meticulous in her preparation.'

## Chambers UK 2022

"Very experienced, bright and determined to get to the bottom of things. She cuts through the medical evidence very well."

"Has an excellent manner with clients, particularly those who may not have been involved in these matters before. She has a calm manner which is very reassuring, and her attention to detail is impressive."

## Legal 500 2022

'Helen is an excellent senior junior. Great with clients and adept in her handling of experts.'

'Intelligent, good with clients and experts, approachable yet professional, tenacious advocate.'

## Chambers UK 2021

"She is thorough, intelligent, personable and a tenacious advocate."

"She's very pragmatic and an effective communicator."

"She is a tough and very effective negotiator, but is also very engaging with clients." "Very responsive, client-friendly and accommodating – she will always make time to come back to you and is a pleasure to work. She is a very robust and effective advocate."

"Very tactical, experienced and good with clients."

## Legal 500 2021

"Very good with clients, very sensible approach and has a good understanding of the complexities of brain injury cases, comes up with sensible and pragmatic solutions."

"Excellent advocate, who reads the judge well. Determined but patient, able to get the best out of medical experts and always ready to challenge where appropriate."

"Excellent advocate, who reads the judge well. Very thorough and detailed approach to complex cases. Excellent with clients."

## Legal 500 2020

"A very insightful and competent advocate."

"A firm but pleasant negotiator."

#### Chambers UK 2020

“She has thorough negotiation skills and is very impressive in JSMs.” “She has a very good client manner and is very well prepared and very robust on her feet.” “I have no hesitation in instructing her as sole counsel in my more complex cases.”

#### Chambers UK 2019

“Very measured and focused approach with experts in conference to forensically identify the issues in the case. Brilliant advocate on her feet. Meticulous with her drafting, very thorough in analysis of papers.” “Helen Mulholland is very good indeed: she is thoughtful and determined and gets to the bottom of things.” “Very capable – a strong advocate who is well liked by clients.”

#### Legal 500 2019

“Pertinacious in court.”

#### Chambers UK 2018

“Makes sure all the client’s needs and views are addressed, and she is prepared to do the extra work to ensure that the client concerns are dealt with.” “She is very personable and establishes a good rapport with clients, but at the time same commands and leads a conference effectively. She is very polished.” “Combines a strong approach to legal and medical issues with an empathic manner.”

#### Legal 500 2018

‘She is knowledgeable, authoritative and shows empathy with clients.’

#### Chambers UK 2017

“She is always happy to pick up the phone and discuss things.” “She is good with experts in terms of getting the information out of them, and is good with clients in terms of making sure they understand what is going on with their case.”

#### Legal 500 2017

“She goes the extra mile and stands out as an excellent practitioner.”

#### Chambers UK 2016

“She has a very thorough and clear-headed approach to litigation.”

“Well-equipped to handle experts in conference and manage client expectations.”

## Accreditations

