



# Sophie Allan

Year of call 2004

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After practising for some years in personal injury and disease litigation, Sophie pursued a longstanding interest in public law, particularly Court of Protection work. Sophie's practice is now predominantly Court of Protection-based and she is regularly instructed on behalf of protected parties (including by the Official Solicitor), as well as acting for local authorities, NHS bodies, Clinical Commissioning Groups and family members.

Sophie acts in a wide range Court of Protection matters including health and welfare, property and affairs and serious medical treatment, as well as cases involving associated human rights' breaches. Sophie has also advised in cases relating to safeguarding vulnerable adults under the inherent jurisdiction of the High Court.

Sophie has extensive experience representing both families and other interested parties at inquests, including Article 2 inquests, deaths in prison, road traffic accidents, aviation accidents, military incidents, accidents at work and deaths within hospitals and other care settings.

In respect of her personal injury practice, Sophie deals with all aspects of serious personal injury and has a particular interest in and experience of occupational disease. She is also a member of the Kings Chambers specialist pain team.

In 2020 Sophie was appointed as a Fee-Paid Judge of the First-Tier Tribunal assigned to the Health, Education and Social Care Chamber (Mental Health) and as a Recorder in the Family Division assigned to the Northern Circuit.

## Recent reported cases:

*KK v Leeds City Council* [2020] EWCOP 64

## Expertise

### Court of Protection & Mental Health

Sophie acts in a wide range Court of Protection matters including health and welfare, property and affairs, and serious medical treatment, as well as associated civil and Human Rights Act claims. Sophie has also advised in cases relating to safeguarding vulnerable adults under the inherent jurisdiction of the High Court. She is regularly instructed on behalf of protected parties (including by the Official Solicitor), as well as acting for local authorities, NHS bodies, Clinical Commissioning Groups and family members.

Sophie has recently acted in and advised on cases involving issues including:

- The interface between the Mental Capacity Act and Mental Health Act.
- Welfare issues under s21A and s16 MCA.
- Joinder, disclosure and closed-material proceedings.

- Ordinary residence and related funding disputes.
- Contested capacity issues.
- Alleged financial abuse and applications to revoke Lasting Powers of Attorney;
- Contested deputyship applications.

Sophie's civil litigation practice means that she has extensive experience of contested final hearings and cross-examination of experts and is also well-placed to advise on cases arising from or overlapping with claims for serious personal injury.

Sophie sits as a fee-paid Judge in the Mental Health Tribunal and has a particular interest in cases with interlinked Mental Capacity Act and Mental health Act issues. She has acted in applications involving the displacement of Nearest Relatives and in difficult cases involving conditional discharges from hospital orders and associated deprivations of liberty.

## Notable Court of Protection & Mental Health cases

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KK v Leeds City Council [2020] EWCOP 64

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## Inquests

Sophie has extensive experience representing both families and other interested parties at inquests, including deaths in prison, road traffic accidents, aviation accidents, military incidents, accidents at work and deaths within hospitals and other care settings.

Examples:

- *'The Nimrod Inquest' (led by Michael Rawlinson KC)*

*This Inquest arose out of the Nimrod crash in Afghanistan in which the Armed Forces sustained the largest loss of life in a single incident since the Falklands conflict.*

- *Inquest into the death of a vulnerable older gentleman whilst a patient in hospital following extended periods without provision of adequate hydration and nutrition.*
- *Inquest into the death of a young man from the effects of methadone toxicity whilst being prescribed methadone in prison.*

## Occupational Disease

Sophie acts for both Claimants and Defendants in claims involving all types of asbestos disease (including mesothelioma and asbestos-induced lung cancer), upper limb disorders and noise induced hearing loss. She also has experience of less common occupational illnesses, including silicosis, occupational asthma, dermatitis, chemical exposures and carbon-monoxide poisoning.

Sophie has extensive experience advising and acting in cases where there are limitation issues, particularly in the context of occupational disease.

## Pain Syndromes

Sophie is a member of the Kings Chambers specialist pain team. She is experienced in dealing with cases involving chronic pain conditions, including Chronic Pain Syndrome, Complex Regional Pain Syndrome, Chronic Fatigue Syndrome and Somatoform Pain Disorders.

## Serious Injury

Sophie represents both Claimants and Defendants in all areas of serious injury litigation, including employers' and public liability, road traffic accidents (including MIB claims), fatal accidents, claims arising from military service and CICA claims.

## Memberships

- Court of Protection Practitioners Association (CoPPA)
- Personal Injuries Bar Association (PIBA)
- Lincoln's Inn
- Northern and North Eastern Circuit

## Qualifications

**University:** Newcastle

**Degree:** BA (Joint Honours) English Language and Literature (first class)

**Called:** 2004 (Lincoln's Inn)

**Scholarships:** Hardwicke and Denning Scholarships