



GARDEN COURT CHAMBERS

Helen Curtis

YEAR OF CALL: 1992



Helen Curtis' legal practice concentrates on areas where the liberty of the subject is at stake, particularly in areas of mental health, prisoners and the Court of Protection. She appears before Tribunals, Parole Boards and courts through to the Court of Appeal. Helen is approved as a mediator on the [Court of Protection Mediation Panel](#).

Helen currently writes regularly for the [Garden Court Chambers Social Welfare Updates Blog](#).

"Totally devoted to this area and such a skilled advocate."

CHAMBERS UK, 2021 (COURT OF PROTECTION)

"Attention to detail, calmness under pressure, articulate, commanding presence."

LEGAL 500, 2021 (COURT OF PROTECTION & COMMUNITY CARE)

"A very effective cross-examiner. She's very calm, thorough and good with difficult clients. She is invaluable when you have a messy case which needs untangling. She works very collaboratively and clients appreciate her sympathetic but firm approach."

CHAMBERS UK, 2020

"She's very responsive and experienced in the crossover between mental capacity and mental health law."

CHAMBERS UK, 2019

"She's very proactive and always has a good understanding of the case; she's used to working with urgent cases, so I find her proactive style helpful."

CHAMBERS UK, 2018

If you would like to get in touch with Helen please contact the clerking team:

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You can also contact Helen directly:

[+44 \(0\)20 7993 7713](tel:+442079937713)

COURT OF PROTECTION

Helen is instructed by: the Official Solicitor; Relevant Person's Representative (Paid); Litigation Friends from advocacy services; the local authority; or a family member, to represent a party in Court of Protection proceedings in matters of health and welfare or property and financial affairs.

She appears in courts and tribunals where a person's mental health or lack of capacity is concerned. Her practice includes claims for unlawful detention, appeals and judicial review where appropriate.

MEDIATION

Helen is an accredited mediator and restorative justice facilitator whose mediation skills are incorporated into her legal practice. Her calm, compassionate manner makes her an engaging, effective mediator and advocate. This is particularly appreciated when dealing with vulnerable clients and sensitive issues which frequently arise in her practice.

Helen completed training on the use of Zoom, specifically for mediation and now mediates multi-party disputes on Zoom. She arranges technical checks in advance to ensure the parties are comfortable with the technology.

Further details can be found on the [Garden Court Chambers Mediation website](#).

MENTAL HEALTH LAW

Helen's mental health work covers patients detained under ss 2 and 3 as well as restricted patients, whether being transferred between hospital and prison or seeking discharge. Additionally, Helen represents patients or their Nearest Relative in proceedings where the displacement of the Nearest Relative is sought.

NOTABLE CASES

***TW v London Borough of Enfield* [2014] EWCA Civ 362**

Helen appeared on behalf of the Appellant who challenged the High Court's refusal of s.139(2) leave to bring civil proceedings. The Court of Appeal granted leave and considered what is practicable for an AMHP to comply with the s.11(4) duty to consult the patient's Nearest Relative.

***Health Service Executive of Ireland v PA and others* [2015] EWCOP 38; [2015] WLR (D) 243**

Helen appeared on behalf of PA in a case concerning Schedule 3 of the Mental Capacity Act 2005.

***South Staffordshire and Shropshire Healthcare NHS Foundation Trust and Another v The Hospital Managers of St George's Hospital and AU* [2016] EWHC 1196 (Admin)**

Helen appeared on behalf of the patient AU who sought to resist the Trust's review of the Hospital Manager's discharge decision.

PUBLICATIONS

Helen writes regularly for the [Garden Court Chambers Social Welfare Updates Blog](#).

Family Mediation: For Better or Worse - co-author with Kate Aubrey-Johnson, LAG, April 2011

Making Mediation work for you - Kate Aubrey-Johnson with Helen Curtis, LAG, June 2012

EDUCATION

- LLB (Hons)

PROFESSIONAL MEMBERSHIP

- Civil Mediation Council
- JUSTICE
- Restorative Justice Council

LANGUAGES

- French (basic)
- Italian (basic)

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