



Name: Laura Twist

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Summary:

Laura is a key member of our growing Public Law team, with a primary focus on Court of Protection work. Laura is regularly instructed by a range of public bodies, as well as private client solicitors and the Official Solicitor.

Recent cases have included best interests disputes, contested financial cases and MCA/MHA crossover.

Prior to joining chambers, Laura qualified as a solicitor at Hugh Jones Solicitors in Manchester, where she gained over 3 years' experience in Court of Protection matters, with particular focus on the area of property and affairs. She has experience in the interplay between professional deputyship and personal injury litigation and of estate planning where vulnerable family members are involved.

Court of Protection - Health & Welfare:

Laura has experience of many aspects of health and welfare law in the COP, including challenges to deprivations of liberty, issues surrounding community care and best interests disputes. Laura has dealt with a number of complex cases, which have included disputes surrounding the correct legal framework for detention of an individual lacking capacity and the interplay between the Mental Health Act and Mental Capacity Act.

Recent cases:

A Local Authority v P and a CCG

Case involving a vulnerable 18 year old, featuring issues regarding eligibility under the DoLS framework, difficulties with identification of suitable placements and best interests.

P v A Local Authority

Case involving a best interests decision regarding a vulnerable couple who needed to be removed

from their home against very strongly expressed wishes and feelings.

During her time at Hugh Jones Solicitors, she assisted on the case of *Tinsley v Manchester City Council and Others* [2016] EWCH 2855 (Admin) which was a judicial review of the local authority's refusal to provide aftercare services in accordance with s117 of the Mental Health Act 1983.

Court of Protection - Property & Finance:

Laura has extensive experience from her previous practice in the practicalities of day to day property and affairs management. She has been involved in cases where deputies or attorneys have had their appointments revoked for misconduct, financial abuse cases, disputes surrounding P's capacity and advising on the appropriateness of deputyship in individual cases. Laura regularly accepts instructions in financial Court of Protection matters, including contested proceedings involving deputyship appointments and removal of attorneys and deputies.

Recent Cases:

OPG v CD and PK

Contested case involving the revocation of an LPA for property and affairs and best interests dispute over who should be appointed as P's deputy for property and affairs.

Re MW

Family dispute over who should be appointed as financial deputy.

During her time in private practice, Laura assisted on the case of *SAD and ACD v SED* (2016) which was a contested capacity case in respect of the revocation of a Lasting Power of Attorney for Property and Affairs. Laura also has experience of assisting on high value personal injury and clinical negligence litigation where expert evidence was required in respect of future deputyship costs. One of the many cases she assisted on was the reported case of *Robshaw v United Lincolnshire Hospitals NHS Trust* [2015] EWHC 923 (QB).

Education Law:

Laura has an interest in Education Law and has been involved in cases of challenges to schools refusing to admit and disputes over EHC Plans.

Police & Prison Law:

Laura is interested in all aspects of Prison Law, having regularly appeared in front of the Parole Board in lifer/IPP and recall cases before joining chambers.

Mental Health:

Laura has an interest in Mental Health Law and the interplay between the MHA and MCA.

Administrative Law:

Laura has an interest in judicial review proceedings and has been instructed to advise on the merits of cases, as well as drafting pleadings. During pupillage she assisted Jacqui Thomas in a case for a LA in an educational tribunal claim and connected judicial review, which concerned a teenager with complex care needs.

Memberships:

Inner Temple

Publications:

Laura is a contributor to Spire Barristers' COP E-lerter.

Seminar/Training:

Laura provides training on aspects of the Court of Protection, particularly in relation to property and affairs.

Education:

BSc Psychology (Newcastle University)
LLB (The University of Law)
Bar Professional Training Course (Manchester Metropolitan University)
Legal Practitioners Course (The University of Law)

Interests:

Laura plays tennis competitively and enjoys swimming and scuba diving.

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