

Helen McAteer

Year of Call: 2008

Practice Summary

Helen specialises in inquest work and civil litigation, with a particular focus on multi-agency Article 2 jury inquests and those where complex medical issues arise.

Helen regularly provides advice and representation to organisations and individuals throughout the inquest process, from the pre-inquest stage through to the consideration of Prevention of Further Death issues.

Her broad civil litigation experience includes employer's and public liability claims for personal injury, clinical negligence, unlawful detention, data protection, and Human Rights Act claims, including those brought on behalf of the estate of deceased prisoners, detainees and patients for alleged breaches of the right to life and the right to respect for private and family life.

Helen was appointed to the Attorney General's civil 'B' panel in 2022, having previously been appointed to the 'C' panel in 2018 and undertaking government work as a 'Junior Junior' barrister in the early years of her practice. She has significant experience in representing government departments, agencies, and institutions, both as an advocate and in an advisory capacity.

Inquests and Inquiries

Examples of work include:

Appearing in inquests arising from self-inflicted deaths in detention and under supervision in the community;

Appearing in inquests arising from naturally occurring but preventable deaths in detention;

Appearing in inquests arising from deaths in hospitals where complex physical and psychiatric medical issues arise;

Advising on complex issues of inter-agency information sharing.

Civil Liberties and Human Rights

Examples of work include:

Advising and appearing in civil claims made by prisoners, including issues of personal injury, ECHR breaches and unlawful detention;

Advising and appearing in claims for alleged malicious prosecution and misfeasance in public office;

Advising NHS Trusts in relation to a claim made by the estate of a deceased patient for alleged breaches of the right to life and the right to respect for private and family life.

Personal Injury and Clinical Negligence

Examples of work include:

Appearing at trials and costs and case management conferences, addressing complex issues of expert evidence;

Advising on liability for alleged negligent nursing care in circumstances where staff had attempted to accommodate the wishes of the family of a terminally ill patient to be involved in providing care;

Advising in claims for workplace stress and harassment including allegations of vicarious and primary liability;

Advising on liability for breach of the non-delegable duty of care where maintenance responsibilities were performed by a contractor and allegations of res ipsa loquitur were raised;

Assisting with the defence of claims made against the MOD by service personnel involving complex issues of combat immunity and the scope of the duty of care for policy and equipment decisions;

Advising on liability under the Employers' Liability (Defective Equipment) Act 1969 and common law negligence in relation to failures to provide suitable equipment within the context of serious and complicated pre-existing physical and psychological conditions.

Administrative & Public Law

Examples of work include:

Appearing at Mental Health Tribunals;

Advising on the drafting of Child Support Maintenance policy;

Advising and drafting grounds of opposition to a judicial review of a child protection decision.

Education

- BA (Hons) in Jurisprudence, the University of Oxford
- LLM in Public Law (Merit), UCL

Areas of Expertise

- Administrative Public Law
- Human Rights Equalities
- Inquiries And Inquests