



Annie Mackley



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Annie Mackley

Call 2021



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Annie accepts instructions across all Chambers' core areas, with a particular interest in clinical negligence, personal injury, professional negligence, health and safety, and inquests and inquiries. She joined Chambers in October 2022, following the successful completion of pupillage.

Annie has a busy court practice, regularly appearing in a variety of trials and hearings in the High Court and the County Court. She prides herself on her effective advocacy and excellent client service.

Prior to pupillage, Annie read Law at the University of Cambridge, graduating with a Double First Class degree in 2019. She subsequently completed an LLM at the University of Cambridge and achieved a First Class with Distinction, coming top of her cohort with a particular focus on Advanced Private Law and Law and Medicine. Annie has continued her academic research alongside her career at the Bar and has published articles both as a sole author and in collaboration with academics from the Faculty of Law at Cambridge University, Addenbrookes Hospital and THIS Institute.

Personal Injury

Annie has a strong personal injury practice and is instructed in a range of interim hearings and trials involving road traffic accidents, public liability, employer's liability, occupier's liability, injuries caused by animals and injuries occurring in a social care and housing setting. Annie is frequently instructed in cases with fundamental dishonesty aspects.

She provides concise and thorough advice and drafting at all stages of personal injury litigation and has particular experience navigating complex medical issues in conference with experts.

Examples of her recent work include:

- Represented the successful claimant unled at trial in *Berresford v Shah* [2024] EWHC 3500 (KB). The claim concerned substantial factual disputes as well as complex issues in relation to the application of the illegality defence post-*Patel v Mirza*.
- Successfully represented the defendants at trial in an Animals Act case concerning a dog which bit a foster child in the care of the defendants.

- Successfully defended a pharmacy at trial in a claim concerning an accident on a wet floor.
- Successfully struck out an occupier's liability claim under CPR r. 3.4(2)(b).
- Advised pro bono in a prospective claim against a university arising from a student's death.

Annie accepts instructions from Defendants and Claimants and is willing to accept instructions on a CFA basis. She accepts pro bono instructions via Advocate.

Annie is a member of PIBA.

Professional Negligence and Professional Discipline

Annie accepts instructions in all aspects of professional negligence work. She has experience of professional negligence claims against accountants, builders, solicitors, and professional advisors both in pupillage and in her current practice.

Annie has a strong interest in professional disciplinary matters. Her clinical negligence and inquest practice means that she has a good understanding of the challenges faced by healthcare and social work professionals in particular. She prides herself on providing a compassionate service to clients, while robustly representing their interests before tribunals.

Examples of her recent work include:

- Successfully secured the dismissal of complaints before the BACP against a therapist accused of improperly ending therapy.
- Represented a therapist accused of an improper dual relationship at a BACP tribunal. No restrictions were placed on the therapist's practice.
- Attended a Fitness to Practise hearing before a Social Work England tribunal in respect of a social worker accused of charges including dishonesty (during pupillage).

Annie is a member of PNBA.

Clinical Negligence

Annie has a particular experience of clinical negligence cases. She is frequently instructed by NHS Resolution and private insurers to advise both in writing and in conference and draft statements of case in claims involving general medicine, general surgery, oncology, orthopaedics, cosmetic surgery, and dentistry. She has a busy court practice and regularly appears in interim applications, infant approval hearings and CCMCs in respect of clinical negligence claims.

Annie's clinical negligence practice is complemented by her academic expertise. Her academic work has a particular focus on claims with a *Montgomery* element as well as legal considerations raised by diagnosis.

Examples of her recent work include:

- Instructed as trial counsel on behalf of two dentists for a four-day trial concerning alleged

mismanagement of periodontal disease. Settled via counsel-to-counsel discussion for 25% of the pleaded value of the claim.

- Held a conference with experts and subsequently drafted the defence in a high value claim concerning allegations of a mismanaged fall in hospital resulting in paraplegia.
- Drafted the defence in a claim concerning delayed diagnosis of breast cancer.
- Drafted the defence in a complex claim relating to delayed diagnosis of sepsis in a patient with learning difficulties, following a conference with the clinicians involved.
- Successfully secured strike-out of a claim alleging mismanagement of stroke symptoms by a GP surgery.

Annie accepts instructions from Defendants and Claimants and is willing to accept instructions on a CFA basis. She accepts pro bono instructions via Advocate.

Annie is a member of AvMA and PNBA. She has contributed to PNBA's Clinical Negligence Conference.

Product Liability

Annie accepts instructions in all product liability matters. She has experience of product liability disputes in tort, contract and under the Consumer Protection Act. She has a particular interest in claims involving medical products and pharmaceuticals, as well as all claims resulting in personal injury. This is complemented by her clinical negligence and personal injury practice, which renders Annie proficient in dealing with complex medical issues in conference with experts.

Recent work includes drafting the defence in a personal injury claim arising from the use of gym equipment.

Health & Safety

Annie gained experience during pupillage of a variety of civil and criminal health and safety proceedings, including drafting statements of case, advising and attending trials. She continues to accept instructions in all health and safety related matters.

Examples of her work include:

- Advising parties implicated in investigations by the Marine Accidents Investigation Branch.
- Currently instructed in the 2022 Haut de Mont explosion in Jersey.

Inquests & Public Inquiries

Annie has experience in inquest law and practice and accepts instructions to advise and represent all interested parties at inquests. Her skills in this area are complemented by her clinical negligence and personal injury practice. She is regularly instructed in inquests where significant scrutiny is expected of healthcare and social care providers, particularly concerning self-neglect, the management of eating disorders and issues of mental capacity.



Annie accepts pro bono instructions via Advocate.

Selected Cases

- Represented Reading Borough Council led by Simon Antrobus KC and Katie Sage at the Forbury Gardens Terror Attack Inquest.
- Represented a local authority at an inquest concerning the death of a gentleman following significant self-neglect. Significant issues were raised in respect of neglect and causation. No finding of neglect by the local authority was made.
- Represented a local authority at an inquest concerning the death of a gentleman in a road traffic collision, prior to which he has absconded from hospital.
- Represented an NHS trust at a complex and sensitive 5 day inquest concerning the management of an eating disorder patient.
- Represented an NHS trust at an inquest concerning the death of a lady with a possible undiagnosed eating disorder. The inquest raised significant issues concerning the management of chronic malnutrition and mental capacity.
- Represented an NHS trust at an inquest concerning premature discharge of a cardiology patient who subsequently died of a myocardial infarction.

Property Damage

Annie accepts instructions in all aspects of property damage work. She advises, drafts statements of case and represents parties at hearings in respect of all types of property damage, including flooding in residential and commercial properties, accidental fire, vermin damage and damage to commercial stock. Recent work includes drafting Particulars of Claim in a claim concerning a domestic oil leakage.

Qualifications

- BTC, Inns of Court College of Advocacy
- LLM (First Class with Distinction), University of Cambridge, Pembroke College
- BA (Hons) Law (Double First), University of Cambridge, Pembroke College

Memberships

- PIBA
- PNBA
- AvMA