

LOUISE HAYES

Call 2022



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Louise is a barrister in the [Personal Injury](#), [Clinical Negligence](#) and [Court of Protection](#) teams. She successfully completed her specialist pupillage in September 2023, under the supervision of Oliver Moore.

Louise has a busy Court practice. She has been commended for her clear and incisive advocacy and ability to build rapport with clients, particularly in cases of a sensitive nature. In her paperwork, she is valued for her clear and thorough advice, which is tailored to the needs of both professional and lay clients.

Developing from her Personal Injury and Clinical Negligence practice, Louise welcomes instructions in matters in the Court of Protection, coroners' Court and in regulatory proceedings.

Expertise

Personal Injury

Louise was exposed to high-value claims with complex medical evidence throughout pupillage. She has a sound insight into claims arising out of road traffic accidents, employer's liability, occupiers' liability, product liability, and Highways Act 1980 cases.

To-date, her experience includes:

- Successfully representing the Claimant following a fall in a pub.
- Drafting pleadings in a tripping at work case.
- Drafting pleadings in a case arising from stepping on broken glass in a nightclub.
- Successfully defending a local authority in a Highways Act 1980 pothole case.
- (As a pupil) advice on liability, quantum, and a Counter-Schedule in a FAA 1976 claim. This involved multiple Defendants and complex financial dependency issues.
- (As a pupil) advice on fundamental dishonesty, quantum, and next steps in a FND case following a workplace accident.

Clinical Negligence

Louise has experience across the full clinical spectrum, including general practice, emergency medicine, and general surgery. Her recent work includes:

- Advice on quantum following successive hip fractures in an elderly patient.
- Advice on prospects, evidence, quantum, and next steps in a takotsubo cardiomyopathy case.
- Advice on liability, limitation, and “reasonable alternative treatments” in a failure to treat central serous chorioretinopathy case.
- Drafting pleadings in a pressure sore case.
- (As a pupil) drafting a Counter Schedule in a case of intra-abdominal injury requiring permanent colostomy.
- (As a pupil) drafting Part 35 questions in a delay in diagnosis of a brain tumour and prolonged hydrocephalus case.

Prior to pupillage, Louise volunteered at the University of Bristol Law Clinic for four years. She provided pro bono representation in a case arising from delayed diagnosis of breast cancer, where she advised on causation, and managed conferences with surgeons with both robustness and sensitivity.

Louise has a particular interest in consent issues. Her undergraduate and postgraduate dissertations assessed the impact of informed consent on preventable patient harm in different clinical settings. Her thesis (supervised by Dr Oliver Quick) was described as “*comprehensively researched, unusually detailed, compellingly argued and clearly written.*”

During pupillage, Louise provided clinical negligence litigation training to local solicitors. She is more than happy to provide further training upon request.

Court of Protection

Louise is developing her Court of Protection practice, after studying mental health and capacity law during her LLM. She accepts instructions relating to children and adults, health and welfare, the deprivation of liberty safeguards and serious medical treatment.

She is available for urgent out-of-hours work.

Her recent work includes:

- Drafting a Position Statement and Order in relation to P’s capacity to make decisions about residence and care and next steps required prior to a move to supported living arrangements.
- (As a pupil) drafting an Order for an interim hearing on behalf of the Official Solicitor in a section 21A appeal.
- (As a pupil) drafting a Position Statement on behalf of the Official Solicitor in relation to P’s residence and care. This was a complex matter in which ‘P’ lived with longstanding alcohol dependency.
- (As a pupil) drafting answers to questions on behalf of the Local Authority after ‘P’ regained capacity during proceedings.

Louise recently delivered a popular webinar on cases concerning sexual relations in the Court of Protection, addressing consent, contact and contraception.

Regulatory & Discipline

Louise observed a number of GMC and NMC proceedings during pupillage. She assisted with cases arising from fraudulent entry onto the register, allegations of dishonesty, and failure to notify regulators of previous convictions. She accepts instructions in all disciplinary matters and is keen to develop her practice in this area.

Inquiries and Inquests

Louise is eager to develop her experience in relation to inquiries and inquests to complement her civil practice. She is willing to represent parties at inquests under a conditional fee agreement ("CFA") and open to accepting pro bono instructions to represent families in appropriate cases.

Awards

- Major Scholarship, The Honourable Society of the Inner Temple
- Career Commitment Scholarship, BPP University

Education

- LLB Law (Hons) University of Bristol
- LLM in Health Law (Distinction), University of Bristol
- BPC, BPP University Bristol

Memberships

- The Honourable Society of the Inner Temple
- Personal Injury Bar Association

Publications

'Back to the drawing board for patient autonomy? Informed consent following McCulloch'

'Dying, Disability, and Dangerous Decision-making: Protecting Patient Safety in Assisted Dying in England and Wales', Bristol Law Review (7th edn, 2022)