DEANS COURT CHAMBERS

Michael Smith

1989 Lincoln's Inn, mjsmith@deanscourt.co.uk



Education	Professional Associations	Appointments
St. Mary's High School, Astley	Personal Injury Bar Association	Recorder
Christ Church, Oxford - MA (Jurisprudence) BCL	Professional Negligence Bar Association	
	Northern Circuit Commercial Bar Association	
	Northern Circuit TCC Users Group	

Areas of Specialism

- Personal Injury
- Clinical Negligence
- Contract and Commercial Disputes
- Chancery and Commercial
- Business and Property Law

Profile

Michael has a broad based civil practice, acting for both Claimants and Defendants.

He covers the whole range of Personal Injury disputes, specialising in higher value claims and Clinical Negligence disputes, including catastrophic birth injuries and injuries of maximum severity. He also has a broad commercial practice, with an emphasis on construction disputes, insurance policy issues and professional negligence.

He appears regularly in the High Court and County Court as well as in the TCC.

He has considerable experience of alternative dispute resolution, including commercial mediations, adjudications and arbitrations.

Notable Cases

Barclays Bank v Fairclough Building

Practice Area: Common Law

Scope of contributory negligence in contract

Bainbridge v Circuit Foil Ltd.

Practice Area: Common Law

Proper construction of terms of employer's pension scheme

Brown v Lewisham & North Southwark HA

Practice Area: Clinical Negligence

Breach of duty and causation

Barratt v South Manchester University NHS Trust

Practice Area: Clinical Negligence

No breach of duty on the facts

Re SS [2002] 1 FLR 445 (Wall J)

Practice Area: Personal Injury

Person under disability – abortion – consent - role of medical practitioners

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Burgess v Stockport NHS Trust (2011)

Practice Area: Clinical Negligence

No breach of duty on the facts

R v CM NHS Trust

Practice Area: Clinical Negligence

Substantial cerebral palsy claim settled on lump sum plus PPO basis

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Re D P

Practice Area: Personal Injury

Award of over £4m

Re J R P

Practice Area: Personal Injury

Award of £3.5m

SHP v UU

Practice Area: Common Law

Substantial commercial arbitration settled after mediation

McManus v Salford CC & Punch Taverns

Practice Area: Landlord & Tenancy

Dispute about liability for subsidence to adjacent property between landlord and tenant – issue as to meaning and scope of contractual indemnity clause

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What the Directories say

Michael is an excellent barrister for serious injury and clinically complex work. He combines calm, authoritative advocacy with very strong judgment, and he was particularly effective in distilling complex factual and medical issues into a clear and persuasive case strategy. He inspires confidence both within the legal team and with clients, and he is someone you want on a demanding, high-value matter. His main strengths are his advocacy, analytical clarity, and command of complex medical issues. He gets to the heart of the case quickly, identifies the points that really matter, and gives practical advice that is both legally sound and commercially realistic.

Legal 500, 2027

"He is calm in the storm and his advocacy is simply a master class."

Chambers & Partners, 2026

Michael is an outstanding advocate in court. He is quick to understand complex issues and provide objective solutions.

Chambers & Partners, 2026

An excellent advocate and negotiator. He is passionate about his work, careful, thorough and approachable.'

Legal 500 2026

"Michael's grasp of complex legal and medical issues is excellent, as is his ability to cut through the details of the case to identify the central issue and advise pragmatically."

Chambers & Partners, 2025

"Mike is very good at complex medical issues and understands the commercial pressures that NHS clients face."

Chambers & Partners, 2025

'Michael is able to cut through complex matters and gives sound advice. He is an exceptional advocate.'

Legal 500 2025

'Michael is a very good advocate who gets on well with clients and his opposition. He is able to handle complex medical issues and challenge experts and handles clinicians sensitively.'

Legal 500 2025

“Mike is a very experienced clinical negligence barrister and I respect his opinion very highly.”

Chambers & Partners, 2024

“Michael is an exceptionally good practitioner.”

Chambers & Partners, 2024

Michael has a very pleasant manner with clients, medical experts, and his opposite number. He is very persuasive at round table meetings and in court and he is able to summarise complex legal and medical issues for both clients and with experts.

Legal 500, 2024

Michael produces pleadings and documents of high quality. Mike is very approachable, is able to handle difficult issues sensitively in conferences with experts, clients and with the opposing side.

Legal 500, 2023

Michael has a tremendous eye for detail. He is exceptionally good on complicated issues of law.

Chambers & Partners, 2023

Concise in his defence and quickly gets to grips with complex medical issues. He is excellent in conference with upset and anxious doctors and is a go-to counsel for a sensitive approach.
He will drill down into every detail in the case and nothing gets past him. He is very persuasive as an advocate, and his knowledge of case law and putting together an argument is exemplary.

Chambers and Partners, 2022

An exceptional advocate. You know you are in safe hands when Mike is involved and the outcome for the client will be the correct one.

Legal 500, 2021

Strengths include getting to grips with very technical medical procedures/rapport with experts and excellent testing of them in conference, simplifying the most complex of matters and being concise in defences.

Legal 500, 2021

Has a good handle on cases from the beginning.
Great with individual medical practitioners and quickly gets to the heart of the issue

Legal 500, 2020

Frequently instructed on complex and high-value clinical negligence cases, predominantly on the defendant side. He is also experienced in handling substantial personal injury cases.
He is good on technical applications such as interim payments.
He is particularly good analytically - if you've got a case with a tricky legal point, go to him.

Chambers UK

Draws praise for his skill, meticulous approach and excellent bedside manner.

Chambers UK

He is very instinctive and sensitive. He cleverly navigates the differing interests and challenges posed by the mix of clients, expert witnesses, judges and opposing counsel.
He fights hard when he has to but shows great intelligence in the way he does it.

Chambers and Partners

One of the barristers of choice for clinical negligence defendant work in the North West.

Chambers UK

He is recommended as “highly regarded in severe cases” and for his “skill, meticulous approach."

Chambers UK

He takes responsibility and ownership of the case, but also has a great respect for the thoughts and ideas of those he is representing. My clients and in turn, their clinicians, take to him quickly and are confident after a first meeting.

Chambers and Partners

He's really attentive to what we need, his advice is always fierce and to the point and in trial he's quite clever and smart.
He's a safe pair of hands, clients like him and he's robust.
He has impressed clients, who ask me to give repeat instructions if he has capacity to accept them.
He is accessible directly at all times, and gives you an honest appraisal of likely timescales for his input.

Chambers and Partners

Highly intellectual, precise approach and keen perception of a case’s strengths and weaknesses.

Chambers & Partners

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