

Michelle Brown

2005 Gray's Inn, brown@deanscourt.co.uk



Education	Professional Associations	Appointments
Audenshaw Sixth Form	Criminal Bar Association	CPS Advocates Panel - Cat 2
Prince of Wales Scholarship - Gray's Inn	Health and Safety Lawyers' Association	
Leeds University LLB - 1st Class	Northern Circuit	
Salford University LLM - Health, Safety and Environmental Law - Distinction	ARDL	
	WICL - Women in Criminal Law	

Areas of Specialism

Regulatory
Inquests
Health and Safety
Environmental
Licensing
Professional Discipline
General Medical Council
General Crime
Fire Safety Law
Crime
Animal Welfare Law

Profile

Michelle's practice has been exclusively criminal and regulatory from its inception following completion of successful pupillage at Deans Court in 2006. She obtained a masters award in 2011, in Health and Safety and Environmental Law, studying alongside full-time practice. She has previously undertaken prosecution Health and Safety work for the HSE, and environmental work for the EA and continues to defend individuals, companies, partnerships and sole traders in these areas.

Whilst Michelle predominately acts for the defence, she has always and continues to maintain a measure of Prosecution work, particularly for local authorities and government departments. This has included the role of Crown Counsel in the Falkland Islands on secondment for several months at the start of her career in chambers.

Michelle has spent many years honing her skills as a jury advocate in the Crown Court. She is well versed with the differing approaches to witness handling as a result of her day-to-day practice and formal Circuit training on handling expert and vulnerable witness.

Over the last 20 years Michelle has undertaken a considerable amount of insurance funded and private client work, throughout the U.K. As a result of her background in general crime which often overlaps with her professional discipline and regulatory work, Michelle can provide a comprehensive and holistic service arising from one incident across several fields.

Michelle cut her teeth for many years on road traffic work and thus has considerable experience of exceptional hardship, special reasons, newly qualified driver provisions and the like. She has conducted many cases involving fatalities and serious injuries where matters of causation, expert evidence and sensitivity have been required. Her private client work has also included those facing charges for attempting to cause serious bodily harm with intent by using a vehicle as a weapon.

She has previously been part of the List of Specialist Advocates for Health & Safety & Environmental Law, undertaking Prosecution Magistrates and Crown Court work for the HSE and EA. She now principally defends in these areas.

Farming – Michelle regularly defends partnerships, individuals, senior management and companies in relation to EA or LA prosecutions. This includes under Animal Welfare legislation and associated regulations, including an EU aspect, including documentary offences as well as environmental matters such relating to the unlawful discharge of waste.

Inquests

In the Coroner's court, Michelle has been instructed by local authorities, care homes, employees, drivers and families, as well as the MPS/MDU to act on behalf of medical professionals in both Article 2 and standard Jamieson inquests. She has undertaken the Coroner's course run by Bolton University.

Professional Discipline

Michelle began her professional discipline work via secondment to a large city law firm providing written advices on whether there was a case to answer and the drafting of charges. Michelle has since acted at Trust level disciplinary proceedings and for doctors in fitness to practice proceedings, interim orders and reviews before the MPTS. In addition, she has represented university level students undertaking medicine or nursing in FTP proceedings brought at university or faculty level for serious misconduct.

Licensing

Michelle has represented interested parties or objectors at licensing hearings at subcommittee level and the Magistrate's court and Crown Court on appeals. This has been primarily in relation to taxi matters but also alcohol and entertainment and matters relating to the Dangerous Dogs Act.

CQC

Michelle has undertaken appellate work for the CQC in relation to registration and cancellation. Further for Local Authorities in relation to housing, food hygiene and closure orders.

Ofsted

Michelle has experience of advisory and drafting work on appeals to the FTT against action taken against a providers registration.

Farming

Michelle regularly defends partnerships, individuals, senior management and companies in relation to EA or LA prosecutions. This includes under Animal Welfare legislation and associated regulations, including an EU aspect, including documentary offences as well as environmental matters such relating to the unlawful discharge of waste.

Notable Cases

Court of Appeal (Criminal Division)

Practice Area:

Court of Appeal (Criminal Division) – Successful sentence appeal on a charge of causing serious injury by dangerous driving. An 18 year old defendant, 20 years old at the point of sentence. Sole ground of appeal - that the sentence ought to be suspended.

R -v SS, TW, SN, SP and AC

Practice Area:

R -v SS, TW, SN, SP and AC – Successful prosecution of 5 defendants. Junior Led by Senior Junior in a multi-handed murder. Stabbing of male. Issues as to joint enterprise and expert evidence as to when the fatal blow was occasioned.

Practice Area: Inquest

Representing a company hiring MEWPS. Crush injury of employee. No adverse findings or PFD report.

Practice Area: Inquest

Representing a skip hire company. Tractor and trailer decoupling incident. Highly technical expert evidence from two experts called. Issues as to loading capacity, preventative checks, SSOV and risk assessment.

Practice Area: Inquest

Representing a care home company. Fall from height by partially blind service user located on the top floor of block of flats. No PFD or adverse findings.

Practice Area: Dangerous Dogs

Jury Trial- Successful defence of a farmer and his wife charged under DDA 1991.

Practice Area: Licencing

Successful appeal on behalf of a taxi driver. Revocation downgrade to a short suspension

Practice Area: CQC

First Tier Tribunal- successful defence of CQC's decision to refuse to register a new registered manager and service provider – inability to satisfy the fit persons criteria/ compliance with the fundamental standards of care.

Practice Area: CQC

Successful defence of CQC's decision to refuse to register a new registered manager.

Practice Area: CQC

Successful prosecution of unregistered limited company and two individuals in relation to a registered activity, namely ultrasound scanning for baby pictures.

Practice Area: Court of Appeal (Criminal Division)

Reduction of sentence length for a defendant charged with dangerous driver, driving whilst disqualified and no insurance.

Practice Area: Animal Welfare

No evidence offered against director - various charges laid against Company, Directors & Farm Manager alleging animal welfare offences and regulatory offences relating to pigs.

Practice Area: Inquest

Representing a care home. Service user with dysphagia problems. Choking incident. No adverse findings and no PFD.

Practice Area: Inquest

Representing a care home. Fall of Service User. Unidentified injury/fractures, chest infection and delay in administering

Practice Area: Inquest

Representing Company. Crush of employee delivery driver by falling bales of hay. Issues as to loading/unloading/risk assessment of site/strapping procedures. No adverse findings and no PFD

Practice Area: Inquest

Representing a national company that convey prisoners- 4 week prison suicide case. No adverse findings made against the company.

Practice Area: Inquest

Representation of two doctors in relation to examination and follow up of a testicular lump. No adverse findings.

Practice Area: Inquest

Representation of Care Home - Issues relating to failures to record and carry out positional turns. Finding of neglect avoided. No PFD report.

MPTS v MP

Practice Area: GMC

Successful defence of doctor at a 3 day FTP hearing. Drink driving and examination of patient whilst under the influence of alcohol. No impairment found. Warning issued.

R v B

Practice Area: Crime

Defendant acquitted of causing serious injury by dangerous driving on the basis of self defence.

Practice Area: Professional Discipline

Successful appeal against removal of a student from her midwifery course due to an undisclosed criminal conviction. University Appeal Level hearing

Practice Area: Health & Safety

Defence of medium sized Glass and Glazing company charged with an offence under s.2 HSWA in relation to injuries to two employees as a result of the transportation of crates of glass

Practice Area: Health & Safety

Defence of medium sized quilting manufacturer charged under s.2 and PUWER in relation to two separate incidents involving crushing and amputation injuries from unguarded machines.

Practice Area: Professional Discipline

Representation of a university medical student facing allegations of sexual misconduct before the University Disciplinary Panel. Case found partially proven on some but not all allegations. Reprimand and undertakings imposed

R v JM

Practice Area: Crime

Successful defence of professional athlete (Iron Man) on a charge of s.20.

Practice Area: Food Hygiene

Successful prosecution of company following the poisoning of 64 customers with rare Giadia Lamblia parasite

Practice Area: Food Hygiene

Successful application for a Hygiene Prohibition Order made for an indefinite period against an individual, following successful prosecution for hygiene offences at a takeaway.

Practice Area: Crime

Acquittal of delivery driver charged with causing the death by careless driver of a motorcyclist.

Environmental Agency v A Company**Practice Area: Environmental**

Absolute Discharges for Company Director and Company prosecuted under the Environmental Permitting Regulations 2007. No costs awarded to the EA.

Practice Area: Health and Safety

Led Junior in a fatal fall from height case.

Practice Area:

Successful Prosecution of a cattle auction – Fatal strike of an employee by a bull. Failure to properly risk assess and put in place control measures such as refuge areas.

Practice Area: GMC

MPTS (Review) - Representation of doctor found to have administered vaccines to patients with whom he shared a close relationship and subsequently altered medical records.

Practice Area: GMC

MPTS (Review) – Representation of doctor with longstanding psychiatric issues.

Practice Area: GMC

MPTS (IOT) – Representation of doctor alleged to have mis-prescribed, competency concerns against a poor health background.

Practice Area: GMC

MPTS (IOT) Representation of a doctor involved in treating transgender patients.

Practice Area: GMC

MPTS (IOT) Representation of a doctor undergoing criminal proceedings in relation to allegations of slavery and exploitation.

Practice Area: GMC

MPTS (FTP) Representation of a doctor – misconduct (criminal conviction case).
