

## 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	Approved Counsel for the Falkland Islands
Leeds University LLB - 1st Class	Northern Circuit	List of Specialist Regulatory Advocates in Health and Safety and Environmental Law (List C)
Salford University LLM - Health, Safety and Environmental Law - Distinction		

Areas of Specialism
Health and Safety
Inquests
General Crime
Motoring Offences
Trading Standards
Drug Importation and Supply
Environmental
Firearms
Fraud
Licensing
Homicide
Money Laundering and Asset Forfeiture
Sexual Offences
Professional Discipline
General Medical Council (Defence)
International and Overseas Territories Law
Mental Health Law



Michelle completed a criminal pupillage at Deans Court in 2006, with Lisa Judge as her pupil supervisor. Her practice has been exclusively

crime and regulatory from its inception split between Legal Aid, insurance funded and private client work.

Whilst Michelle predominately acts for the Defence, she has secured valuable experience prosecuting regulatory work for Local Authorities in both the Magistrates and Crown Court. In addition, Michelle is listed on the current CPS Panel.

## Health, Safety and Environmental law

Michelle has a keen interest in Health and Safety and Environmental Law, as demonstrated by the Masters she was awarded in these disciplines in 2011. Over the preceding 7 years her defence work has extended to disciplinary matters in particular at the MPT undertaking FTP, IOP, and Review, hearings. Michelle also has appeared in the Court of Appeal on her own cases, all to successful resolution.

## Specialist Crime

Michelle has considerable experience in conducting road traffic cases ranging from trials involving fatalities and lifechanging injuries through to ancillary sentencing matters such as Special Reasons and Exceptional Hardship arguments. The majority of this work has been insurance funded where there are civil claims looming and private client work for directors, senior management and high profile sporting figures. Michelle is often instructed at an early stage for preliminary advice, attending inquests, subsequent criminal proceedings and with civil claims then being passed within chambers to our highly renowned personal injury team. Michelle also has significant experience in respect of work under the Dangerous Dogs Act, applications for SOPO's and Proceeds of Crime hearings.

## Regulatory

Michelle successfully completed her Masters in Health and Safety and Environmental Law in 2011 from Salford University obtaining a Distinction and an award for Best Student in Class. She regularly advises and represents large national companies in respect of breaches of the HSWA and secondary legislation, offences under the Water Resources Act 1991 and Environmental Protection Act 1990, and appeals against improvement and prohibition notices. She has worked with a number of local authorities prosecuting housing law, statutory nuisances and appeals against abatement notices, in particular noise, in addition to a number of high profile cases in respect of food hygiene. Licensing law has become a growth area of work for Michelle, especially in respect of taxi and premises licences, with her attending at both Council level hearings and appeals to the Magistrates' for both the Local Authority and Applicants/ Appellants. Michelle has represented doctors at disciplinary appeals, medical students appealing against dismissal from University courses and a range of GMC /MPT hearings. Michelle also has experience in NMC work after an 8 week secondment in house at a city firm during which she provided advice on whether there was a case to answer.

## Coronial and Mental Health Law

Michelle has developed an interest and experience in mental health issues primarily through her practice in the criminal justice system to date. This has taken the form of fitness to plead hearings and applications for interim and final hospital orders. Michelle has attended seminars organised by Peter Edwards, touching upon the MHA, MCA and DOLS in order to aid continuing professional development in this area, in addition to shadowing at the Mental Health Tribunal. Michelle has undertaken inquest work since pupillage. As part of her inquest work, she has had to become increasingly familiar with issues of capacity and deprivation of liberty, having represented private companies (care homes and private hospitals) where issues as to standards of care have arisen. Her coronial experience spans from road traffic accidents representing individuals through their insurance companies or privately through to representation of individual medical practitioners whose conduct has been called into question and more broadly care homes or hospitals where issues of neglect and prevention of future death have featured. Michelle also has experience in work related fatalities and deaths in custody.

## Notable Cases

### Practice Area: Dangerous Dogs

Successful defence of farmer and his wife charged under the DDA 1991

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### BMBC v H

#### Practice Area: Licensing

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

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### R v P

#### Practice Area: Sexual Offences

Successful defence of man charged with offences of assault by penetration against his ex-partner (concurrent family proceedings)

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**SS v R**

**Practice Area: Court of Appeal**

Reduction of sentence length for defendant charged with Dangerous Driving, Driving Whilst disqualified and No Insurance.

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**Practice Area: Environmental**

Environment Agency prosecution. Immediate sentence of imprisonment for deposit of waste without a permit under s.33 EPA 1990.

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**FSA v PM Limited**

**Practice Area: Food Safety**

FSA prosecution of meat cutting business; breach of Remedial Action Notice and obstruction offence.

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**YN/ OES Ltd v CQC**

**Practice Area: Care Standards**

Representing the CQC at the First Tier Tribunal - successful defence of CQC's decision to refuse to register a new registered manager and service provider.

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**Practice Area: Inquests**

Representing National company that convey prisoners - 4 week Prison suicide case. No adverse findings.

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**Practice Area: Inquests**

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

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**Practice Area: Inquests**

Representation of Care Home – Issues relating to delay in obtaining antibiotics. No adverse findings. No PFD report.

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**Practice Area: Inquests**

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

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**Practice Area: MPT**

Review hearing – Interim conditions – transgender/tele-medicine issues.

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**MPT v MP**

**Practice Area:**

Successful defence of doctor at 3 day FTP hearing. Drink driving and examination of patient whilst under the influence of alcohol. Fitness to practice found not to be impaired. Warning issued.

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**R v. B**

**Practice Area: Road Traffic**

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

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**University of the City of London -v- A**

**Practice Area: Professional Discipline**

NMC Defence case - It was an appeal against the removal of a student from her midwifery course with respect to criminal convictions. It was an appeal which went through the University Appeals Process.

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**R v. R**

**Practice Area: Motoring Offences**

Successful Appeal Against Sentence to the Court of Appeal on a charge of Dangerous Driving.

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**R v. G**

**Practice Area: Court of Appeal**

Successful Appeal Against Sentence to the Court of Appeal Against sentence imposed contrary to agreed basis of plea and Crown Opening.

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**R v F**

**Practice Area: Health and Safety**

Acquittal of two defendants on indictment for charges under the Dangerous Dogs Act.

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**Bradford MDC v Retail Stores**

**Practice Area: Health and Safety**

Led Junior in a fatal health and safety case (fall from height).

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**Leicester BC v Card Retailer**

**Practice Area: Health and Safety**

Defence Counsel in respect of substantive breaches of HSWA and associated regulations, plus breaches of improvement notices.

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**Bradford MDC v The Restaurant Group Plc**

**Practice Area: Health and Safety**

Health & Safety Prosecution of Frankie and Benny's following second degree burn injuries to employee by a deep fat fryer.

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**Bradford MDC v Ayub and Ghafour**

**Practice Area: Health and Safety**

Food Hygiene Prosecution following the poisoning of 64 customers with the rare Giardia Lamblia parasite.

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**Regina v Crossley**

**Practice Area: Crime**

Defending Pub Landlord who faked a robbery at his own premises.

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**Regina v Walker**

**Practice Area: Crime**

Prosecution of 21 year old man suffering from Aspergers Syndrome charged with Arson.

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**Environmental Agency v. A Company**

**Practice Area: Health and Safety**

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

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**R v. JM**

**Practice Area: Crime**

Defence of 17 year old charged with multiple counts of arson.

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**R v. M**

**Practice Area: Crime**

Successful defence of professional athlete on a charge of s.20.

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**R v. M**

**Practice Area: Motoring Offences**

Successful defence of professional athlete on a charge of s.20.

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**R. v H**

**Practice Area: Motoring Offences**

Successful defence of death by careless driving charge.

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**R vs. JM**

**Practice Area:**

Successful reduction in notional determinate term.

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