

Zoe Dawson

2015 , dawson@deanscourt.co.uk



Education

Law LLB (Hons) University of Manchester - First Class
Bar Professional Training Course – Outstanding

Professional Associations

Member of the Northern Circuit

Areas of Specialism

Regulatory

Professional Healthcare and Regulation

Licensing

Proceeds of Crime

Trading Standards

Trademark and Copyright

Contempt & Private Prosecutions

Animal Welfare Law

Profile

Zoe specialises in Regulatory and Inquest matters, having previously enjoyed a Common Law practice (Crime, Civil / Commercial, Family) on the Western Circuit.

Regulatory / Licensing / Inquest

Zoe is regularly instructed by professional regulatory bodies including the General Medical Council and Social Work England in fitness to practice proceedings, and has also acted on behalf of professional registrants in proceedings brought against them by the General Medical Council, Nursing and Midwifery Council, Social Work England, and the Solicitors Regulatory Authority.

Zoe's criminal law experience is of great assistance in this sphere, allowing her to navigate complex cases including those involving fraud, sexual offences, and to handle both difficult and vulnerable witnesses with ease.

Within inquest proceedings Zoe has acted for Local Authorities, the Probation Service, and for NHS Trusts in both inquests and pre-inquest reviews. Zoe is able to advise on case management issues that arise early on in such cases, including disclosure, drafting of statements, and work required to avoid a prevention of future deaths report, enabling clients to feel prepared at inquest.

Zoe has considerable experience working with government bodies (including HMRC and the Home Office) in proceeds of crime and customs and excise matters, including in proceedings before the High Court. She has also successfully represented companies seeking restitution of their goods.

Zoe further receives instructions in cases involving Health and Safety, Premises Licensing, Environmental Licensing, Trading Standards, Taxi Licensing, Firearms Licensing, and Animal Cruelty.

To date, Zoe has spent 10 years working in criminal law alongside her regulatory practise, during which she has dealt with a broad spectrum of criminal cases both as a prosecutor (CPS Level 3 panel advocate) and as defence counsel, regularly appearing in trials in the Crown Court.

Within criminal proceedings she has acted both as Leading Counsel (successfully defending at a trial involving historic sexual allegations) and as Led Junior Counsel (both for the prosecution and defence).

Recent Inquest Experience

Acted for Hospital Trust at Inquest – the deceased was an infant cared for within the Trust's NICU – questions arose as to whether machines monitoring the infant's vitals had possibly malfunctioned and / or been muted by staff prior to death. Unusually, inquest proceedings were adjourned part heard to allow for a police investigation. Zoe assisted the Trust's legal team in navigating this unusual situation. Following Zoe's advice as to work required by the Trust to mitigate future risks, and subsequent written submissions, the Coroner did not issue a prevention of future deaths report.

Acted for the deceased's General Practitioner at Inquest – no critical comments / conclusions were found against the client.

Acted for the probation service at Inquest following the deceased's suicide. Questions arose as to the support provided following the deceased's release from prison. No critical comments / conclusions were found against the client.

Notable Cases

NMC v D

Practice Area:

Zoe represented a nurse who had admitted making misguided and inappropriate comments to a transgender patient. Zoe successfully defended the nurse against further more serious allegations including that she had requested to view the patient's genitalia. Zoe's client received a caution.

GMC v Dr D

Practice Area:

Zoe presented for the GMC in a case involving the doctor's use of another clinician's name against patient records over a period of 3 months in conjunction with a temporary smart card, due to the doctor's failure to obtain a personal card. The doctor had also admitted making a number of inappropriate posts on social media, some concerning internal disciplinary decisions within the Trust. After a detailed examination of IT data, the Tribunal found dishonesty on the doctor's part and imposed a period of suspension.

GMC v Dr J

Practice Area:

Zoe represented the GMC in a fitness to practise case involving a Football Club's doctor and his failure to apply for therapeutic exemption for a Player's use of a prohibited substance, contrary to doping regulations. The doctor had covered up said failings by fraudulently backdating an application form that was then sent to the UK Anti-Doping Authority, and went on to lie to the FA within the FA's regulatory proceedings.

GMC v Dr S

Practice Area:

Dr S had been erased from the Medical Register following findings that he had sexually assaulted 2 patients under the guise of clinical examinations. Dr S sought restoration to the Register – Zoe acted for the GMC and successfully opposed restoration.

R v (youth)

Practice Area:

Zoe represented a youth charged with sexually assaulting a child under 13. Zoe successfully raised s.76 / s.78 PACE arguments in respect of the admissibility of two 'confessions'.

R v B

Practice Area:

Zoe defends in case involving 5 charges of indecent exposures to women and girls near to a school in Eccles. Client avoided an immediate custodial sentence – receiving a 2 year community order.

DBR v (Company A)

Practice Area:

Zoe successfully applied to the High Court to remit a case stated appeal back to the Crown Court for amendment of the stated case. The application was granted, following which Zoe successfully opposed an application to set aside the Order.

R v K

Practice Area:

Zoe acted for a client charged with assault. A successful application was made to the Family Court for disclosure of material from family proceedings in which the Client was not a party.

At trial, Zoe advanced submissions that the prosecution had failed in their disclosure obligations, and following this the prosecution offered no evidence.

R v W

Practice Area:

Zoe defended a client for assault– victim had retracted due to purported intoxication at the time of preparing their statement – Judge withdrew case from Jury after voire dire and legal argument.

Practice Area: Health & Safety

Zoe represented a company who entered a guilty plea to 1 charge of failing to protect the health and safety of employees contrary to s.2 Health and Safety at Work Act. The case concerned an employee who had contracted Silicosis. Zoe referred to medical evidence in mitigation, showing that whilst Silicosis had been diagnosed, the employee was currently a-symptomatic and the risk of progression of the disease was low. The Court accepted that the percentage risk of progression was relevant to the degree of uplift required, and a sentence was imposed below the range provided for in the sentencing guidelines.

Practice Area:

Zoe, instructed by McHale & Co, represented a company who entered a guilty plea to 1 charge of failing to protect the health and safety of employees contrary to s.2 Health and Safety at Work Act. The case concerned failures by the defendant company to adequately protect an employee against the risk of contracting Silicosis - a respiratory disease affecting the lungs as a result of exposure to dust. Zoe referred to medical evidence in mitigation, showing that whilst Silicosis had been diagnosed, the complainant was currently a-symptomatic and the risk of progression of the disease was low. The Court accepted that whilst a move upwards in the range was necessary to reflect actual harm caused, the percentage risk of progression was relevant to the degree of uplift required.

Once mitigation was accounted for, the Defendant company received a sentence below the range provided for in the guidelines.
