

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

Crime

Regulatory

Professional Healthcare and Regulation

Licensing

Proceeds of Crime

Trading Standards

Trademark and Copyright

Contempt & Private Prosecutions

Animal Welfare Law

Profile

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

Crime

As a busy Junior, Zoe deals with a range of cases in the Crown Court covering those involving dishonesty (theft, robbery, fraud), to driving, drugs, offences against the person, public order and sexual offences. She has experience conducting both jury trials and appeals, and is commended for her thorough approach to the preparation of cases and commitment to client care. Zoe receives instructions in 'paper-heavy' cases such as those involving offences of fraud, blackmail, or the supply of controlled drugs, as well as more sensitive cases involving mental health concerns.

Zoe is a CPS Level 3 Panel Advocate and undertakes work for both defence and prosecution.

Recent examples of Zoe's prosecution practice include prosecuting a 4 handed case concerning the supply of Class A drugs; a 2 handed blackmail case involving 'loan sharks'; a 2 handed fraud by false representation case, and a case involving causing serious injury by dangerous driving.

Similarly, recent examples of Zoe's defence practice include defending: a young mother in a case involving causing serious injury by dangerous driving where the complainant was left paraplegic; a client within an 8 handed violent disorder involving multiple stabbings; an aggravated burglary, and a youth in a case involving a number of sexual assaults on a child under 13.

Zoe has been commended for her ability to present robust legal arguments in complex cases, and has successfully raised novel points of law to secure client's acquittals. Zoe is currently instructed in a claim for Judicial Review of a decision of the Crown Court in an appeal against conviction.

Regulatory / Licensing / Other

Zoe acts for both the General Medical Council and Social Work England in fitness to practice proceedings involving doctors and social workers respectively, and also has experience defending professionals within fitness to practice proceedings involving other regulatory bodies.

Zoe is regularly instructed by government bodies (including the Home Office and HMRC) in proceeds of crime and customs

and excise matters (e.g. Forfeiture, Restraint, Condemnation (forfeiture of goods), and Freezing Orders). She is currently instructed in an appeal to the High Court by way of Case Stated in a matter concerning the condemnation of goods under CEMA 1979.

Zoe also receives instructions to prosecute and defend in cases involving Health and Safety, Environmental Licensing, Trading Standards, Taxi Licensing, Television Licensing, Firearms Licensing, and School Non-attendance. She is regularly instructed to act on behalf of local authorities in such matters.

Zoe has extensive experience both prosecuting and defending RSPCA matters concerning offences of animal cruelty and breaches of disqualification orders, and has previously successfully represented a client in an 8 handed RSPCA prosecution involving allegations of animal cruelty concerning 100 animals kept by a Reptile Charity in Bolton.

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.
