

## Michael Deacon

Call: 2014



Michael Deacon has a busy practice encompassing the main areas of Chambers' work, including clinical negligence and personal injury, inquests, costs, public law, data protection law, professional discipline and employment law.

Further, building on his experience as a commercial litigation solicitor with a prominent city firm, Michael has also developed a busy independent practice in general contractual disputes.

## Clinical Negligence

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Michael is regularly instructed by claimants and defendants in a broad range of clinical negligence work.

### Selected Cases

- Junior counsel to the Infected Blood Inquiry, also known as the contaminated blood scandal, it has been regarded as one of the most significant adverse public health events in the United Kingdom.
- **Raychaudhuri v General Medical Council** [2018] EWCA Civ 2027
- Acting for the claimant in a claim against a GP practice for inappropriate gynaecological care.
- Pursuing a claim under the Animals Act 1971 on behalf of a woman left with facial injuries and scarring as the result of a dog bite.
- Representing the family and estate of a former city worker killed while working on a construction site.

# Personal Injury

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Michael is regularly instructed by claimants and defendants in a broad range of personal injury work.

## Selected Cases

- Junior counsel to the Infected Blood Inquiry, also known as the contaminated blood scandal, it has been regarded as one of the most significant adverse public health events in the United Kingdom.
- Acting for the claimant in a claim against a GP practice for in appropriate gynaecological care.
- Pursuing a claim under the Animals Act 1971 on behalf of a woman left with facial injuries and scarring as the result of a dog bite.
- Representing the family and estate of a former city worker killed while working on a construction site.

## Inquests

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Michael is regularly instructed in inquests by both the families of deceased persons and by interested persons such as GPs and NHS Trusts. He recently represented the family of a former city worker who was killed while working on a construction site in a week-long jury inquest.

Other examples of Michael's experience in this area include representing a GP in an inquest relating to the death of a woman from an overdose of prescription medication, and acting for an NHS trust in an inquest relating to an alleged causative failure to properly interpret radiology.

## Costs

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Michael has prior experience of costs work from his time as a commercial litigation solicitor, and having undertaken part of his pupillage under the supervision of Sarah Lambert, has been developing a costs practice of his own. He regularly deals with costs issues ancillary to his other practice areas in addition to costs litigation.

Building on his previous experience as a solicitor in commercial litigation, Michael has developed a busy independent practice in general contractual disputes. He regularly advises and appears in court in both trials and interlocutory matters on behalf of both claimants and defendants in this field.

Michael acts in a variety of disputes relating to contractual terms, including the application of the Unfair Contract Terms Act 1977; the Sale of Goods Act 1979; and allegations of defective performance, among others. Michael has particular experience of advising in technical claims involving allegations of defective performance of machinery in different contexts.

## Selected Cases

- Pursued a claim for a detailed assessment of a firm of solicitor's costs under sections 68 to 75 of the Solicitors Act 1974, involving preliminary issues relating to whether bills were interim bills or interim statute bills and whether special circumstances pre-vailed so as to allow for assessment.
- Acted as junior to Guy Mansfield QC in defending a wasted costs application made against a barrister acting as an expert witness in relation to the law of Abu Dhabi in family proceedings in England.

## Public Law

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Michael is regularly instructed by the government in a range of public law matters. Michael most recently assisted the defence of claims under the Human Rights act 1998 made against the Ministry of Defence by Iraqi citizens. Michael acted for the FCO in the Kenyan Emergency Group Litigation.

## Professional Discipline & Regulation

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Michael is developing his practice in professional discipline, and in particular has assisted senior members of chambers, including David Balcombe QC, in on-going regulatory prosecutions by the Bar Standards Board and the General Medical Council respectively. Most recently, he was led by Robert Kellar QC in **Raychaudhuri v General Medical Council** [2018] EWCA Civ 2027.

Michael has advocacy experience beyond his level of call, having been a court prosecutor in Scotland prior to coming to the bar and subsequently retained an independent practice in criminal prosecution. He has a skill set well suited to professional regulatory matters.

## Employment & Equality

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Building on his previous experience as a solicitor in commercial litigation, Michael has developed a busy independent practice in general contractual disputes. He regularly advises and appears in court in both trials and interlocutory matters on behalf of both claimants and defendants in this field.

Michael acts in a variety of disputes relating to contractual terms, including the application of the Unfair Contract Terms Act 1977; the Sale of Goods Act 1979; and allegations of defective performance, among others. Michael has particular experience of advising in technical claims involving allegations of defective performance of machinery in different contexts.

## Selected Cases

- Defending a farming contractor against allegations of defective installation of a field drainage system,

- allegedly resulting in loss of crop profits to the farmer claimant.
- Defending a supplier of agricultural vehicles against an allegation of a failure to provide vehicles of satisfactory quality.
- Defending a storage company against allegations of negligent performance of storage services, which was alleged to have resulted in mould damage to valuable artwork.
- Pursuing a debt claim against a water company for payment for the installation of reservoir equipment, and defending a counter-claim for alleged defective installation.

## Data Protection & Cyber

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Michael continues to develop his practice in data protection law. Notably, he was junior counsel for the Home Office, being led by Oliver Sanders QC of this chambers (shortly prior to his having taken silk), in the case of *TLT v SSHD* [2016] EWHC 2217 (QB), which concerned the tort of misuse of private information, alleged data protection breaches and the application of the principles concerning quantum of damages in such claims as laid down by the Court of Appeal in the phone hacking litigation.

### Appointments

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- Admission as solicitor (Scotland) (2012)

### Education

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- Bar Transfer Test (2014)
- LLM in Law, Corpus Christi College, University of Cambridge (2010)
- Postgraduate Diploma in Legal Practice Law, Glasgow Graduate School of Law (2009)
- LLB in Law (Honours), University of Glasgow (2008)

### Publications

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- Contributor to the 1COR Quarterly Medical Law Review (QMLR)
- Contributor to the [UK Human Rights Blog](#).