

Overview

As an experienced practitioner, Alan has built a successful Criminal and Regulatory practice. In the last five years, he has transformed his practice so that Professional Discipline & Regulatory takes over around 80% of his work load. Alan also continues to practise in criminal law.

Alan is a highly experienced advocate. He regularly receives plaudits from both professional and lay clients for his advocacy style and for the results he achieves for his clients. He will leave no stone unturned in seeking to achieve the desired outcome for his client.

In the field of professional discipline, Alan is one of the General Medical Council's regularly instructed advocates. He has recently been appointed to the Council's list of advocates sufficiently experienced and skilled to appear in the High Court.

He conducts all types of hearings for many professions, including Fitness to Practise, Review and Restoration hearings. He has extensive experience of appearing before Interim Orders Panels.

Much of Alan's current practice is taken up with Fitness to Practice Hearings involving misconduct (including dishonesty, sexual abuse and serious clinical errors), deficient professional performance (following performance assessments), and adverse physical or mental health.

Professional Discipline/Regulatory

- Extensive experience of both prosecuting and defending healthcare professionals
- Appearing regularly on behalf of the General Medical Council, before Investigation Committees and Fitness to Practise Panels, conducting Fitness to Practise, Review and Restoration Hearings
- Appearing regularly before Interim Orders Panels, and in the High Court seeking interim order extensions
- Representing other non-healthcare professionals in disciplinary hearings

Criminal

- Wide-ranging experience of prosecuting and defending in complex cases encompassing all areas of crime
- Acting as junior in murders, conspiracies and frauds
- Particular experience of historic rape/sex abuse cases

Notable Cases

Dr A - Case originally listed for 10 days - lasted 31 days. Practitioner who repeatedly gave false information relating to her qualifications and date of birth. She had been given advice by the GMC previously, but was referred shortly thereafter following concerns that she may not, in fact, be properly qualified.

Defence counsel made lengthy submissions that there was no case to answer. When that was rejected, an application for permission to apply for judicial review was made, and an urgent response had to be drafted overnight. When permission was refused, the doctor gave evidence for 2½ days. She was eventually erased from the medical register, an outcome which is currently the subject of an appeal.

Dr J - Highly unusual case involving an 80 year old doctor who had not practised in mainstream medicine since the late 1980s, and whose interest is in complementary medicine and particularly the promotion of major ozone autohaemotherapy.

The doctor was referred to the GMC by specialists treating a cancer patient, who had been having the ozone therapy, by which blood is removed from the patient, mixed with ozone and then re-infused. The allegation was that the ozone therapy was contrary to the conventional treatment being administered by the cancer team. The doctor was suspended for 12 months.

Dr AJ - Devoutly religious psychiatrist who was found to have imposed her religious beliefs on three vulnerable patients who were given or directed to religious material by the doctor. The patients all had a history of self-harm and attempted suicide, and one of them harmed herself having read the online material recommended by the doctor. Interesting case due to concept of imposition of beliefs – how far can a doctor go without contravening the principles set out in Good Medical Practice?

In the event, although all the facts were found proved, the doctor's fitness to practise was found to be not currently impaired, and she was given a warning.

Mr P - Mr P was referred to the GMC because he had misrepresented that he had the qualification of Doctor of Medicine when applying for a fellowship and when appearing before training panels. Numerous witnesses were called for both the GMC and the defence, at both the factual and sanction stages. The doctor was suspended for 6 months.



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PRACTICE AREAS

Criminal Law
Professional Discipline
Regulatory

EDUCATION

St. Paul's School, London

BA (Hons), University of Bristol

MPhil, Balliol College, Oxford

Diploma in Law, City University

Bar Vocational Course,
Inns of Court School of Law

MEMBERSHIPS

Criminal Bar Association

Association of Regulatory
and Disciplinary Lawyers

North-Eastern Circuit

Honourable Society of Lincoln's Inn

Dr G/ Dr N - These cases were interesting and novel, because they had been remitted back to fresh panels following successful appeals by the Professional Standards Authority for Health and Social Care against, in Dr G's case, a finding of no impairment and, in Dr N's case, a finding that the facts found proved did not amount to misconduct.

The cases had to be picked up, as it were, from where previous counsel had left off, such that, in Dr G's case, sanction had to be determined and, in Dr N's case, impairment and sanction fell to be decided.

Dr G was suspended for 2 months, whilst Dr N had conditions imposed on his registration for a period of 3 years.

Nurse H (defence) - This was a conviction case relating to an assault occasioning actual bodily harm. The nurse was suspended for 6 months.

Alan also defends in criminal cases. Recent examples include:

R v E - defendant lost control of car causing death of cyclist

R v U - victim's face slashed during fight by broken bottle

R v M - illegal immigrant using false identity documents

R v A - single punch causing fractured skull



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