

Sharmistha Michaels

YEAR OF CALL: 2002



Sharmistha is a barrister specialising in Human Rights, Extradition, Immigration, Asylum and Professional Discipline & Regulatory law

Overview

Sharmistha is an experienced barrister who has substantial and wide-ranging experience in Professional Discipline and Regulation, Extradition, Inquests and Inquiries.

Sharmistha offers advice and representation during all stages of the disciplinary process and is experienced in handling complex cases. Sharmistha also sits part time as a Legally Qualified Chair/Legal Assessor in a number of regulatory disciplines giving her a unique insight into how best to achieve positive outcomes for her clients.

Sharmistha has significant Inquest experience representing the full range of Interested Persons including government, hospital trusts, health professionals, the emergency services and bereaved families.

Sharmistha inclusive approach ensures she gains the confidence of those she represents and secures their full participation in the proceedings they are about to face. She is quick at understanding the important facts in each case, in order to make complex legal issues easy to understand for her clients. She is a persuasive advocate who combines sound judgment with meticulous preparation.

Sharmistha also undertakes pro-bono work and has been a member of Advocate (Bar Pro-bono Unit) since 2017. She has also provided pro bono support to families for the charity INQUEST.

Professional Panel Appointments

Legally Qualified Chair of the Medical Practitioners Tribunal Service (MPTS): Presiding over tribunals referred by the GMC in an independent Tribunal Chair capacity: July 2019 – Present.

Legally Qualified Chair for the Police Misconduct Panel (East of England): Presiding over misconduct hearings: January 2020 – Present.

Legally Qualified Chair of the Investigating Committee Panel (ICP) for the Health and Care Professions Council (HCPC): March 2021 - Present.

Legal Adviser for the Institute and Faculty of Actuaries (IFoA): Appointed February 2022.

MOPAC appointed **Legally Qualified Chair** for **police misconduct hearings** taking place within the London Region, specifically Metropolitan Police Service, City of London Police, British Transport Police, and Ministry of Defence Police.

Legal Assessors for the **Nursing and Midwifery Council (NMC):** Appointed January 2024.

CPS Specialist list for Extradition: Grade 2.

Direct Public Access

Sharmistha is registered to undertake Direct Access work.

Professional Memberships

Association of Regulatory and Disciplinary Lawyers (ARDL)

National Association of Legally Qualified Chairs (NALQC)

Professional Discipline & Regulatory

Sharmistha has substantial and extensive experience in professional conduct and regulation. She has expertise in health care, financial services and police aspects of professional discipline. Sharmistha is instructed by individuals, regulatory bodies and defence organisations.

Sharmistha also sits part time as a Legally Qualified Chair/Legal Assessor in a number of regulatory disciplines and is therefore well placed to assess cases from her extensive experience in these roles. This includes sitting as a Legally Qualified Chair for the Medical Practitioners Tribunal Service (MPTS), sittings as a Legally Qualified Chair of the Investigating Committee Panel (ICP) for the Health and Care Professions Council (HCPC). Sharmistha also sits as a Legally Qualified Chair presiding over misconduct hearings involving police officers from Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Suffolk and Norfolk constabularies and as a legal adviser for the Institute and Faculty of Actuaries (IFoA) Disciplinary Tribunals and Adjudication Panels.

Extradition & International

Sharmistha has been instructed in both Part 1 and Part 2 extradition matters. She both prosecutes and defends at Westminster Magistrates Court and in the High Court on appeal. She has a wide range of experience in dealing with complex legal arguments.

Sharmistha is on the CPS Specialist list for Extradition, Grade 2.

Inquests & Inquiries

Sharmistha accepts instructions in relation to Public Inquiries and Inquests.

She has considerable Inquest experience from representing the Government as well as the bereaved families at Inquests. Her Public Inquiry experience stems from her role in the Government and having been instructed as disclosure counsel for the Grenfell Tower Inquiry and for a key core participant in the Undercover Policing Inquiry.

Judicial Review & Public Law

Sharmistha has over 15 years of public law experience. In her immigration and asylum practice she is regularly instructed to advise and draft grounds for judicial review and appeals.

As part of the MoJ team, she was instructed in a range of complex Article 2 inquests in relation to death in state detention for Probation and the Prison Service. She led on HMP Liverpool inquests and advised clients on a wide range of civil litigation from malicious prosecution to multi-track personal injury claims. She also liaised with clients across the MoJ estate including the DPP and was also instructed on Inquiries and article 2 investigations.

During her time with the MOD Legal Advisers she led on high profile legacy Article 2 inquests and litigation from the Troubles in Northern Ireland. She represented the MOD at Northern Ireland Office Legacy Liaison Meetings and at the cross-Whitehall Group dealing with historical cases in Northern Ireland, such as the Stalker Sampson Inquest, and prosecutions arising out of the Bloody Sunday Inquiry. She provided legal advice to MOD Ministers on matters such as Public Interest Immunity applications and closed material proceedings in relation to inquests and criminal cases. She worked closely with the Military and partner agencies on the disclosure of sensitive material and the drafting of applications to the court.

Sharmistha represents health care professionals and bereaved families at inquests, particularly those involving deaths in custody and where there are mental health issues.

Immigration

Sharmistha provides advice and representation in all areas of immigration, asylum, nationality, EU free movement, deportation and detention. She is often instructed to represent vulnerable individuals including unaccompanied asylum-seeking children, victims of domestic violence and those with complex mental health issues because of her empathy and manner towards clients.

Sharmistha's experience of immigration law began in 2003 from her time as legal adviser to the Asylum team at London Borough of Hammersmith and Fulham Social Services where she specialised in advising on asylum support and unaccompanied asylum-seeking children. She later moved to the Treasury Solicitors as a case holder in the Immigration and Judicial Review team where she specialised in complex cases.

Sharmistha has a particular interest in immigration matters involving sexual violence, FGM, people trafficking and the LGBTQ+ community, and has written and spoken about these issues in the past.