

Guy Micklewright

YEAR OF CALL: 2004



Guy is a specialist fitness to practise, disciplinary and regulatory barrister acting for regulators and registrants.

“A strong advocate. A guru in fitness to practice; there is probably nothing he doesn't know in that field.”

Chambers & Partners 2024.

‘Guy is enormously experienced in the professional disciplinary field. An extremely good technical barrister.’

The Legal 500 2024.

"His knowledge of case law is second to none; he provides robust representation at disciplinary hearings."

The Legal 500, 2018

"He's very pragmatic and very resourceful...he has a great deal of expertise."

Chambers & Partners, 2018

"Quite simply outstanding. Guy brought to my case superb technical knowledge of the regulatory system alongside high levels of incisiveness and great clarity of thought. Furthermore his human empathy and personal warmth made the whole process so much more bearable....."

Client Feedback: Deputy Head of 20 years plus experience in a major London Independent school

Overview

Guy is a specialist fitness to practise, disciplinary and regulatory barrister, having practised in the area for 16 years, acting for both regulators and individuals subject to regulatory action.?? Guy has particular experience of complex disciplinary cases before a variety of healthcare, accountancy, legal, and engineering regulators.?

Guy is recognised in Chambers & Partners and in the Legal 500 UK Bar Guide as a leading junior for his work in professional discipline and regulatory work. He was ranked as a 'Rising Star' in The Legal 500 [2020 and 2021] for his professional discipline and regulatory work (Solicitors Guide).

Guy's practice includes governance advisory work, GDPR advisory work, inquests and firearms/shotgun licensing appeals, and advisory work.

“An excellent advocate, who is very highly regarded. We instruct him on complex cases.”

Chambers & Partners 2024.

Professional Memberships

Association of Regulatory and Disciplinary Lawyers (ARDL).

South Eastern Circuit member.

Professional Discipline & Regulatory

Fitness to Practise

Guy is a barrister with extensive experience in healthcare fitness to practise work. Guy has appeared before the General Medical Council (GMC), General Dental Council (GDC), General Pharmaceutical Council (GPhC), General Optical Council (GOC), General Osteopathic Council (GOsC), and Health and Care Professions Council (HCPC).

Guy is instructed across the full range of cases brought by these regulators including some of the most complex and lengthy of hearings, often appearing against leading juniors and silks.

The types of cases Guy has appears in include:

Cases involving multiple, complex courses of clinical care involving numerous patients;

Cases involving frauds by dentists and optometrists on the NHS;

Cases involving sexual allegations and vulnerable witnesses; and

Cases involving deaths of patients when in care.

“A great advocate, who is very knowledgeable and personable.”

Chambers & Partners 2024.

“Quite simply outstanding. Guy brought to my case superb technical knowledge of the

regulatory system alongside high levels of incisiveness and great clarity of thought. Furthermore his human empathy and personal warmth made the whole process so much more bearable.....

Client Feedback: Deputy Head of 20 years plus experience in a major London Independent school

...The result of my case saw all the allegations of serious professional misconduct against me being dismissed by the Regulator, and my case was closed; Guy was absolutely instrumental in achieving such a conclusion."

Client Feedback: Deputy Head of 20 years plus experience in a major London Independent school

Prev Next

Guy appears before PSA-approved bodies such as the British Psychoanalytic Council. He has a detailed knowledge of the nature of these bodies and the difference in approach required in such cases compared to cases before the statutory regulators.

Guy has frequently appeared in appeals involving GPs before the Performers List Decision Panel and on appeal to the First-Tier Tribunal.

Guy has previously been a member of the BSB's Prosecutors Panel **and has appeared in a number of cases before the BTAS Disciplinary Tribunal.**

Guy has previously sat as a Legal Adviser to Professional Conduct Panels at the NCTL (now the TRA) on a regular basis. This provided him with a detailed knowledge of the subject matter and nature of these proceedings which he is able to bring to bear when representing clients.

Accountancy Regulation

Guy is highly regarded accountancy barrister. Drawing on twelve years' experience of preparing and presenting cases on behalf of the accountancy regulators, along with providing

training for disciplinary panel members, he is able to bring a deep knowledge of this niche sector to bear when advising and representing clients facing disciplinary proceedings. Guy is able to assist at all stages of the process, from advising and drafting representations to the regulator during an investigation, advising on consent disposals offered by the regulator, and offering robust representation before a Disciplinary Tribunal. Cases he has acted in have included allegations of dishonesty, breach of the Anti-Money Laundering Regulations 2007, and failures in the standard of service to clients.

Education, University Defence, and School Expulsions and Exclusions

Guy regularly acts for students before university disciplinary and fitness to practise panels. Many of the cases he acts in concern allegations of serious sexual misconduct by students. Guy is able to advise clients through these procedurally challenging cases, which require specialist knowledge to handle appropriately.

Guy also advises parents of children facing expulsion or exclusion in both the state and private school sectors. He is able to advise and support parents as to how best to advance their case in meetings with the school; draft written representations; as well as where appropriate conduct advocacy. He is able to advise on the statutory duties of both state and private schools, as well as the contractual obligations of private schools.

In addition, Guy has been instructed by schools in appeals against decisions of the Secretary of State for Education and is able to advise how to challenge Ofsted reports.

Watch Guy present the webinar: [Misconduct Proceedings - Universities & Students: What to Do & What to expect](#)

Engineering Regulation

Guy is an experienced engineering regulation barrister. He has an in-depth knowledge of the sector, having worked on some of the most complex and sensitive cases dealt with by the engineering regulators. Guy has particular experience of the Institution of Mechanical Engineers and the Institution of Civil Engineers. Guy is experienced in dealing with complex party-wall matters arising before the engineering regulators.

Appeals and Judicial Review

Guy is an experienced appeals barrister who has appeared in some of the leading cases in professional regulatory law in the High Court and the Court of Appeal. Guy also appears before the First-Tier Tribunal and Upper-Tier Tribunal in cases where appeal lies to those tribunals. Guy is recognised for his in-depth knowledge of the law and valued for his professional judgment.

Guy is regularly instructed to provide 'second opinion' advice on the merits of appeals from tribunal decisions and accepts instructions to do so on a direct access basis.

Guy is also instructed in judicial review proceedings at various stages in professional regulatory cases.

See related articles: [Time Limits in Fitness to Practise Appeals & Statutory Appeals & Freedom of Speech, Covid Scepticism, and Interim Orders: What Will be the Effect of White v GMC \[2021\] EWHC 3286?](#)

Legal Services Regulation

Guy is a former member of the BSB's Prosecutor's Panel and has appeared in a number of cases before the BTAS Disciplinary Tribunal, as well as on appeal. Guy accepts instructions to advise and represent registered, unregistered, and student barristers. Guy has particular expertise in cases concerning applications for readmission following disbarment.

Governance and Investigations Advice

Guy is well-regarded for his expertise in providing advice to regulators relating to their functions, as well as for drafting rules of procedure, policies, and Codes of Conduct. Guy has particular familiarity with the governance of non-statutory and membership bodies, whose requirements are different to those of statutory regulators.

Guy has experience in conducting independent, internal misconduct investigations for public sector organisations.

Guy has experience of advising regulators and other bodies on their obligations under the GDPR and Data Protection Act 2018.

Shotgun/Firearms Licensing

Guy has experience advising clients in relation to police seizure of licensed shotguns and firearms, obtaining a licence following refusal of an application or certificate revocation, suitability reviews, and appeals against refusals and revocations. To **download a copy of his firearms licensing and appeals profile**, please click [here](#).

Additional information

Seminars and Articles

Guy also presents seminars and writes on topical issues in the field of regulation and professional discipline, recent **seminars** include:

Social Media, Professional Regulation & Freedom of Expression

Making the most of **Experts: adducing effective expert evidence in fitness to practise proceedings**

Misconduct Proceedings Autumn Series Webinar - **Universities & Students: What to do & What to expect**

Guy's **articles** can be accessed [here](#).

Training

Guy provides training for practitioners, disciplinary panel members, and decision-makers.

Direct Public Access

Guy is qualified to receive instructions directly from members of the public.

Inquests & Inquiries

Guy has appeared in a number of inquests on behalf of interested parties concerning Health and Safety breaches and deaths in hospital.

Cases of Note

HCPC v Hawkins [2023] EWHC 3256 (Admin)

Guy Micklewright appeared successfully for the HCPC in HCPC v Hawkins [2023] EWHC 3256 (Admin), resisting the Appellant's argument that allegations of sexual motivation were not made out on the facts and, if they were, that it would be inappropriate to remit the matter for a further hearing.

Lambert-Simpson v Health and Care Professions Council [2023] EWHC 481 (Admin)

Guy was instructed on behalf of the HCPC to in an appeal against an order suspending the appellant's registration for a 'racially motivated' post on social media. This is the leading case on the definition of 'racially motivated' behaviour.

Lars Stuewe v HCPC [2022] EWCA Civ 1605

Guy Micklewright represented the HCPC at the Court of Appeal. The Court of Appeal clarified the correct approach to be adopted when considering whether or not there is jurisdiction to extend time for a statutory appeal filed outside of the statutory time limit, the Court also considered whether, for the purpose of service under CPR 6.3, Gibraltar can properly be considered part of the U.K. The Court dismissed the Appellant's appeal.

Sykes v BSB [2018] EWHC 761 (Admin)

An appeal considering, among various other grounds, whether the BSB's system of an oral hearing with an appeal on the papers to a review panel was contrary to Art. 6 ECHR.

King v Bar Standards Board [2018] EWHC 2398 (Admin)

An appeal arising from a decision to refuse readmission following the Appellant's disbarment following convictions in New Zealand for conspiracy to kidnap and possession of a firearm and a seven year custodial sentence.

Rothschild v GDC [2015] EWHC 1632 (Admin)

A specialist endodontist was suspended with an order for immediate suspension. He applied to discharge the immediate suspension, arguing among other matters that his legal team had been negligent. The court considered that appellants in fitness to practise proceedings must follow the same procedure as appellants in criminal proceedings where negligent

representation is alleged.

GDC v E

A four week hearing involving a catalogue of failings in the care provided to approximately twenty patients. Evidence was led from a number of expert witnesses, a large number of factual witnesses and necessitated extensive written submissions.

GOC v C

case involving allegations of a failure to provide adequate care and make adequate clinical notes in respect of multiple appointments of 38 patients. This was the first case where the GOC made use of 'consensual disposal' following a narrowing of the scope of the allegations.

HCPC v C

A paramedic alleged to have made significant failings in assessing a 30 year old patient when attending a 999 call, who later died of a head injury. A number of key allegations found not proved and conditions of practice imposed.

GMC v R

A consultant had received a suspended sentence for 2 years for refusing to provide a specimen in the Magistrates' Court. The Panel was persuaded that the principle in CHRE v GDC v Fleischmann [2005] EWHC 87 (Admin) should be interpreted restrictively in order to ensure the sanction was proportionate.

Accreditation



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The Legal 500, 2018