

## Dr Michael Powers QC (1979, QC 1995) BSc MB BS DA FFFLM LLD (hons)

### General Information

Dr Michael Powers QC is leader of the Clinical Negligence Group at Clerksroom and acts on behalf of both claimants and defendants.

He has had 35 years' experience at the Bar in all areas of medico-legal practice focusing on medical, scientific and legal causation. He has published, lectured and broadcast widely on medical negligence. As a strong supporter of the NHS Dr Powers advocates constant attention to standards of practice and an open system of accountability when things go wrong.

Too many lives are lost through clinical negligence and lessons still need to be learned. For many years before the Mid-Staffordshire NHS Hospital scandal, he campaigned for "Robbie's Law" – a legal duty of candour in the NHS. Until healthcare workers learn that cover-up is worse than owning-up, we will have to continue to employ the legal machinery to unearth the truth. This process is in the interests of patients and the general public.

His other main interests as a medical negligence QC relate to the investigation of deaths (coroners and other inquiries). He has represented the Fire & Rescue service at inquests, the pharmaceutical industry with regard to product liability and licensing and all types of cases (civil and criminal) where scientific principles are involved. He lives up to his Chambers & Partners recognised reputation as being "first-rate on technical evidence."

As a former helicopter pilot, Dr Powers is instructed in civil and criminal aviation cases. His instructors used to tell him that helicopters are the safest means of air transport – maybe he says– but it depends on who flies and maintains them.

As a trained and accredited Mediator with the Notre Dame School of Law (2000) he mediates principally in professional negligence matters, though he has experience mediating in marine and aviation cases. He is presently engaged in an international commercial arbitration which involves substantial dispute on technical matters.

He has an extensive practice in the Caribbean and he has conducted cases in the Isle of Man and Mauritius and an inquiry in the Channel Islands.

Education in medicine and the law is vitally important to Dr Powers. He remains a Registered Medical Practitioner and is a lead examiner for the Primary Membership of the Faculty of Forensic and Legal Medicine of the Royal College of Physicians. On the legal side, for many years he has been a grade A advocacy trainer/tutor trainer and he seeks to improve the skills of advocacy of young barristers in England, Wales and abroad.

Practising at the Bar as a medical negligence QC Dr Powers is committed to helping all those who seek justice and accountability.

He was elected a Bencher of Lincoln's Inn in 1998.

### Personal Life

Dr Powers's personal life is intrinsically woven into his professional life and the activities of a practising clinical negligence QC. Whilst not shunning the social media, his inputs have been conservative and designed to exchange ideas and news which might be of value to friends and professional colleagues.

Music is an important part of his life. He plays the piano (a Fazioli) but prefers to listen to the better performances of others.

Reading both medicine and law is a necessary and time consuming part of a medical negligence QC's life. Nevertheless, when time permits, reading for pleasure is a delight for him - provided the prose is cultured and the subject interesting.

With a home on the river Tavy on the western edge of Dartmoor, Dr Powers encourages visiting legal teams and experts to participate in the local outdoor life. Keeping the mind alert through exercise and discussions about the angles in a case whilst walking is invaluable. The boot was on the other foot when he was prosecuting a helicopter case for the SPA when his team wanted to go on what he termed "route marches" on the moors. He does not profess the fitness of servicemen and women but maintains that exercise is good for the thought processes: "bath time" as it is otherwise known.

Photography is a passion of his. After many years a Canon enthusiast he has now reverted to Leica now that digital perfection can be matched with the world's best photographic lenses. B&W portraits are a particular interest and he is being drawn back into chemical photography.

Lincoln's Inn is a fundamental part of Dr Powers's life. Enthusiastic involvement in the collegiate life, education, ethics and advocacy training is a privilege. The camaraderie of the Bar provides an environment in which there is enjoyment in the stimulus of learning from each other. He is active in supporting those who aspire to practise in the profession.

A great interest in wine led to Dr Powers to being intronisé vigneron d'honneur by la Jurade de Saint-Emilion in September 2012: it ensures regular visits to the Bordeaux region.

He has two children, both of whom are married. His son Andrew and his wife Cassie have a daughter (Abigail) and his daughter Julia and her husband John have given him a grandson (Robert).

Last but not least Dr Powers is fortunate to have a wife who not only tolerates his interests but becomes involved with them. He shares interests with her – even to the extent of Pamela also qualifying as a helicopter pilot. Her qualities of patience, care and tolerance support him when he is most under pressure.

#### **Specialisations:**

**Major medical negligence actions** (cerebral palsy, anaesthetic brain damage, neuro/cardiac surgery) for both claimants and defendants. Group litigation involving medical treatment such as excess irradiation cases (e.g. Exeter and RAGE)

**Pharmaceutical litigation:** egs: the benzodiazepine multiparty litigation for manufacturers and combined oral contraceptive multiparty litigation for manufacturers; carbon disulphide group litigation; general product liability, licensing and judicial review.

#### **Other areas of practice include:**

All work where significant medical causation issues arise such as chemicals used in industrial processes. Professional negligence associated with the conduct of medical cases.

Prosecution of Medical Practitioners before the General Medical Council for the GMC and ABPI

**Significant Coroners' Inquests** (particularly helicopter tragedies and deaths alleged to have been caused by drugs or chemicals) and Judicial Review.

#### **Appointments:**

House Surgeon to The Middlesex Hospital, London 1972/73

House Physician to Professor Sir Donald Acheson, Royal South Hants Hospital, Southampton 1973/74

Senior House Officer (Anaesthetics) Royal United Hospital, Bath 1974/75

Registrar in Anaesthetics, Northwick Park Hospital, Harrow 1975/77

Students' Counsellor at Lincoln's Inn 1983/90

Assist. Deputy Coroner (Westminster) 1981/87

President of the South of England Coroners' Society 1987/88

Member of Qinetiq Medical Research Ethics Committee 1999 - 2004

Member of the Advocacy Training Council 2004- Vice Chairman 2007 - 2012

Past Member of the Bar Standards Board Sub-Committee on Revision of the Code of Conduct

Past Member of the Bar Standards Board BPTC Committee

Examiner for the Fellowship of the Faculty of Forensic and Legal Medicine of the Royal College of Physicians

**Professional Memberships:**

Royal Society of Medicine

Professional Negligence Bar Association

Society of Doctors in Law

Medico-Legal Society of London

Elected Fellow of the Faculty of Forensic Law & Medicine of the Royal College of Physicians (2007)

**Personal interests:**

Improving the quality of medical practice and advocacy at the Bar;

Lecturing, broadcasting on specialist topics, shooting, flying (holder of PPL(H) and has held ratings on R22, R44 and EC120 helicopters), piano playing and photography.

**Education:**

London BSc (Hons Biochem) MB BS (Lon) DA (RCS), FFFLM, LLD (honoris causa)

For further details about Dr. Powers' career and practice please click link for his own website.

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