



“She is brilliant – she is really fabulous with clients and has a nice gentle manner which works very well in the tribunal. She manages to impress the judges and when she needs to be tough she can be.”

Chambers & Partners (2017)

Michelle Pratley is an experienced advocate with a successful public law and regulatory practice. Her areas of particular expertise are mental capacity and mental health, education, community care, employment and regulation. She is recommended as a leading junior by Chambers and Partners and Legal 500. Michelle spent six years as a barrister at 4-5 Gray’s Inn Square before joining 39 Essex Chambers and began her professional life practising as a solicitor.

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## PRACTICE AREAS

- Administrative & Public
- Regulatory & Disciplinary

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## PRACTICE AREAS

### ADMINISTRATIVE & PUBLIC MENTAL CAPACITY & MENTAL HEALTH

*“Excellent, a voice of calm in troubled waters, who produces incredibly impressive advocacy and written work.”*

Chambers & Partners (2015)

Michelle has built a thriving practice in the Court of Protection and is regularly instructed in complex disputes by local authorities, public bodies, family members and the Official Solicitor. She has acted in a wide range of

welfare proceedings, including disputes over deprivation of liberty, forced marriage, residence, care and contact. Michelle has also appeared in a number of cases involving serious medical treatment and applications for the appointment of a deputy for property and affairs.

Michelle has been instructed in a range of mental health proceedings, including applications to displace a nearest relative on the basis that they have unreasonably objected to their relative's admission for treatment.

## EDUCATION LAW

*"She is great and clients absolutely love her. She is very reassuring."* Chambers and Partners (2015)

Michelle has a wealth of experience in all aspects of education law. Her clients include local authorities, universities, academies and schools as well as students and parents. She regularly advises on the application of discrimination law in an educational context, and in particular on the operation of the Equality Act and the duty to make reasonable adjustments. Michelle has particular experience in the field of special educational needs; advising and appearing in cases before the First-Tier Tribunal and Upper Tribunal. She is most frequently instructed in high-value cases involving intensive therapy provision and placement in independent or residential schools. She has also appeared in complex admission and exclusion appeals.

## COMMUNITY CARE

Michelle has a growing community care practice and has been instructed on a raft of applications for judicial review. She has advised on issues ranging from where an individual is ordinarily resident to disputes over payments to fostering agencies, and has been involved in a number of challenges arising from the complexities of the "leaving care" provisions.

## EMPLOYMENT LAW

Michelle's experience in employment law includes unfair and wrongful dismissal, breach of contract, redundancy, unlawful deductions from wages and TUPE transfers. She has particular expertise in equality and discrimination, having acted in numerous cases concerning discrimination on the basis of sex, race and disability before the Employment Tribunal and Employment Appeals Tribunal.

## REGULATORY & DISCIPLINARY

Michelle has been instructed in a range of regulatory and disciplinary matters. She has acted for banks and trust companies in disputes with the British Virgin Islands Financial Services Commission concerning compliance inspections, fitness to practise and penalty enforcement notices for failure to comply with anti-money laundering and other regulatory requirements. She has a particular interest in fraud and money laundering proceedings and was instructed as junior counsel to Hodge Malek QC in complex fraud proceedings spanning several jurisdictions that led to a confiscation order in the British Virgin Islands for over US\$45 million. Michelle has also had significant experience in the field of professional disciplinary disputes, and has advised on a raft of cases concerning fitness to practise.

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## CASES

ACCG v MN [2013] EWHC 3859 (COP)

Sandwell Metropolitan Borough Council v RG & Ors [2013] EWHC 2373 (COP)

## RECOMMENDATIONS

### **Chambers and Partners (2015):**

Recommended junior in Court of Protection:

*"She's a flawless practitioner who is really approachable and liked by clients and judges." "She's a safe pair of hands who is very calming, very knowledgeable and erudite."* (2017)

*"Really brilliant – she's so clear-thinking she can win round even the most aggressive opponent with her focus. She works very hard and just makes dry concepts quite straightforward."* (2015)

*"Excellent, a voice of calm in troubled waters, who produces incredibly impressive advocacy and written work."* (2015)

*"She understands the Official Solicitor's position really well. She is super-efficient and can get straight to the crux of the matter."* (2014)

*"responsive and approachable"... "a formidable presence in the Court of Protection".* (2013)

Recommended junior in Education law:

*"She is brilliant – she is really fabulous with clients and has a nice gentle manner which works very well in the tribunal. She manages to impress the judges and when she needs to be tough she can be."* Chambers & Partners 2017

*"She is great and clients absolutely love her. She is very reassuring."* (2015)

*"She is very personable, very mature, and very reliable."* (2014)

### **Legal 500 (2013):**

Recommended junior in Education Law:

*"friendly and approachable"* (2013)

*"very approachable and experienced on matters relating to special educational needs".* (2009)

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## QUALIFICATIONS

LLM, Darwin College, Cambridge (2005)

BA/LLB, University of New South Wales, Sydney (2002)

Certificate in International Law, University of Amsterdam (2001)

Sir Isaac Wolfson Scholarship, Lincoln's Inn (2006)

British Chevening Cambridge Australia Trust Scholarship (2004)

University of New South Wales General Education Travel Grant (1999)

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## ADDITIONAL INFORMATION

### DIRECT ACCESS

Michelle is qualified to accept instructions on a direct access basis. Before becoming a barrister she spent three years practising as a solicitor and is very happy to directly advise and act for lay clients in appropriate cases.

### PRO-BONO

Michelle has a genuine commitment to acting on a pro bono basis for clients who may not otherwise have access to legal advice or representation. To date she has undertaken pro bono work for Bail for Immigration Detainees, Law for All and the Children's Legal Centre.

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