

## David Birrell

Call 2006



### Clerks' Details

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### Appointments

- Legally Qualified Chair of Disciplinary Tribunals, England Boxing
- Disciplinary Tribunal member, England Handball

### Memberships

- Northern Circuit
- Criminal Bar Association
- Association of Regulatory and Disciplinary Lawyers
- Young Fraud Lawyers (North West) Association

### Education

- Saint Edward's College, Liverpool
- University of Liverpool
- L'Université Paris 1 - Panthéon-Sorbonne
- Nottingham Law School

## Healthcare (presenting for General Medical Council) CV

### Overview

David has extensive experience of advising and representing the GMC at hearings before Medical Practitioners Tribunals including Fitness to Practise hearings, Review hearings, Restoration Hearings and Investigation Committee hearings.

He has a particular interest in cases involving clinical misconduct.

He has experience of sitting on disciplinary tribunals, including for England Boxing where he sits as a Legally-Qualified Chair (LQC). David uses this invaluable experience to approach cases critically, as if from the point of view of the tribunal members. David's submissions usually resonate with tribunals.

He enjoys good relationships with instructing legal advisors and paralegals. He provides a first rate service, making himself available to offer advice and assistance over the telephone and by email, including at very short notice.

Married to a hospital doctor, David has particular insight into the work of doctors and the important role of the GMC.

## Cases

### **GMC v Dr S (2019)**

Numerous allegations of clinical misconduct against a GP who offered private cosmetic procedures. After a four-week hearing involving expert evidence called by both sides the Tribunal found that the Dr's fitness to practice was impaired.

### **GMC v Dr A (2019)**

Allegations of dishonesty against a junior Dr specialising in public health. Allegations were found proved, fitness to practice was found impaired and Dr was suspended.

### **GMC v Dr S (2019)**

'Conviction case' involving a Dr who was convicted of serious offences of domestic violence against his wife.

### **GMC v Dr B (2019)**

Allegations of persistent dishonesty by a GP who worked as a locum whilst signed off sick. All allegations were found proved, fitness to practice was found impaired and the Dr was erased from the register.

### **GMC v Dr A (2019)**

Foreign determination case. The Dr had been found guilty of professional misconduct by the Singapore Medical Council and the Singapore High Court. Unusually, David advised that the Dr's application for Voluntary Erasure should be approved.

### **GMC v Dr George (2018)**

Fitness to Practise Hearing with charges based on the Doctor's criminal conviction for drink driving and associated dishonesty. It was alleged that the Doctor had sought to 'cover up' his offending. All charges were proved and the doctor Doctor was suspended.

### **GMC v Dr L (2017)**

Fitness to Practise Hearing with charges based on the Doctor's dishonesty. It was alleged that the Doctor forged a training certificate.

### **GMC v Dr A (2017)**

Fitness to Practise Hearing with charges based upon the Doctor's criminal conviction for fraud against the NHS. The case resulted in the Doctor's erasure from the medical register.

### **GMC v Dr S (2016)**

Restoration Hearing. Dr S, a consultant psychiatrist, had been erased owing to improper sexual relationships with patients. The application for restoration was refused.

### **GMC v Dr F (2016)**

Fitness to Practise Review with charges based upon the Doctor's alcoholism.

**GMC v Dr A (2016)**

Fitness to Practise Review with charges based upon the Doctor's misconduct and dishonesty. The case resulted in the Doctor's suspension.

**GMC v Dr A (2016)**

Fitness to Practise Hearing with charges based upon the Doctor's criminal conviction for sexual assault on a patient. The case resulted in the Doctor's erasure from the medical register.

**GMC v Dr R (2016)**

Investigation Committee Hearing regarding the quality of the Doctor's record keeping. The case involved close analysis of the current and former versions of Good Medical Practice.

**GMC v Dr O (2016)**

Fitness to Practise Review with charges based upon the Doctor's health. The central issue was the risk of the Doctor's relapse into alcoholism.

## Publications

Between 2010 and 2012 David contributed to the Solicitors Journal by writing the Criminal Law updates.

## Beyond the Bar

- David plays football and runs marathons.
- He enjoys cooking and dining out.
- Having lived, studied and worked in Paris, David speaks French fluently.