

Christopher Mellor

Call: 1999



Christopher Mellor has a common law and public law practice. In addition, he has wide-ranging experience in other professional negligence work and personal injury.

He has extensive experience in clinical negligence (acting for both claimants and defendants); in medical disciplinary and regulatory work (e.g. MPTS hearings; before the GDC and NMC; and in Trust disciplinary hearings); in cases involving medical treatment decisions (including emergency injunctions and declarations); in inquests; and in other medical law related matters.

He has been instructed in a number of high profile GMC cases, including *GMC v Dr Andrew Wakefield and others* (the prosecution of the three doctors involved in the research connected with the MMR debate), and in judicial review proceedings brought against the GMC.

Christopher's public law practice also includes work in Public Inquiries. He was Junior Council for the West Midlands Strategic Health Authority in the Mid Staffordshire NHS Foundation Trust Public Inquiry chaired by Robert Francis QC.

"Extraordinary skill in managing difficult clients." "Always on top of all the detail, he is incredibly diligent in his role."

Chambers & Partners 2017

"He is very user-friendly, prepares unbelievably well and has a very reassuring manner in front of coroners." "He is extraordinarily calm in front of juries and sensitive in cases that are difficult for all involved."

Chambers & Partners 2016

"His ability to assimilate a very large volume of information in a short time is extremely impressive." "He is clear and concise in his advice, and has an absolutely thorough understanding of the matters he deals with."

Inquests

Christopher is frequently instructed to represent NHS Trusts, healthcare professionals, families and other interested persons in complex inquests. He specialises in inquires arising from deaths where there has been medical involvement, including in mental health institutions and prisons.

Selected Cases

- **Inquest into the death of Terrence Smith:** jury inquest, lasting approximately 4 months, into the death of a 33-year-old man who died following being detained and restrained by police; the medical cause of death included "*Amphetamine-induced excited delirium in association with restraint*".
- **Inquest into the death of Kingsley Burrell:** 6 week jury inquest into the death of a man who was restrained by police.
- **Inquest into the death of Caroline Ambrose:** involved the death of a private voluntary inpatient at a mental health hospital who was permitted to leave the hospital alone despite instructions that she only be allowed escorted leave.
- **Inquest into the death of Tallulah Wilson:** 15 year old girl who had had an online life which included involvement with an internet site where users posted images of self-harm.
- **Inquest into the death of Axel Peanberg-King:** death of a baby following involvement of Harmoni out-of-hours service.
- **Inquest into the death of Alina Sarag:** school girl who died having contracted TB.
- **Inquest into the death of Lucas Stachursky:** phenytoin overdose.
- **Inquest into the death of Naazish Farooq Khan:** Junior Counsel for the Hospitals NHS Trust into death in hospital following alleged over administration of potassium. The matter had previously been subject to the judgment of the Court of Appeal on the issue of public funding for representation: see [2004] 1 WLR 971.

Professional Discipline & Regulation

Christopher has wide-ranging experience of both prosecuting and defending in medical professional disciplinary cases before regulators (e.g. the GMC/MPTS, GDC and NMC) and of representing doctors in internal (MHPS) disciplinary cases. His GMC work includes a number of very high profile cases; e.g. *GMC v Dr Andrew Wakefield and others*.

Selected Cases

- **GMC v Dr H:** representing a doctor accused of dishonestly submitting essays and a dissertation

containing plagiarised material as part of a Masters degree in Public Health, and of further dishonesty during a University meeting investigating the dissertation.

- **GDC v Dr A:** defending a dentist facing charges concerning clinical treatment and that he had dishonestly failed to offer various treatments on the NHS and had advised that treatment available on the NHS would not be of an appropriate standard.
- **Walker-Smith v GMC [2012] EWHC 503 (Admin):** appeal, by one of the other doctors prosecuted in the Wakefield case (see below), against findings relating to the alleged conduct of unapproved research.
- **GMC v Dr Andrew Wakefield and others:** instructed by the GMC in prosecution of three doctors involved in the MMR vaccine debate.
- **GMC v Dr Ann David:** prosecuting a Consultant Anaesthetist charged, inter alia, with hastening a patient's death.
- **GMC v Dr Kane:** prosecuting a Consultant Gynaecologist; involved issues relating to voluntary erasure and fitness to appear.
- **GMC v Dr Jamal:** representing a doctor charged with fabrication of results and the subversion of the randomisation process in a multi-centre clinical drugs trial.

Clinical Negligence

Christopher has extensive experience in clinical negligence (acting for both Claimants and Defendants); in medical disciplinary and regulatory work (e.g. in the GMC, GDC and NMC); in cases involving medical treatment decisions (including emergency injunctions and declarations); in inquests; and in other medical law related matters.

Selected Cases

- **Brown v (1) Birmingham and Black Country Strategic Health Authority (2) Shukru (3) Medical Defence Union Ltd [2005] EWHC 1098 (QB):** Junior Counsel for the First Defendant; failure to discover congenital spinal defect and to diagnose meningitis.

Public Inquiries

Christopher was Junior Council for the West Midlands Strategic Health Authority in the Mid Staffordshire NHS Foundation Trust Public Inquiry chaired by Robert Francis QC.

Selected Cases

- **Mid Staffordshire NHS Foundation Trust Public Inquiry:** instructed in inquiry.

Appointments

- London-Westminster Research Ethics Committee (REC)

Awards

- Middle Temple Diplock Scholarship (1998)

Education

- MA, Cambridge University (2002)
- BVC (1999)
- BA (Hons), Cambridge University (1998)

Memberships

- ARDL
- HRLA
- PIBA
- PNBA
- South Eastern Circuit

Publications

- *"A duty of candour: A change in approach"* Clinical Risk January/March 2014 20: 36-46
- Co-author *"Third Party Interventions by the Government and the Public Interest"* [2004] JR 130 (Vol 9, Issue 2)
- Regularly gives talks and seminars on topics such as "What puts the *"mis"* into *"misconduct"* and should the 'three stage test' be applied before referral to the Case Examiners?"