Simon Butler

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Simon Butler is a leading barrister who applies expertise and innovation to a range of complex legal issues, and is known as a creative thinker who works fluently across his areas of expertise.

His breadth of practice and extensive legal knowledge ensure complex cases are navigated with ease. He regularly appears in tribunals, the County Court, High Court and Court of Appeal.

Simon's founding principle is to put the interests of his clients first.

Described by Chambers UK as "very hard working, always going the extra mile and getting everything done with the minimum of hassle" and "the first port of call for many solicitors who value his great legal acumen and abilities in court".

Legal 500 notes that "his skill and experience has the ability to change the judge's mind, due to his experience of advocacy and life" and "he leaves no stone unturned in getting to the truth".

Simon is able to offer pragmatic and effective solutions to the challenges faced by clients, and acts in their best interests to bring the matter to a swift and satisfactory conclusion in a cost effective manner. He is committed to providing a fair and affordable service in the interests of justice.

He is a team player, who is enthusiastic, hard-working and strives for excellence.

"Simon is a superb lawyer who is on top of both substantive law and civil procedure. His attention to detail is excellent and he takes every matter seriously. With clients he is warm and sympathetic. He is without equal in his field." Professor Dominic Regan

Areas of Expertise

Primary Care Practitioners

Doctors, Dentists, Optometrists & Pharmacists
Change is an ever-present feature in primary care services, as new laws add new layers of complexity, services are rationalised,

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and Commissioning Boards and trusts react to severe financial problems.

My specialist knowledge and experience in this complex area enables me to add value and provide an unrivalled service to clients. Expert advice is vital. I provide clients with specialist legal advice and support from the early stages of the dispute to enable the matter to be brought to a satisfactory conclusion.

I have appeared in numerous leading cases in this highly specialised area of law and work closely with a number of leading law firms, corporate bodies and individuals.

I regularly undertake the following work:

Care Quality Commission
After a registered person has been served a Notice of Proposal, I draft written representations to the CQC on matters such as limiting the way an activity is carried on or managed, suspending a registered person's registration, or cancelling a registered person's registration. This includes appearing in the Magistrates' Court (cancellation hearings) and the High Court of Justice (judicial reviews).

I also appear on behalf of practitioners and companies on appeals before the First-tier Tribunal (Health, Education and Social Care Chamber) against notices of decision, notices served under the urgent procedures, urgent cancellation orders.

Contract Disputes
I am frequently instructed on behalf of practitioners concerning contract disputes under PMS Agreements, GMS Contracts, PDS Agreements, GDS Contracts, GOS Contracts, and Pharmaceutical Contracts.

My work includes UDA values, performance issues, breach notices, remedial notices, stratified sampling issues, competition issues, breach of confidence, professional negligence and procurement challenges.

This includes conducting the litigation in the civil courts, before an arbitrator, or before an adjudicator appointed by the Secretary of State for Health (NHSLA).

First-tier Tribunal (Primary Health Lists) – Performers Lists
I represent practitioners in relation to refusals to add a practitioner to a performers' list, removal of a practitioner from the list, and challenging conditions for inclusion on the list.

Freezing Injunctions & Interim Injunctions
The High Court has the power to issue freezing injunctions and interim injunctions with wide ranging power over assets. In both cases, a respondent may be required to make disclosure under penalty of contempt. This can include requiring a party to disclose assets.

The ramifications of a freezing injunction or interim injunction can be catastrophic for a company or individual. I have been instructed on a number of applications to prevent a party dissipating assets, to protect assets and to require the contracting parties to proceed with the contract pending resolution of the dispute.

Judicial Review
The rules public bodies must comply with when carrying out their public functions are complex. However, many of the rules are universal, i.e. they are the same for a large government department developing a major new policy as they are for a local council making a decision about a planning application.

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My expertise lies in my knowledge of the rules public bodies must comply with, coupled with my extensive experience of using judicial review court proceedings to challenge unlawful decisions and failures to act.

Partnership Disputes
I regularly advise both remaining and departing partners and members in professional partnerships and LLPs.

Disputes include rights and liabilities of the parties following a partner's or member's retirement or expulsion from the partnership or LLP or the dissolution or winding-up of the organisation.

Protecting The Individual
Tort is a branch of the civil law which protects the interests of individuals. It concerns the basic duties one person owes to another outside of a contract. It enables a person to pursue a remedy where his interests are infringed.

My work on behalf of practitioners includes harassment, interference with economic interests, invasion of personal interests, protecting interests in business and trade, malicious falsehood, misfeasance in pubic office, misuse of private information, negligent interference with personal, business and economic interests, nuisance, and wrongful interference with goods.

Commercial Litigation

I work with a wide range of clients in the private and public sector to resolve business disputes through negotiation, arbitration, mediation or litigation. I have considerable experience of handling high-value and complex disputes in many different sectors and give clear, pragmatic advice which combines expert technical analysis with a sound understanding of business problems and commercial objectives.

I seek to resolve disputes quickly and efficiently and to minimise the impact of a dispute on clients' day-to-day operations.

Where possible all reasonable steps are taken to settle disputes without recourse to legal proceedings. However, when this is unavoidable, I have the experience and tenacity to pursue my clients' interests vigorously.

My areas of expertise are:

- Arbitration appeals
- Arbitration hearings
- Anti-suit injunctions
- Breach of fiduciary duty
- Commercial property
- Confidentiality
- Construction and interpretation issues
- Contractual disputes
- Damages
- Human Rights
- International disputes
- Injunctions to protect assets
- Judicial review
- Jurisdiction disputes
- Partnership disputes

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- Shareholder issues

Healthcare Law

Healthcare law requires an in-depth knowledge of the complex law and statutory procedures that govern the health care industry, an understanding of the health care industry and how it operates, and the ability to address ethical challenges.

A claimant may have a cause of action in contract, tort or a public law remedy. I have distinguished myself as a leader in this field through my progressive and innovative approach to handling the multitude of governmental regulations, developing legal principles, standards and compliance requirements faced by all public and private health care providers.

As financial resources become scarce and standards fall the importance of healthcare issues become more apparent. Interim remedies will be of importance in certain cases and instructing relevant experts is a priority.

I receive instructions from individuals, corporate bodies, overseas clients, Local Government and Central Government.

Areas of work covered:

- Access and entitlement to health services
- Capacity and consent
- Care homes and poor treatment
- Care homes regulatory disputes
- Care Quality Commission appeals
- Clinical research (consent, negligence and regulation)
- Community care
- Confidentiality and breach of confidence (injunction and damages)
- Contagious disease control (predominantly local authority applications and injunctions)
- Data Protection and access to health records
- Enforcing statutory duties to provide health services
- Healthcare Ombudsman
- HIPAA Compliance Audits
- Human Rights
- Insurance disputes with private insurers
- IVF (professional ethics, breaches of duty and standards of care)
- Judicial review
- Living Wills and Powers of Attorney
- Mental health and capacity
- Organ and tissue ownership
- Policies and procedures
- Prescriptions and entitlement to drugs
- Withdrawal of treatment

Judicial Reviews

The guiding principle in this specialised area of law is to ensure that the individual is given fair treatment in accordance with the law.

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Judicial review is the process for challenging decisions of courts, tribunals and other bodies or persons who are responsible for public acts and duties.

I advise on a wide range of complex matters, from housing, healthcare, social welfare, to data protection and freedom of information.

I provide advice to clients across the full range of public law issues, particularly within the following areas:

- Abuse of power
- Access to healthcare
- Challenges to legislation
- Community Care
- Court of Protection
- Council Tax and Business Rates
- Data Protection and Freedom of Information
- Doctors and Dentists
- Education
- Entitlement to reasons
- Environment
- Housing
- Human RightsJurisdiction
- Local Government
- Planning
- Public Procurement
- Social Welfare
- Tax and VAT

Clinical Negligence & Healthcare

I undertake a wide range of clinical negligence work offering considerable experience and a proven track record in advocacy, mediation and advisory work.

I am instructed on behalf of Claimants and Defendants and, in the regulatory field, on behalf of clinicians and regulators. The majority of my work is high value, complex and raises important principles of law.

Professional Liability

I act for a wide of clients in this complex and diverse area of law, including individuals, companies, partnerships, public bodies and insurers. I have a strong track record of defending and representing professionals against allegations, and pursuing claims against professionals.

Clinical Negligence & Healthcare

I act for individuals and regulators in a wide range of industries. I provide advice and representation from initial hearings to final hearings, appeals and judicial review challenges. This includes statutory appeals.

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This includes work before the Solicitors Disciplinary Tribunal, Bar Disciplinary Tribunal, the General Medical Council, the General Dental Council, the Health and Care Professions, Nursing and Midwifery Council, UKCP, BACP, students, teachers, architects and accountants etc.

Accreditation Logos

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