

Michael Duck KC

Call: 1988 | Silk: 2011

"Michael Duck KC is a towering figure in Birmingham and beyond. Juries love him for his straightforward approach and the clarity with which he can distil complex evidence."

Chambers UK 2024



Michael Duck KC is an experienced barrister specialising in Crime, Inquests & Inquiries and Regulatory law.

Expertise

Crime

Michael specialises in serious crime, fraud and asset recovery – he has done so for approximately 25 years. In addition to his Crown Court/Court of Appeal practice Michael has a strong reputation in the fields of police disciplinary work, regulatory work and the representation of private clients. Clients, both lay and professional, consistently comment upon Michael's down to earth approach and his engaging manner. Michael has a fair, but firm relaxed approach with clients and their relatives, honestly advising on likely or possible outcomes, steering and supporting them through a difficult time in their lives. Michael treats all clients as individuals and his considerable experience ensures that each achieves the best possible outcome. Michael both defends and prosecutes. For the fourth year running Michael has been recognised as one of the best criminal silks in the Midlands being only one of five criminal QCs to be given Band 1 ranking by Chambers and Partners UK guide in 2020. Michael has also been ranked Tier 1 – Criminal Silks in the Legal 500 for the fourth year running.

Recent Work and Instructions

Recent instructions include: – R v Innis et al (August /Sept 2019) – 3 handed knife murder and robbery of two young victims – complex CCTV and cell site investigation, R v Bradbury (Sept 2019) – causing death by dangerous driving of a young doctor. Company also prosecuted for the unsafe condition of the vehicle, R v Rothero et al (Oct – Nov 2019) – 8 handed conspiracy to rob both commercial and residential premises (firearms and knives), R v Moore et al (Nov – Dec 2019) – 10 handed conspiracy to possess firearms and large scale supply of drugs and R v Shaw (April – June 2020) – representing a financial adviser accused of involvement in a "Ponzi" type financial services scheme.

High Profile Cases

Michael has appeared in a number of the country's most well-known cases during his career including the re-trial of Sara Thornton (1996)

Birmingham

103 Colmore Row
Birmingham
B3 3AG

DX: 16075 Fountain Court Birmingham
Telephone: +44 (0) 121 606 0500

London

Fifth Floor
7 Savoy Court
London WC2R 0EX

DX: 449 London Chancery Lane
Telephone: +44 (0) 207 420 7500

Bristol

30 Queen Square
Bristol
BS1 4ND

DX: 7838 Bristol
Tel: +44 (0) 117 917 8501

the case established the legal existence of “battered woman’s syndrome”, the prosecution of RV Latus (2002/2003), the appeal of Jeremy Bamber, (2002) convicted of the murder of five family members (the appeal was the largest single appellant appeal to be heard in the UK at the time), the prosecution of Burger Bar members for the killing of Charlene Ellis and Letisha Shakespeare – the so called New Year’s Eve Shootings (2004/2005), the representation of one of the M40 Bikers, the representation of men alleged to have been involved in murders during the Birmingham riots in both 2007 and 2011, in R V Reynolds (2013) Michael was involved in defending a 22 year old man charged with the planned murder of a serving police officer’s 17 year old daughter, in R v Harry Street (2015) the prosecution of a 71 year old man for possessing bomb making equipment and firearms (having been convicted of five counts of homicide with firearms in 1978). RV Hagan (2015) Involved representation of a security officer at Ashworth Hospital accused of selling photographs of serial killer Ian Brady (Moors Murderer) to the News of The World as part of Operation Elvedon, and more recently in RV Bramhall (2017) defending a world renowned liver surgeon being prosecuted for the assault of two of his patients by marking his initials on their transplanted livers (the case attracted international publicity), R V Rhandawa (2017) representation of a student who was alleged to have plotted the deaths of his parents by importing an improvised explosive device and in R V Dhaliwahi (Jan – March 2018) the only Queen’s Counsel in the first of three trials, representing a client accused of being the head of a large scale “grooming”/trafficking gang in Huddersfield -reporting restrictions were imposed throughout all three trials and were lifted on 19 Oct 2018. Many of these cases continue to attract significant media interest. (Please see notable cases for more details.)

Excellent Track Record

Michael has an excellent track record in both achieving successful murder prosecutions :- body in the flat murder (R v Barnes – Jan 2019), murder of a homeless man by beating and kicking (R v Goetske, Padewski and Olczyk – Feb 2019), and in securing defence acquittals including:- a man accused of a multi-handed drive-by shooting murder in Nottingham (R v Gray -August 2019) two co-defendants were convicted of murder; a man accused of the manslaughter of an elderly neighbour (R v Johnson – Aug 2018), a man accused of fatal petrol station stabbing in Coventry (R v Vastaki – Barsby – Dec 2017), in the Shepherds Bush murder trial (R v Yousef Mohamud – Aug 2017) and of an accountant accused of a large scale GBP 5 million HMRC gateway/tax website fraud (Sept – Nov 2017).

Criminal Fraud & Proceeds of Crime

2015/6 has been a particularly successful period for Michael and reflects his established reputation as a leading “silk”. He was shortlisted for Legal 500’s Regional Silk of the Year, he was appointed a Recorder on the Northern Circuit and was a shortlisted finalist in the Birmingham Law Society’s “Barrister of the Year” awards 2016.

Michael has been appointed to the Serious Fraud Office’s specialist panel of independent counsel authorised to prosecute on its behalf (April 2013). The appointment reflects Michael’s expertise in the field of fraud and complex crime. The list of those appointed to the specialist panel demonstrates the Serious Fraud Office’s commitment to working with the country’s top QCs in the prosecution of the most serious and complex crime. The SFO only appointed 64 QCs nationally. Michael’s inclusion recognises his successful involvement in the litigation of high profile, multiple defendant trials over a number of years.

Michael has recently defended a business man accused of a multi-million pound fraud upon his business customers – the allegations involved business deals conducted out of the jurisdiction. The case required a detailed analysis of the conduct of the business over a number of years and an examination of the relevance of previous proceedings brought against a former company. In a recent case (September 2014) Michael was instructed to defend an abattoir owner accused of unlawfully allowing horses to be disposed of at his premises without the requisite identification documents. The prosecution was not proceeded with after skeleton arguments were settled by defence dealing with the proper interpretation of the relevant EU.

Michael has defended and prosecuted in a number of the country’s largest gang murders which have attracted both national and international media attention. In addition Michael has a strong following in the area of fraud as evidenced by his appointment to the SFO panel.

Birmingham

103 Colmore Row
Birmingham
B3 3AG

DX: 16075 Fountain Court Birmingham
Telephone: +44 (0) 121 606 0500

London

Fifth Floor
7 Savoy Court
London WC2R 0EX

DX: 449 London Chancery Lane
Telephone: +44 (0) 207 420 7500

Bristol

30 Queen Square
Bristol
BS1 4ND

DX: 7838 Bristol
Tel: +44 (0) 117 917 8501

Michael has a particular interest and expertise in the tracing/defending of assets which are alleged to have been transferred out of the jurisdiction. In October 2013 Michael was an invited guest speaker at the 9th Annual Anti-Money Laundering, Financial Crime, Compliance and Regulation Seminar at the Marriott Hotel in Grand Cayman. Michael presented a lecture to an international audience of compliance professionals on the prosecution of organized crime and importance of the associated compliance and anti-money laundering legislation. Michael regularly receives instructions to defend/advise individuals charged with, or convicted of, serious crime in the Caribbean.

Michael has recently been appointed to serve as the Director of the International Law Committee of the Criminal Bar Association. During his tenure it is Michael's intention to ensure that productive and enduring links are forged with lawyers' associations worldwide.

Michael is recommended in both the Legal 500 and Chambers' directory. Michael is a member of the executive committee of the Criminal Bar Association. He is also a member of both the Midland and South East Circuits. Michael is fully trained in the acceptance of Direct Access work and appears on the Bar Council register. He is also a member of the Commonwealth Lawyers Association and the Association of Commonwealth Criminal Lawyers.

Modern criminal litigation expertise, Michael recognised the growing importance of the use of technology within the courtroom and its significance in the investigation of serious crime at a very early stage. He has developed his technological expertise over the course of many years and is now recognised as a leader in the field. The prosecution or defence of fraud and gang crime requires the detailed assessment of complex and detailed evidence. Michael has demonstrated a particular expertise in the analysis and presentation of complex telephone, financial and cell site evidence. During the prosecution of gang members for the "New Year's Day shootings" of Charlene Ellis and Letisha Shakespeare Michael took exclusive responsibility for the presentation of the telephone evidence which proved to be instrumental in securing convictions. In the recent trial of eight men charged with the running down of three men during the Birmingham riots of August 2011, Michael took the lead role in challenging the telephone evidence on behalf of all defendants – the prosecution "evidence" was demonstrated to be wholly unreliable and its disintegration contributed significantly to the acquittal of all defendants. The use of mobile telephones and internet communication continues to present challenges during any serious and complex criminal investigation – Michael has shown the ability to present the most complex technical evidence in a manner which juries understand.

Financial investigations, The "heavyweight" work with which Michael is involved generates complex financial investigations both during the trial process and post conviction. Michael has developed a reputation for his astute analysis of POCA litigation and is regularly instructed to conduct complex financial investigations for both the prosecution and the defence. The financial consequences for defendants in serious criminal cases can be devastating and Michael has the experience to ensure that the client achieves the best possible outcome. Advised large UK based University upon training of advocates in the Far East. Speaker at Birmingham Law Society Seminar on 'Eliminating the risk of doing business abroad' (March 2014).

Vulnerable witnesses, Michael has also developed a reputation as an expert in cases involving young and/or vulnerable witnesses. He has a courtroom manner which allows him to adduce evidence from vulnerable witnesses in an effective but non-confrontational manner.

Fraud investigations, Michael's ability to consider vast volumes of paperwork and assess that which is relevant to the client's case has served him particularly well in large scale fraud investigations and other matters which have generated substantial unused, but potentially relevant, material.

Vulnerable Witnesses

Michael has also developed a reputation as an expert in cases involving young and/or vulnerable witnesses. He has a courtroom manner which allows him to adduce evidence from vulnerable witnesses in an effective but non-confrontational manner. He has

Birmingham

103 Colmore Row
Birmingham
B3 3AG

DX: 16075 Fountain Court Birmingham
Telephone: +44 (0) 121 606 0500

London

Fifth Floor
7 Savoy Court
London WC2R 0EX

DX: 449 London Chancery Lane
Telephone: +44 (0) 207 420 7500

Bristol

30 Queen Square
Bristol
BS1 4ND

DX: 7838 Bristol
Tel: +44 (0) 117 917 8501

attended the Vulnerable Witness training course. Michael is experienced in cases involving large scale people trafficking. In 2010 he was the defence junior for the man accused of being the “right hand man” in the largest people trafficking trial ever undertaken by the East Midlands Complex Casework Unit. (R V Singh- see notable cases.) In 2018 he represented an individual described as the “ringleader” of a large-scale grooming and trafficking ring. The investigation involved 20 defendants, Michael was responsible for the cross examination as to credit of all 13 of the vulnerable witnesses on behalf of all 8 defendants during the first trial of those alleged to have been most seriously involved. A number of these vulnerable witnesses required an initial Ground Rules hearing and/or the services of an intermediary.

Medical & Psychiatric Cases

Michael has demonstrated an expertise in cases involving complex medical and/or psychiatric issues with vulnerable defendants or witnesses. Leading counsel for the defendant (R V Westwood -2018) charged with murder following the stabbing of his mother. involving complex issues of diminished responsibility, the matter was resolved by a guilty plea to manslaughter. Leading defence counsel in R V Johnson (2018) a man charged with the manslaughter of his elderly neighbour by committing the unlawful act of knocking on his window. The prosecution alleged that the deceased’s death was caused by the stress of the original incident involving detailed medical causation arguments from witnesses. In R V Williams (J) (2017) Michael represented a man jointly accused of the murder of his former partner. The original trial had to be adjourned because significant psychiatric issues were identified but disputed by the crown, in the case of R v Mann (2012) representing a man accused of murdering his partner the evidence of the defendant’s diminished responsibility was addressed by a total of four forensic psychiatrists. Michael was responsible for conducting a number of conferences with the expert witnesses and presenting the complex arguments which arose. Michael represented the man (R V Ward 2013) accused of the murder of two “Big Issue” sellers in Birmingham city centre. The prosecution originally indicted the defendant with two counts of murder but were persuaded to accept pleas to manslaughter on the grounds of diminished responsibility. In the case of R v Street (October 2014) the court required assistance with a detailed analysis of the provisions of MHA over the last 50 years. The defendant had been released from an hospital order fifteen years after committing the homicide of 5 entirely innocent individuals.

Crime

Michael recognised the growing importance of the use of technology within the courtroom and its significance in the investigation of serious crime at a very early stage. He has developed his technological expertise over the course of many years and is now recognised as a leader in the field. Michael has demonstrated a particular expertise in the analysis and presentation of complex telephone and cell site evidence. Recent work includes defence of a man (R V Robinson 2018) charged with murder following a drive by shooting involving detailed cell site evidence. In 2016 he prosecuted a series of trials which involved extremely detailed attribution of large numbers of telephones which resulted in the convictions of senior gang members. During the prosecution of gang members for the New Year’s Day shooting of Charlene Ellis and Letisha Shakespeare Michael took exclusive responsibility for the presentation of the telephone evidence which proved to be instrumental in securing convictions. In the trial of eight men charged with the running down of three men during the Birmingham riots of August 2011, Michael took the lead role in challenging the telephone evidence on behalf of all defendants – the prosecution “evidence” was demonstrated to be wholly unreliable and its disintegration contributed significantly to the acquittal of all defendants The use of mobile telephones and internet communication continues to present challenges during any serious criminal investigation – Michael has shown the ability to present the most complex technical evidence in a manner which juries understand.

Birmingham

103 Colmore Row
Birmingham
B3 3AG

DX: 16075 Fountain Court Birmingham
Telephone: +44 (0) 121 606 0500

London

Fifth Floor
7 Savoy Court
London WC2R 0EX

DX: 449 London Chancery Lane
Telephone: +44 (0) 207 420 7500

Bristol

30 Queen Square
Bristol
BS1 4ND

DX: 7838 Bristol
Tel: +44 (0) 117 917 8501

Serious Gang Crime & Young Offenders

Michael specialises in cases involving serious gang crime and has done for over 25 years. Gang related crime is increasingly involving young offenders as is constantly highlighted in the national media on an almost daily basis. Recent cases include; lead prosecution of a young offender (17) and another jointly charged with murder of a 16 year old stabbed outside Sutton Coldfield McDonalds, both were convicted (R v Ingram and Hussain – Nov 18), representation of a teenager who denied murder of a taxi driver but pleaded guilty to a manslaughter charge (R v Osman -November 2018,) representation of a young offender who was jointly accused of stabbing a man to death in a fight along with four others (R v W April- June 2019).

Multi Handed Drugs Supply Conspiracies

Michael has been instructed in large scale drugs supply conspiracies for over two decades. Cases include Operations Clean and Pine-needle (2009), Operations Sniper and Variation (2010) all involving multiple gang related defendants supplying class A drugs. In 2013 Michael was the leading counsel for the prosecution of Operation Grey (multi-handed, multi-million drugs importation), R V Dodd and others (multi-handed (29 defendants) – largest ever prosecuted in Shropshire) and Operation Sift 1 (multi-handed (40 defendants), nationwide supply of class A drugs). More recent instructions include Operations Exit, Predominately and Fry. The latter involving multi- teenage gang members in conspiracy to supply drugs.

Private Crime

Michael regularly receives private instructions. Clients have recognised the potential advantages of instructing counsel on a private basis for a variety of offences. Michael has great depth and breadth of experience in the area of serious crime both defending and prosecuting (he has been a grade four prosecutor for over 25 years) and has successfully represented privately funded clients accused of fraud, sexual offences, assault, serious allegations of violence and serious driving matters, both nationally and internationally.

International Crime

Invited as a guest speaker at a side event at The International Trademark Association Conference in Barcelona in May 2017 advising on the viability of private prosecutions in the line of attack against counterfeiters, to an audience of the world's leading brands. Attended by invitation "An Introduction to the International Criminal Court Bar Association- The New Voice for the Legal Profession." by invitation in The Hague (November 2016). Michael has recognised the growing influence of cybercrime and is regarded as an expert in the field both nationally and internationally and was invited to speak at the International Adriatic Conference in Dubrovnik, Croatia September 2015. (Crime Day) on the topic "How organised is Cybercrime?" Instructed in a major international case for a foreign oil company which had significant worldwide implications for the industry concerned (November 2014). Michael was a guest speaker on the Hi-Tech business panel at the Turkish and British Chamber of Commerce and Industry seminar in Istanbul in September 2014 – he was one of the six expert panellists who provided the audience with guidance upon the implications of technology for businesses in both jurisdictions and internationally. Michael was invited to provide expertise upon the risks of criminal security breaches and international cybercrime. Speaker at Birmingham Law Society Seminar on 'Eliminating the risk of doing business abroad' (March 2014). Called to the Bar in the Cayman Islands in October 2013 and July/November 2015. On those occasions he successfully represented two men accused of murder (R v Hurlston -Nov 2013); (R v Manderson -July 2013) and a senior insurance executive accused of fraud Appeal of Myles -Nov 2015). -In the week preceding

Birmingham

103 Colmore Row
Birmingham
B3 3AG

DX: 16075 Fountain Court Birmingham
Telephone: +44 (0) 121 606 0500

London

Fifth Floor
7 Savoy Court
London WC2R 0EX

DX: 449 London Chancery Lane
Telephone: +44 (0) 207 420 7500

Bristol

30 Queen Square
Bristol
BS1 4ND

DX: 7838 Bristol
Tel: +44 (0) 117 917 8501

the 2013 trial Michael was a guest speaker at the 9th Annual Anti-Money Laundering, Financial Crime, Compliance and Regulation Seminar at the Marriott Hotel in Grand Cayman. Michael presented a lecture to an international audience on the prosecution of organized crime and importance of the associated compliance and anti-money laundering legislation. Michael receives regular instructions to advise clients from the Caribbean upon their prospects of successfully appealing against their sentence, including a "life lifer" whose case is currently before the ECHR. Advised large UK based University upon training of advocates in the Far East. Chairman of the International Committee of the Criminal Bar Association (2013-2017) Michael was a delegate at the World Bar Conference in London in May 2012 and maintains links with lawyers around the world.

Inquests, Public Inquiries & Coronial Law

Michael is widely recognised as one of the best criminal silks in the Midlands, being only one of four criminal silks to be given Band 1 ranking by Chambers and Partners UK guide 2017 on the Midland Circuit and only one of two in Birmingham.

2015/6 was a particularly successful period for Michael and reflects his established reputation as a leading "silk". He was shortlisted for Legal 500's Regional Silk of the Year, he was appointed a Recorder on the Northern Circuit and was a finalist in the Birmingham Law Society's "Barrister of the Year" awards 2016.

Since taking "silk" in 2011 Michael has been instructed in a number of high profile police disciplinary cases and inquests.

Regulatory

Michael is widely recognised as one of the best criminal silks in the Midlands, being only one of four criminal silks to be given Band 1 ranking by Chambers and Partners UK guide 2017 on the Midland Circuit and only one of two in Birmingham.

2015/6 was a particularly successful period for Michael and reflects his established reputation as a leading "silk". He was shortlisted for Legal 500's Regional Silk of the Year, he was appointed a Recorder on the Northern Circuit and was a shortlisted finalist in the Birmingham Law Society's "Barrister of the Year" awards 2016.

Michael has been instructed in Police Disciplinary matters over a period of twenty five years During that period Michael has represented many police officers at Crown Court trials and before internal disciplinary tribunals. He has developed an in-depth understanding of the Police Regulations and a familiarity with the specific demands of representation before a professional tribunal.

Michael has developed in a niche practice in Farming and Agricultural cases including the ground breaking case of Kent Trading Standards v Lomas and Channel Livestock Ltd and was instructed to represent the lead defendant accused of breaches of legislation in respect of the trading of horsemeat. Both of the cases had a significant impact upon the farming trade within the UK and Europe.

Michael receives instructions from Police Federations around the UK so travel presents no problems. In addition to representing officers at first instance Michael has experience of pursuing matters to Chief Constable's review and Police Appeal Tribunals.

Michael is recommended in both the Legal 500 and Chambers' directory.

Professional Misconduct

2015/6 was a particularly successful period for Michael and reflects his established reputation as a leading "silk". He was shortlisted for Legal 500's Regional Silk of the Year, he was appointed a Recorder on the Northern Circuit and was a shortlisted

Birmingham

103 Colmore Row
Birmingham
B3 3AG

DX: 16075 Fountain Court Birmingham
Telephone: +44 (0) 121 606 0500

London

Fifth Floor
7 Savoy Court
London WC2R 0EX

DX: 449 London Chancery Lane
Telephone: +44 (0) 207 420 7500

Bristol

30 Queen Square
Bristol
BS1 4ND

DX: 7838 Bristol
Tel: +44 (0) 117 917 8501

finalist in the Birmingham Law Society’s “Barrister of the Year” awards 2016.”

Michael has been instructed in Police Disciplinary matters over a period of twenty five years. During that period Michael has represented many police officers at Crown Court trials and before internal disciplinary tribunals. He has developed an in-depth understanding of the Police Regulations and a familiarity with the specific demands of representation before a professional tribunal.

Michael’s expertise in regulation and compliance is not restricted to the UK. In October 2013 he was an invited guest speaker at the 9th Annual Anti-Money Laundering, Financial Crime and Compliance Seminar in the Cayman Islands. The delegates were an international audience of compliance professionals.

Michael receives instructions from Police Federations around the UK so travel presents no problems. In addition to representing officers at first instance Michael has experience of pursuing matters to Chief Constable’s review and Police Appeal Tribunals.

Michael is recommended in both the Legal 500 and Chambers’ directory.

Michael enjoys a reputation for thorough preparation and robust cross-examination of witnesses when the need arises. He has often demonstrated his patience and an ability to deal with demanding clients.

In addition to his practice representing police officers, Michael has lectured to police officers upon aspects of investigation and case preparation with a particular emphasis on cases involving protected witnesses.

Awards



Accreditations

- Top Ranked Band 1, Criminal Silk – Midland Circuit, Leaders in their Field, Chambers and Partners UK 2017
- Birmingham Law Society “Barrister of the Year”- Finalist 2016.
- Shortlisted for “Regional Silk of the Year” in Legal 500 2015/16 awards.
- Shortlisted in Birmingham Law Society “Barrister of the Year” 2015/6
- Chief Super-intendant’s Commendation Award for Operation Grey (R v Aslam and others 2013- largescale, multi-handed, multi-million drug supply conspiracy).
- Chief Super-intendant’s Commendation Award for Operations Clean and Pine Needle.
- Chief Super- intendant’s Commendation Award for Operation Stanstead (R v Martin and others 2004 – The New Year’s Day Revenge gang shootings.)

Birmingham

103 Colmore Row
Birmingham
B3 3AG

DX: 16075 Fountain Court Birmingham
Telephone: +44 (0) 121 606 0500

London

Fifth Floor
7 Savoy Court
London WC2R 0EX

DX: 449 London Chancery Lane
Telephone: +44 (0) 207 420 7500

Bristol

30 Queen Square
Bristol
BS1 4ND

DX: 7838 Bristol
Tel: +44 (0) 117 917 8501

Memberships

- Gray's Inn
- Criminal Bar Association
- Midlands Fraud Forum
- Midland Circuit
- Member of the International Bar Association
- Serious Fraud Office QC Panel (2013)
- Cayman Islands Bar (2013, July and Nov 2015)

Appointments

- Leader of The Midland Circuit. (2017- 2020)
- Master of the Bench Gray's Inn 2015- current
- Recorder on the Northern Circuit 2015- current
- Serious Fraud Office Queen's Counsel Panel 2013- 2017
- Chairman of The International Committee of the Criminal Bar Association August 2013- Jan 2017.
- Previous Member of the executive Committee of the Criminal Bar Association (Co-opted)
- Member of the International Bar Association

Birmingham

103 Colmore Row
Birmingham
B3 3AG

DX: 16075 Fountain Court Birmingham
Telephone: +44 (0) 121 606 0500

London

Fifth Floor
7 Savoy Court
London WC2R 0EX

DX: 449 London Chancery Lane
Telephone: +44 (0) 207 420 7500

Bristol

30 Queen Square
Bristol
BS1 4ND

DX: 7838 Bristol
Tel: +44 (0) 117 917 8501