



Michael Etienne

YEAR OF CALL: 2012



Michael qualified to practise in 2018. Since then, he has developed a broad public law and human rights practice encompassing actions against the state in various forms, but with a focus on cases involving detaining authorities, particularly police forces & prisons, and the overlap between civil and public law.

He is frequently instructed on cases that give rise to issues of systemic discrimination, whether in the detention context or in his education law work.

"Michael goes above and beyond. His compassion and respect for clients is evident at every stage of his work on a case."

CHAMBERS UK, 2024

"Michael is wonderful to work with. He collaborates well and has excellent written work that presents cases at their very best. He has excellent attention to detail and picks up small nuggets of evidence often missed by

others."

CHAMBERS UK, 2024

"He has built an excellent reputation" by acting at a level well beyond the year of his call."

CHAMBERS UK, 2023

"A confident barrister who has all the makings of a very good trial advocate. He is thoughtful and excellent with clients."

CHAMBERS UK, 2022 (POLICE LAW, UP AND COMING)

"Michael Etienne was nominated for Young Pro Bono Barrister of the Year for his outstanding work with Just for Kids Law. We were particularly impressed by his commitment to these clients who did not have the resources to challenge decisions for themselves. Michael consistently exceeded expectations, going above and beyond for the young person's case."

BAR PRO BONO AWARDS 2020

If you would like to get in touch with Michael please contact the clerking team:

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You can also contact Michael directly:

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ACTIONS AGAINST THE STATE

Michael has a wide-ranging practice representing individuals in legal actions against the state, in public law cases and civil claims for damages. He has a particular focus on policing, as well as prisons and mental health detention. He has an allied practice representing children, young people and their families in education law cases.

He has acted for clients in cases spanning the range of legal claims in this context, including: assault and battery, false imprisonment and malicious prosecution; as well as claims under the Human Rights Act 1998 and Equality Act 2010. Many of those cases have settled earlier in the litigation process, with clients recovering substantial sums in compensation.

ADMINISTRATIVE AND PUBLIC LAW

Whilst Michael's work tends to focus on the detention context, he welcomes instructions in most areas of administrative and public law.

He is committed to supporting individuals and groups who want to bring strategic litigation with the aim of extending and protecting the legal rights of marginalised groups. As one example, in the summer of 2020, he was led by Leslie Thomas KC, instructed by Lochlinn Parker, then at ITN Solicitors, as part of the legal team that secured a concession from the Metropolitan Police that the "Million People March" on London was a lawful gathering by a "political body" within the scope of the relevant iteration of the Covid Regulations. Further details can be found [here](#).

INQUESTS AND INQUIRIES

Inquests

Michael regularly acts for bereaved families at all stages of the inquest process. He has particular experience of making successful submissions that the right to life under Article 2 of the European Convention on Human Rights is engaged in contentious deaths in state detention and the concomitant right to the fullest examination of the circumstances of a death and access to legal aid for representation at hearings.

Michael has recently successfully argued on behalf a bereaved family that Article 2 was engaged by the failure of clinicians to correctly assess that a patient detained under the Mental Health Act 1983 was at high risk of developing Venous Thromboembolism ("VTE"). The patient later died of a massive blood clot in the lung. As a result, familiar arguments by the relevant NHS trusts that Article 2 was not engaged because this was a "natural cause" of death, or that VTE did not represent a "real and immediate" risk to life, or there had been no assumption of responsibility to prevent the patient's death from VTE, all failed.

Inquiries and Reviews

Michael has been instructed in a number of inquiries, ranging from statutory public inquiries to internal reviews and inquires. His work in this area has typically concerned issues including the right to life under Article 2 ECHR, race discrimination in education, and deaths in police custody.

EDUCATION LAW

Michael acts for children, young people and their families in all forums where education law issues arise, including the First-tier Tribunal, the Administrative Court, university panels, governing body disciplinary committees and independent review panel.

His experience of actions against policing and prison authorities underscores a particular concern about the need to break the “school to prison pipeline”, the lamentably entrenched flow of children excluded from school, then being drawn into the criminal justice system – at every juncture, over-represented by black pupils, pupils from Gypsy-Roma Traveller (GRT) communities and children with Special Educational Needs or Disabilities and in receipt of Free School Meals. Much of his work representing excluded pupils is undertaken pro bono, given the lack of legal aid, for governing body appeals and appeals to the Independent Review Panel. This [issue is to be challenged](#) in a judicial review involving Garden Court barristers.

He is a member of Garden Court’s [School Inclusion Project \(SIP\)](#), welcoming opportunities in this area, and is committed to the collaboration of lawyers, advisers and campaigners with expertise in the field of school exclusions and related issues, to address systemic discrimination in the education system.

PRISON LAW

Michael represents individuals facing a range of issues in prison, from adjudications and parole boards to claims for damages arising from discrimination, breaches of the Human Rights Act 1998 and other civil wrongs

MENTAL HEALTH LAW

Michael has considerable experience representing people facing issues engaging mental health law. In particular, he has represented individuals challenging decisions to section detain them under the Mental Health Act 1983 before the Mental Health Tribunal, including patients detained at medium and high secure

hospitals.

YOUTH JUSTICE & CHILD RIGHTS

Michael has extensive experience of representing children and young people, particularly in the context of education, exclusion and, where appropriate, related discrimination claims. He also has a particular concern for cases involving the use of force against children and young people, typically in the policing context.

BACKGROUND

Michael was called to the Bar in 2012, but did not qualify to practice until 2018. In the meantime, he developed casework experience in a number of roles concerned with civil liberties and state accountability. He is a passionate advocate for systemic and cultural change within the law, as a means of enabling more people from marginalised backgrounds and lived experiences to take up space within the profession.

PUBLICATIONS

[“School Exclusions and the Pandemic: the irresistible case for change”, Justice Matters – Essays from the pandemic, Legal Action Group, 2020.](#)

[Policing during the pandemic: an insight into racism in the UK, Open Democracy, 2020](#)

AWARDS

Future Leader - Diversity and Inclusion, Chambers Awards (2020)

Nominee – Young Pro Bono Barrister of the Year', Advocate Awards (2020)

Cassel Scholar, Lincoln's Inn (2008)

Sir Peter Duffy Scholar, Lincoln's Inn (2012)

EDUCATION

Bar Professional Training Course

Law (LLB) honours

PROFESSIONAL MEMBERSHIP

Black Barristers Network

Black Men in Law Network

Bridging the Bar

Inquest Lawyers Group ("ILG")

Justice

Police Action Lawyers Group (PALG)

LANGUAGES

French - Conversational

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