

Iain Simkin

1995 , 2023 Kings Counsel, simkin@deanscourt.co.uk



| Education | Professional Associations | Appointments |
|------------------------------------|---------------------------|---|
| Manchester Metropolitan University | | List of Specialist Regulatory Advocates in Health and Safety and Environmental Law (List A) |

| Areas of Specialism |
|--------------------------------------|
| Regulatory |
| Inquests |
| Crime |
| Health & Safety |
| Environmental |
| Corporate Manslaughter |
| Professional Discipline & Regulation |

Iain Simkin was called to the bar in 1995 and specialises in Regulatory law and Serious Crime.

His practice focuses on Health and Safety, Environmental cases, Inquests, Professional Discipline and Serious Crime.

Iain has a strong coronial practice and regularly appears in inquests on behalf of Interested Persons. He is frequently instructed in cases involving 'death in custody' and has represented interested parties including prison transport companies, such as SERCO and GEOAmy. He acts for local authorities in a wide variety of cases including deaths in care homes and he has also been instructed on behalf of families, private companies, doctors and other healthcare professionals who have become interested persons in inquests.

Iain acts for the General Medical Council and in fitness to practice proceedings involving doctors and also has experience defending professionals within fitness to practice proceedings involving other regulatory bodies.

Iain is recognised as a leading consumer law and trading standards barrister. He is instructed by Local Authorities, as well as businesses and individuals. This ranges from breaches of Food Hygiene Regulations to Fraud, and covers all manner of investigations into businesses and traders.

Renowned for his expertise across the range of regulatory cases; Iain is a first class advocate and lawyer who has been the first choice for many national and international companies. He has offered his specialised advice, proficiency in negotiation and excellent representation both before and after action has commenced.

He is known as a robust advocate, and is highly praised for his modern and flexible approach.

He is a category A prosecutor with a wide range of defending and prosecuting in regulatory cases. This has included representing a variety of clients for a variety of food hygiene matters.

Practice Area: Crime

Lead prosecutor in the case against Reynhard Sinaga, who has been found guilty of raping or sexually assaulting men in Manchester, following four trials spanning the course of 18 months.

Sinaga was found guilty of 136 counts of rape, eight counts of attempted rape, 14 counts of sexual assault, and one count of assault by penetration, against a total of 48 victims, and has been sentenced to life in prison with a minimum term of 30 years.

Kilbride Industrial Services

Practice Area: Health and Safety

Water maintenance worker on large scale cleaning project for Northern Water suffered catastrophic injuries as a consequence of a projectile shooting out of the end of a water pipe. Complex matters – materiality of risk.

High Ridge Roofing

Practice Area: Health and Safety

Fatal accident involving an experienced roofer who fell to his death through fragile roof. Involved matters of construction design and management regulations.

YS

Practice Area: Health and Safety

Involves a very large organisation client with an operative suffering life changing injuries.

Makers Construction Ltd

Practice Area: Health and Safety

Large project to re-clad outside of a shopping centre which led to emission of asbestos dust.

Crystal Architectural Aluminium Ltd

Practice Area: Health and Safety

Fall from height which involved work at height regulations and health & safety general matters.

HSE -v- P (Court of Appeal [2013] 1 Cr. App. R. (S.) 34)

Practice Area:

National food delivery company having accepted liability for an injury to an employee successfully appealed the sentence at higher court.

HSE -v- S (Court of Appeal [2014] EWCA Crim.264)

Practice Area:

Junior alone against QC HSE prosecution resulted in a lengthy sentencing hearing and the defendant appealed. The contested parts of the appeal were successfully defended.

HSE -v- E (Leeds Crown Court)

Practice Area:

Large commercial client charged with serious breaches of the HSWA 1974 following a fatal accident to one of its employees. The risk to reputational damage was severe. A 2 year police/HSE investigation was discontinued at the Crown Court on the first day of trial following a series of wide-ranging representations.

EA -v- A

Practice Area:

Successfully secured the withdrawal of 5 offences relating to the escape of highly toxic chemicals from client's site in North Wales. Allegations that 22 injured and significant potential for environmental harm all withdrawn

EA -v- C (Sheffield Crown Court)

Practice Area:

A major house builder was charged with 15 offences relating to the unlawful carriage and disposal of carcinogenic waste. Successfully persuaded the prosecution to withdraw 12 offences leaving 3 technical offences only relating to paperwork (transfer notes)

EA -v- D (Warrington Crown Court)

Practice Area:

Following a "Panorama" investigation, the client was prosecuted by the EA for offences involving the illegal exportation of electronic waste to West Africa

Salford Van Hire

Practice Area: Transport

Public inquiry with regards to a full operators license following an unscheduled inspection to the clients place of business. Drafted lengthy submissions, supported by successful oral submissions resulting in a favourable conclusion so far as the client was concerned.

Parker Body Repairs

Practice Area: Transport

Public inquiry following deficiencies identified at a scheduled inspection. The client was operating on a restricted license. Lengthy written submissions supported by targeted oral submissions resulted in no regulatory action being taken. However, the case has revealed a novel point of law and an appeal to the upper tribunal is anticipated.

Inquest - TFGM Re: JB

Practice Area: Inquest

Representing Transport for Greater Manchester in a case which will review security arrangements around the general public travelling on the tram in Manchester.

Inquest Re: OR

Practice Area: Inquest

Construction project in the jewellery quarter in Birmingham following the collapse of building.

Didcot Power Station

Practice Area: Inquest

Large industrial accident involving 4 deaths when Didcot Power Station collapsed.

Re: DR

Practice Area: Inquest

Died in care home following a fall. Suffering from multiple comorbidities.

United Utilities Re : DT

Practice Area: Inquest

Drowned in a reservoir.

Re: T. A "Jamieson

Practice Area: Inquest

Inquest whereby an employee had been crushed to death by a large pane of glass which fell on top of him. Maersk were the owners of the dry dock where the cargo handlers unloaded the glass. The inquest lasted for 2 weeks and legal submissions successfully prevented gross negligence manslaughter being left to the Jury.

Re: C. (Article 2)

Practice Area: Inquest

The deceased was a prisoner who had died by suspending himself. The CSRA, PER and ACCT documentation all had to be closely analysed along with the entirety of the deceased's prison records. All the evidence needed to be interpreted for the jury and there was a great deal of medical information from both System 1 and GP's notes.

Re: F. (Article 2)

Practice Area: Inquest

The deceased died at 18 whilst in custody from a sub-arachnoid haemorrhage, the condition is extremely rare in such a young man. There was voluminous evidence from both neurologists and neurosurgeons all of which needed to be explored and the relevant issues presented to the Jury in a clear, concise and comprehensible way.

Re: G. (Article 2)

Practice Area: Inquest

The deceased was crushed to death at Leeds Bus Station. Despite extensive written and oral submissions the deputy coroner ruled that this was an article 2 inquest. Despite very damning and misplaced recommendations from the assistant coroner, the HSE took no further action.

Re: L. (Article 2)

Practice Area: Inquest

The deceased had died whilst in custody from an overdose of prescribed and illicit drugs. The deceased was a heroin user who, whilst in prison, was under the supervision of IDTS and healthcare. There was substantial evidence to demonstrate that prisoners were diverting their medication and the toxicology report detailed the deceased having taken a cocktail of illicit opiates and benzodiazepines. The "orange book" and the NICE guidelines with regard to dispensing practises were placed before the jury such that they could appreciate the relevant clinical context.

R v E

Practice Area: Trading Standards & Consumer Law

The defendant was charged with the wholesale supply of poisonous (potentially fatal) products into the supply chain, contrary to Regulation 20 of the General Product Safety Regulations 2005. In the event a child drank a prohibited product which resulted in life changing injuries.

R v A

Practice Area: Trading Standards & Consumer Law

Director of a waste management firm took defective material out of the waste system and reintroduced it into the retail chain with near fatal results. Following submissions, the prosecution discontinued the case.

R v B

Practice Area: Trading Standards & Consumer Law

Ongoing case into fraud, bribery and trading standards offences. The defendant is a supplier to a major building company and the allegations concern the provision of bribes to ensure contracts and the precise description of the services provided both to the end consumer and counterparties to the defendant's work.

R v D

Practice Area: Trading Standards & Consumer Law

The defendant was a large-scale egg supplier who (it was alleged) was passing off battery farmed as free-range eggs. The defendant was acquitted.

R v G

Practice Area: Food Hygiene

Prosecution by local council. Following complaint by the general public an investigation was launched into the general hygiene standards at an exclusive café run by a celeb restaurateur in a royal park. The investigation revealed that the kitchens were infested with mice.

R v P

Practice Area: Food Hygiene

A fresh produce concession in a supermarket was investigated and the general standards of food hygiene were beneath acceptable levels. With particularity the meat on sale contained unacceptably high levels of bacteria rendering it unfit for human consumption whilst it nevertheless remained on sale to the general public.

R v S

Practice Area: Food Hygiene

A restaurant had purchased stolen meat. An investigation was launched into the provenance of the restaurants offering. None of the

required certification was apparent and the supply chain from producer to consumer could not be demonstrated.

Hayley Fulleylove

Practice Area: Crime

Investigated for manslaughter, issues of causation which hinged upon the report from a neuropathologist.

Russell Frankland

Practice Area: Crime

Series of armed robberies with complicated sequence of events chart.

Jeremy Oketch

Practice Area: Crime

Defendant raped his girlfriend's 2 year old daughter. Pleaded guilty substantial sentence. Film for BBC

Westminster City Council -v- G

Practice Area:

Celebrity chef's restaurant fined after failed inspection. Secured withdrawal of all proceedings against Managing Director of the business and limited the fine.

Bury MBC -v- R (Bolton Crown Court)

Practice Area:

Prosecuted a 3 week trial in the Crown Court concerning the illegal dumping of waste by an established building contractor

R -v- Ahmed

Practice Area:

Rival drugs gang murder where victim was killed following a clash in the street concerning a drugs "turf war"

R -v- Kitchen

Practice Area:

Paranoid schizophrenic charged with murdering his sister over her refusal to fund his drug habit. Ten boxes of medical records required analysing after the defendant was identified following a BBC Crimewatch appeal.

R -v- Abdullahi

Practice Area:

Domestic violence case where defendant murdered her partner following his alleged mistreatment. Issues concerned complex scientific evidence used to determine the identity of the killer.

R v Evans

Practice Area:

Leading junior against a QC and senior junior. Domestic violence and rape against defendant's partners. Prosecuted to conviction after trial. Conviction successfully defended at the Court of Appeal.

R v Johnson

Practice Area:

Junior alone against QC and senior junior. Historic familial rape of a wife and daughter. Victim with severe mental health problems. Prosecuted to conviction after trial.

R -v- Calvert

Practice Area:

Junior alone against QC and senior junior. Historic rape of step daughter over a 20 year period. Issues as to the complainant's capacity to consent. Successfully defended the conviction (against QC) at the Court of Appeal.

R v Miskovic

Practice Area:

Junior alone against a Leading Junior and led junior. Rape allegation involving Czech nationals. Prosecuted to conviction after trial.

R -v- Meiring and others

Practice Area:

Junior alone against QC. Lengthy conspiracy to supply drugs involving many legal and evidential points including juror and defendant prosecuted for contempt.

What the Directories say

'Recommended for a wide range of regulatory matters.'

Legal 500,

A fantastic advocate, who is a true fighter and great with clients.

Legal 500

Deans Court Chambers: 24 St. John Street, Manchester, Greater Manchester M3 4DF
Telephone: 0161 214 6000 Email: clerks@deanscourt.co.uk