

Iain Simkin

1995

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Education

Manchester Metropolitan University

Professional Associations

Appointments

List of Specialist Regulatory Advocates in Health and Safety and Environmental Law (List A)

Awards

Areas of Specialism

Business Crime and Regulatory

Inquests

Crime

Health & Safety

Environmental

Corporate Manslaughter

Profile

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 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. In serious crime he acts as a leading junior and counsel alone and regularly contests cases against silks.

Notable Cases

Crime - Jeremy Oketch - Defendant raped his girlfriend's 2 year old daughter. Pleading guilty substantial sentence. [Film for BBC.](#)

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

Westminster City Council -v- G – 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) – Prosecuted a 3 week trial in the Crown Court concerning the illegal dumping of waste by an established building contractor

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

Trading Standards & Consumer Law

R v E - 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.

Trading Standards & Consumer Law

R v A - 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.

Trading Standards & Consumer Law

R v B - 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.

Trading Standards & Consumer Law

R v D - 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.

Inquest Re: T. A "Jamieson" 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.

Inquest Re: C. (Article 2) 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.

Inquest Re: F. (Article 2) 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.

Inquest Re: L. (Article 2) 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.

Inquest Re: G. (Article 2) 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.

R -v- Ahmed – rival drugs gang murder where victim was killed following a clash in the street concerning a drugs "turf war".

R -v- Kitchen – 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 – 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 – 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 – 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 – 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 – Junior alone against a Leading Junior and led junior. Rape allegation involving Czech nationals. Prosecuted to conviction after trial.

R -v- Meiring and others – 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, 2018

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

Legal 500, 2016

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