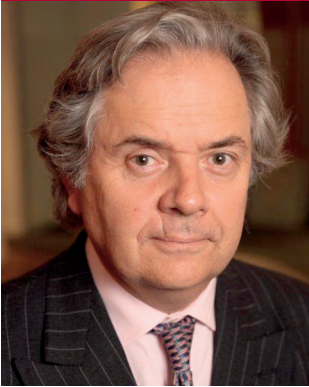


SIMON JACKSON QC



YEAR OF CALL
1982, Gray's Inn

EDUCATION
LLB (Hons), University of Leeds

ASSOCIATIONS
Health & Safety Lawyers Association
Criminal Bar Association
Personal Injury Bar Association
Professional Negligence Bar Association

"Simon Jackson QC Strongly recommended"
Legal 500 2011

"Simon Jackson QC has particular expertise in medically complex cases"
Legal 500 2010

"... is excellent on medically complex cases"
Legal 500 2009-10

"... is outstanding in HSE cases, and is noted for instructions of technical complexity"
Legal 500 2008-09

APPOINTMENTS

Queen's Counsel (2003)
Recorder (2004)

SPECIALIST AREAS OF PRACTICE

Simon Jackson has a mixed criminal law/common law practice.

The Health and Safety work involves both prosecuting and defending both individuals and corporate clients.

As Junior and Leading Counsel, Simon Jackson has prosecuted corporate manslaughter trials on behalf of the CPS Special Casework Directorate and the HSE. He also advised and represented employers in fatal accident cases, (including a large local authority at Inquests in connection with the deaths of school children, on two separate 'outdoor' visits and in respect of the consequent criminal proceedings.

Simon Jackson has also been involved in a number of high profile Inquests, involving deaths in Hospitals and Police Stations, one of which lasted eight weeks and was the longest running single death Inquest. This inquest resulted in Administrative Review proceedings, and thereafter criminal proceedings (manslaughter charges), against some of the Police Officers concerned. Since taking Silk, Simon Jackson has prosecuted two further corporate manslaughter cases, one a trial involving the running of a motocross track in Sheffield. This case has raised issues for the ACU and for the HSE as to how 'risk based activities' are to be properly risk assessed and controlled in the future. Simon Jackson is currently [2010] advising in connection with two fatal accident cases in relation to possible criminal proceedings.

Simon Jackson has also acted as 'Legal Assessor' to one of Her Majesty's Coroners in connection with a two week Inquest involving an infant death in hospital, where the alleged over administration of drugs was a possible cause

of death. He has a particular interest in the issue of disclosure in connection with 'Article 2' coronial inquisitions.

In connection with other criminal cases he has also prosecuted and defended cases based on complicated scientific and telecommunication evidence. [See Legal 500 2010/11 entry: '...particular expertise in medically complex cases...']

SPECIFIC EXAMPLES OF HEALTH & SAFETY WORK

- Fatal accident involving a roofer. Simon Jackson, as a Junior, represented the employer at the Inquest, Magistrates and Crown Court.
- Fatal accident involving a roofer. Prosecution of the employer company and managing director for "corporate manslaughter" on behalf of the HSE, conducted case as Junior Counsel. Defendants pleaded to HSE offences. Trial conducted re: manslaughter charge.
- Fatal accident involving a roofer. Prosecution for "corporate manslaughter" against company and director (2004/05).
- Fatal accident involving contractors working in a scissor lift (MEWP) at a football stadium. One death, one serious injury.
- Fatal accident involving "school trip". Simon Jackson represented local Education Authority at the Inquest and at Leeds Crown Court (HSE proceedings). Issue re duty of disclosure of relevant HSE/HSC [unpublished] guidance.
- Fatal accident involving overseas "school trip"; represented LEA at Inquest.
- Serious accident involving waste crushing machine. Represented LEA in criminal proceedings (2004).
- Fatal accident involving "man-riding basket" Represented Defendant employer at Derby Crown Court.
- Serious accident involving a road planing machine. Represented Defendant employer at Peterborough Crown Court and in multi-party civil proceedings.



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- Fatal accident re: crane collapse. Represented Defendant employer (a national crane hire company) in civil and criminal proceedings.
- Serious accident re: crane collapse. Advising on CPA conditions on issue of 'competence' of crane driver (2005). [If the hirer is not supplied with a 'competent' operator liability reverts to the owner under the 'Terms and Conditions' of hire.]
- Fatal accident arising out of a firework explosion. Prosecution on behalf of the HSE in connection with death and the importation of unlicensed fireworks.
- Corporate manslaughter prosecution involving an 'application to dismiss charges'.

NOTABLE CASES

- *R v Hayward* [1999] Crim LR 71 (Conflict of Laws re: VAT fraud in UK/EU)
- *R v Hull Coroner for East Riding of Yorkshire and Kingston-upon-Hull*, ex parte Dawson & Others [2001] AC (Death in Custody)
- *R v Dallagher* [2002] EWCA Crim 1903 (Admissibility of Expert Evidence)
- *R v Makin* [2004] EWCA Crim 1607 (Disclosure of Unused Material re prosecution witnesses)
- *R v Shah Nawaz Pola* [2009] EWCA Crim 655 (Re: the definitions of an 'employee' and 'employer' re: 'migrant workers' under s53 of the Health and Safety at Work Act 1974)
- *R v Sam Whitehead* [2009] CA (Unreported) (Re: the requirement for an *R v Turnbull* direction where there is unchallenged identification evidence.)
- *R v Berry and Crisp* [2010] EWCA Crim 355 (CA) (Re: the issues of so called 'double recovery' and 'abuse of process' in the context of monies seized and forfeited monies by Customs.)

ADDITIONAL INFORMATION

Of the personal injury work, a significant proportion was linked to HSE prosecutions and/or Inquests.

Fraud: VAT and excise fraud, e.g. relating to "missing traders" and "carousel frauds".

Articles on Expert Evidence: (Ear prints and Lip-reading etc, and disclosure at inquests). Published in *Archbold News*, *New Law Journal* and *Solicitor Journal*.

Article on Health and Safety: *Archbold News* Issue 4: May 2010: Feature Article 'Defining the terms 'employer/employee' under the Health and safety at Work Act 1974'

Seminars on 'Disclosure in the Coroner's Court' to Coroners and Safety Issues re: School Visits/ Outdoor Trips and Adventure Activities to LEAs



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