Matthew Snarr

YEAR OF CALL 2001

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AREAS OF EXPERTISE

Inquests & Public Inquiries, Clinical Negligence, Insurance Fraud, Personal Injury, Regulatory and Professional Discipline Group



Regulatory and Professional Discipline Group CV

Health & Safety Profile

Matthew Snarr is very experienced in the field of health and safety law and is regularly instructed in serious matters arising within the transport, healthcare, prison, security and construction sectors.

Examples of cases in which Matthew has acted are:

- Deaths on building sites due to falling from scaffolding, buildings collapsing, electrocution and gas inhalation.
- Serious injuries and deaths on fragile roofs (multiple cases) with consideration of all relevant equipment / PPE solutions.
- Deaths in care homes due to falls, asphyxiation, wrong medication and gastric tube provision.
- Suicides in prisons (multiple cases).
- Road traffic accidents serious injuries and deaths (including motorcycles, lorries, cyclists). Matthew is very familiar with accident reconstruction expert evidence.
- Deaths due to restraint (positional asphyxiation) including in a nightclub and hospital environment with police involvement.

His knowledge of this area stems from his well developed personal injury practice which regularly concerns breaches of statutory legislation in an industrial context. Matthew is conversant with the handling of costs arguments in the criminal courts.

Matthew is very familiar with the Sentencing Council's Definitive Guidelines for Corporate Manslaughter and Health & Safety Offences.

Matthew's practice in the field of health and safety laws extends to acting both for the Health and Safety Executive as well as Defendant companies or individuals. Matthew has experience of prosecuting and defending complicated sentences in the Crown Court and the Magistrates' Court.

Matthew's regulatory practice extends to acting in difficult inquests ranging from multiple fatalities in road traffic accidents to death in custody to fatal injuries at work. His Coroners Court trial experience covers the full spectrum of work from judicial review applications to multi-day jury trials.

Notable Cases

- CW v SPM [2019] Advising multi national company on its liability for alleged breaches s.65 of the New Roads and Street Works Act 2019 by sub contractors.
- Inquest into the death of John McDonagh [2017] Inquest concerning a young boy who died after being crushed by a large metal gate which formed access to the car park of a block of private flats. Extensive consideration of design and safety features of the gate and responsibility for maintenance of the same.
- Inquest into the death of Keith Greatrix [2017] Inquest concerning a farmer who was crushed to death by a collapsing wall during the construction of a barn.
- HSE v AES (Roofing) Limited [2016] Worcester Crown Court Successful appeal against Magistrates' fine of £66,000 for a fall through a skylight by the Defendant's employee reduced to £7,333 with 3 years to pay. Considerations involved the correct

consideration of whether the culpability fell far short or not. On appeal the Court accepted that this was a case of medium culpability with a medium risk of harm.

- R (Shropshire CC) v CC Ltd [2016] Shropshire Crown Court Plea in mitigation using the Sentencing Council's Health and Safety Guidelines in respect of an unlawful killing of a resident in a care home who choked to death on a bed lever. Matthew was able to secure a modest fine just under £8,000 after appropriate applications of the guidelines, significant mitigation and the Court's understanding of the charitable nature of the care home.
- Inquest into the death of Elsie Meier [2016] Death of elderly lady with consideration of the standards of care required for the treatment of friction and pressure sores and the medical causation impact on death.

- HSE v M & B.S.H. Ltd [2013]

Matthew acted on behalf of two Defendants, a skip hire company and its managing director, both charged with causing the death of an employee due to breaches of health and safety law. An untrained employee was permitted to drive a skid steer loader with multiple mechanical defects that contributed to a crash causing the employee's death.

The case was complicated by allegations that the Defendants had cut corners to save profit and the deceased employee was a vulnerable person because he was an asylum seeker.

The managing director was charged in a personal capacity and faced a jail sentence. Matthew was able to persuade the Court, on entering a guilty plea, to only impose a sentence of 160 hours community service. The company was fined £60,000 notwithstanding a finding that it significantly contributed to the death.

- Inquest in the death of Matthew Nixon [2013]

A gas maintenance engineer died whilst working inside a void flat whilst using a portable generator powered by diesel fuel.

Issues covered involved expert engineering evidence on the spread of carbon monoxide and lone workers policy. http://www.stokesentinel.co.uk/Fumes-flat-killed-Talke-gas-fitter-Matthew-Nixon/story-17938321-detail/story.html

- HSE v (1) PT (2) CHL Ltd [2013]

Large scale HSE prosecution of Chestnut and its site manager, Mr T involving accident on scaffolding causing death. The case involved a bricklayer who fell of the edge of some scaffolding and died as a result.

The case lasted 2 years. Matthew appeared alone at the Coroner's Inquest, all the criminal case management hearings and was the junior, led by Chris Kennedy KC, for the two week scheduled trial.

The case involved complex arguments between experts on the suitability of the scaffolding structures, auditing procedures and delegation of duties to the site manager.

Upon the site manger pleading guilty and accepting his actions were a causative factor in the death of the bricklayer on the 1st day of the trial, CHL Ltd were able plead to breach of duty without causing death and received fine of £40,000.http://www.thisislincolnshire.co.uk/Justin-Gillman-tragedy-accident-waiting-happen/story-19776075-detail/stor y.html#axzz2nIWCJAGG

Page: 2

- Inquest into the death of Colm Glackin [2013]

Matthew represented the family of a young doctor killed when he was cycling and was run over by a lorry turning left. As a result of the evidence the Coroner concluded in his summing up that Mr Glackin died of a road traffic collision and that the lorry driver had failed to notice Mr Glackin in his left side mirror before turning left.

http://www.manchestereveningnews.co.uk/news/greater-manchester-news/court-tears-truck-tragedy-driver-6227330

- R v (1) SN (2) BN [2013]

Representing two partners in a family run care home business both charged in an individual capacity.

The Deceased was a care resident who took a lift into a basement and died when she fell downstairs trying to leave the basement. The case was complicated because the Deceased had previous reported similar incidents.

Matthew persuaded the Magistrates Court to deal with the matter who imposed a fine of £37,000 fine after guilty pleas. http://www.crosbyherald.co.uk/news/crosby-news/2013/04/04/blundellsands-care-home-death-sparks-lift-safety-probe -68459-33112770/

- Inquest into death of Ann Johnson [2012]

Matthew was instructed to represent a nurse allegedly responsible for the overfeeding of a patient in a nursing home potentially causing her to choke and eventually die of pneumonia aspiration via a peg tube feed into the patient's stomach.

The inquest lasted 3 days. The case involved complex medical causation arguments and cross-examination of two expert forensic pathologists.

- Inquest into the death of Julian Webster [2011]

Matthew was instructed to represent the interests of the Greater Manchester Police at a 10 day inquest. The GMP did not feature in the final verdict. The case involved issues of potential unlawful restraint by the doormen of a nightclub and unintentional positional asphyxia.

http://www.manchestereveningnews.co.uk/news/greater-manchester-news/deadly-combination-killed-clubber-julian-68 8776

- HSE v IA [2011]

Matthew acted for the Defendant, charged in a personal capacity, in the Magistrates Court. He provided the plea in mitigation for company guilty of faulty scaffolding leading to serious injuries to worker who fell from the scaffolding.

- HSE v MP [2011]

Matthew acted for the Defendant company prosecuted for letting a worker use an unguarded blending machine resulting in him losing his hand.

- HSE v MHS [2011]

Matthew acted for the Defendant company prosecuted by the HSE for letting a worker use anband saw without a guard resulting in the loss of his fingers.

- HSE v IAC Ltd [2011]

Consett Magistrates' Court, instructed to act on behalf of a construction firm charged with a breach of s.2 of HSWA leading to serious injuries to the complainant following a fall from scaffolding.

- Pembrokshire CC v A restaurant [2010]

Haversford West Magistrates' Court, instructed to present plea in mitigation on behalf of a restaurant business relating to admitted multiple breaches of food hygiene legislation and gas safety offences.

- Traffic Commissioner v SSS Ltd [2010]

Instructed to represent a company at a public inquiry to defend its operator's license to continue its haulage business after an inspection by VOSA. The company successfully retained its haulage license.

- HSE v JHS Group [2009]

Ormskirk Magistrates' Court, instructed on behalf of two partners prosecuted under s.2 of HSWA in respect of an accident in which the injured party fell from scaffolding at height resulting in a fractured neck.

- HSE v The Elliot Group [2009]

Welshpool Magistrates. Court, acted as junior counsel on behalf the Defendant facing charges under s.2 and s.3 of HSWA arising out of a fatal accident. Prosecution case discontinued after 3 days, successfully resulting in not guilty verdicts and defendant costs orders.

- R (on the application of Bodycote HIP Ltd) v HM Coroner for Herefordshire [2008] EWHC 164 (Admin) Matthew was instructed as junior counsel with Tim Horlock KC in a successful judicial review action concerning a jury's finding of unlawful killing by gross negligence against a company. The judicial review concerned argument on the legal framework of corporate manslaughter.
- HSE v Airbags International Limited [2008]
 Chester Crown Court, instructed on behalf of HSE to present prosecution sentence against a Defendant company responsible for failings under s.2 of HSWA resulting in amputation of employee's arm.
- HSE v Edbro Machine Tools Limited [2008] Stafford Magistrates' Court, instructed on behalf of manufacturing company to mitigate sentence for admitted breaches under Supply of Machinery (Safety) Regulations 1992.

Publications

'Proving it in reverse' New Law Journal 13th March 2009 p390-392, co-author of legal article on the ramifications of R v Chargot [2008] UKHL 73.

Matthew regularly presents seminars on topical issues in health and safety law.

Quotes

Personal Injury: Band 1"Matthew is very helpful, very knowledgeable and has an excellent level of competence in all areas.""He is very detailed, thorough, approachable and very professional, He leaves no stone unturned. "He is very sensible and dogged in his presentation - a very good negotiator."

- Chambers and Partners 2024

Personal Injury: Matthew is very thorough with all papers, his trial prep is forensic, and he has great advocacy skills in tricky cases. He has great attention to detail and excellent drafting skills, and he can deal with complex and high value claims with aplomb."

- Legal 500 2024

Personal Injury - Northern (Bar): "Matthew is an incredibly capable barrister." "He is particularly strong in conference with experts." "He is unbelievable on attention to detail, he leaves no stone unturned." "Matthew really knows his way around high-value brain injury and fundamental dishonesty cases."

- Chambers and Partners 2023

Personal Injury: "Matthew has an excellent grasp of complex law and knows what to say and when to say it in a conference to make you feel as if you are a real team. He has an excellent manner with clients and witnesses, fantastic attention to detail and yet retains a pragmatic and strategic overview at all times. He gives views clearly without ever being condescending, he invites comment, and is a real team player. His advocacy skills are impressive, he engenders a sense of calm and control and is always well prepared and incisive."

- Legal 500 2023

Personal Injury - Northern Bar: "He is excellent in conference and fantastic with clients. He is always thoroughly prepared." "A very good strategist who is very detailed on the evidence." "He knows exactly where the weak points are in an opponent's case and how to exploit them effectively."

- Chambers and Partners 2022

Personal Injury: "Matthew is highly forensic in his analysis of evidence and is an exceptional strategist. Personable and collaborative, he has assisted in bring numerous complex CAT PI cases to a sensible settlement."

- Legal 500 2022

Personal Injury (Northern Bar) Band 1

"He is excellent at cutting through the issues in complex cases and is very good at thinking on his feet. He is an impressive advocate." "He is exceptional when speaking to his clients and explaining complex ideas. He demonstrates a real understanding of the ways in which the injuries have affected the client."

- Chambers and Partners 2021

Personal Injury (Northern Bar) Band 1

"His attention to detail is second to none, and clients and instructing solicitors love him because they know they will get forensic and commercially driven advice. He is absolutely outstanding."

"A very good negotiator who quickly grasps all the relevant issues."

"He's very sharp and a great trial advocate."

- Chambers and Partners 2020

Personal Injury: Leading Junior Band 1

- "An excellent trial advocate with a great eye for detail."
- Legal 500 2020

Personal Injury and Clinical Negligence ranked Tier 1 His practice includes industrial disease, failed surgery and brain injury claims.

- Legal 500 2019

Personal Injury Northern (Bar): Leading Barrister (Band 2) "He is superb and a real one to watch. He is thorough, dynamic, leaves no stone unturned and is very tenacious." "He is a very energetic and capable practitioner with an excellent reputation and a very busy practice."

- Chambers and Partners UK Bar 2019

"An excellent junior. Very capable, good in terms of detail, a good negotiator and very good with clients."

- Chambers and Partners 2018

'A health and safety specialist.'

- Legal 500, 2017

'Known for acting in clinical negligence claims arising from failed surgery.'

- Legal 500, 2017

"Specifically acts for defendants in cases of fraudulent motor insurance claims. He has a particular specialism in high-value proceedings and those relating to organised fraud rings." "Thorough, sensible and can talk to the client in a way that they can understand."

- Chambers and Partners 2017

"Focuses his practice on personal injury and health and safety matters, with considerable expertise in employment



liability. He has significant advocacy experience at both trial and appellate level, and regularly acts for clients in high-value claims. 'He's very capable and a good opponent, he does a good job for his clients.' 'A very good and very straightforward barrister.'"

- Chambers and Partners 2016

"He acts on an array of personal injury claims, including high-value and complex disputes. He is often instructed by defendants on cases involving alleged fraud. 'He is a very astute and alert barrister.'"

- Chambers and Partners 2016

"He's very clever, thorough, good on the detail, a good negotiator and very good on his feet." "He is exceptionally well prepared."

- Chambers & Partners 2015

"He's a very determined litigator, who is very able, particularly when handling complex areas of law."

- Chambers & Partners 2015

"Noted for his work on complex race discrimination and unfair dismissal claims. He is also known for handling negotiations and settlement agreements."

- Chambers & Partners 2015

"He is approachable and accessible."

- Legal 500 2014

"He is someone in whom you have confidence."

- Legal 500 2014

"He stands out for his enthusiasm, application and commitment, his understanding of issues, and his eagerness. He brainstorms and tries to get the best possible angles"

- Chambers & Partners 2014

"Matthew Snarr 'gets on well with clients and the instructing solicitor'."

- Legal 500 - 2013

"demonstrates considerable talent"

- Legal 500 2013

"The 'insightful and erudite' Matthew Snarr is another talented junior at the set. He is recognised for his 'outstanding cross-examination,' and was described by one solicitor as 'our first, second and third choice on tricky cases'."

- Chambers & Partners 2013

"undertakes a large amount of health and safety work for the HSE and is recommended for his fearless manner"

- Legal 500 2012

'extremely thorough and meticulous'

- Legal 500, 2012

"Thorough accurate and intuitive"

- Legal 500, 2011



"Very good with Clients"

- Legal 500 2009

"Clients further heaped compliments on the 'very pragmatic' Matthew Snarr who will always go the extra mile."

- Chambers & Partners 2009

"extremely good"

- Chambers & Partners 2008

"Very firm but fair."

- Chambers & Partners 2008

"Working well beyond his call."

- Legal 500, 2007

"...enthusiastic recommendations from solicitors thanks to his 'supreme professionalism.' "

- Chambers & Partners 2006

"Matthew Snarr appeals to Solicitors thanks to his really sharp mind andability to get right to the important issues of a case'."

- Chambers & Partners 2005