

# Richard Dawson

Call to Bar: 2001



**"Richard Dawson is a well-regarded junior with a notable criminal practice. He is particularly sought after for his expertise in dangerous driving cases, and he also handles matters relating to organised crime and drugs offences."** - Crime - Chambers and Partners 2024

**"Richard's technical ability and advocacy are excellent. He is just very easy to work with and very good with experts."** - Crime - Chambers and Partners 2024

**"Richard's in-depth knowledge is brilliant. He just knows what to do and instils confidence in me."** - Crime - Chambers and Partners 2024

**"Richard is an incredibly hard working barrister. His drafting of legal arguments and written submissions is particularly impressive, and in relation to advocacy, he is a confident, persuasive, and seriously impressive court room presence."** Recommended in Legal 500 2024 - Crime (General and Fraud)

**"Richard's regulatory specialism focusses on transport law and it is an area where he is developing a national reputation as being a leading expert. He regularly appears before the Traffic Commissioner where he represents haulage companies, transport managers, and drivers, and his success rate is outstanding."** Recommended in Legal 500 2024 - Business and Regulatory Crime (Inc H&S)

**"Richard's written and oral advocacy skills are excellent."** - Chambers & Partners, 2023

**"He is a brilliant barrister to work with."** - Chambers & Partners, 2023

**"He is superb on serious motoring matters."** - Chambers & Partners, 2023

## Contact details:

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## Practice areas:

Road Traffic Law  
Regulatory  
Inquests  
Professional Discipline  
Licensing  
Serious Crime  
Business Crime & Financial Regulation  
Prison Law

# Richard Dawson

**"Richard is a fantastic advocate. On his feet in a trial is as strong as many counsel a great deal more senior. What really makes him stand out is the ability to get to grips with and apply technical and complex expert evidence, such as collision reconstruction, medical, tachographs data etc. This enables him to challenge prosecution experts and present defence evidence in a fluent and concise way, which translates to the jury and bench."** - Legal 500, 2023

Richard **"has an impressive practice and has been active in multiple injury and death by dangerous driving cases."** - Legal 500, 2023

**"He has good attention to detail and he establishes a rapport with clients."** - Chambers & Partners, 2022

**"He gets his strategy and approach spot on. He is an excellent all-rounder."** - Chambers & Partners, 2022

**"He is brilliant with clients - he is personable and down to earth. He is extremely thorough, a very engaging trial lawyer and the juries really buy into him."** - Chambers & Partners, 2022

**"Richard is an extremely experienced barrister who has a keen eye for the detail. He works very well under pressure and engages with the jury in a way I've not seen with any other barrister."** - The Legal 500, 2022

**"The jury sit up and listen when he is on his feet and his likeable, understandable approach means all can follow the issues he raises"** - The Legal 500, 2022

**"His diligence, preparation and communication help put clients at ease"** The Legal 500, 2021

**"Richard's regulatory specialism is focused on transport law and it is an area where he is developing a national reputation as being a leading expert. He regularly appears before the Traffic Commissioner where he represents haulage companies, transport managers, and drivers, and his success rate is outstanding."** The Legal 500 2024 – Business and Regulatory Crime (Inc H&S)

Richard is a renowned lawyer and an accomplished advocate, who is regularly involved in cases of the utmost gravity, sensitivity and complexity. Richard specialises in Transport Law. He is instructed nationwide in cases across the spectrum of Operator and Driver Licensing and Compliance.

Richard is consistently and highly recommended by the legal directories for his expertise.

In the 2024 Edition of The Legal 500 he is described as:

**"an incredibly hard working barrister. His drafting of legal arguments and written submissions is particularly impressive, and in relation to advocacy, he is a confident, persuasive, and seriously impressive court room presence" and "notable for his transport expertise."**

In the 2024 Edition of Chambers & Partners he is described as:

There is no typical client. Richard has represented businesses across all sectors of the road transport industry; both at first instance, before the Traffic Commissioner; and on appeal, before the Upper Tribunal (Transport); or by way of judicial review, before the High Court.

From the modest family firm to the national delivery company with multiple depots and a fleet of more than 1,000 vehicles, to the international haulage and logistics company, Richard has represented, continues to represent and is often retained by the biggest and the best in the industry.

Richard regularly advises and provides representation in the following practice areas:

- Restricted, Standard National and Standard International Operator Licensing
- Large goods and heavy transport vehicles (STGO & s.44 Special Order)
- Bus and coach operators
- Sole trader to multinational transport and logistics companies
- Skip hire, scaffolding and construction companies to haulage and logistics businesses
- Local Authorities
- Individual Directors, Transport Managers and professional Drivers, holding Vocational Licences
- Preliminary Hearings, Public Inquiries and Driver Conduct Hearings
- Appeals

Richard's foundation in regulatory law has afforded him layers of tactical and commercial sensitivity as to the reputational damage that any form of regulatory intervention or sanction might have for a business, or for those running, or indeed working for, it. Richard is acutely aware of the need to consider the wider aspects of the business and its relationships with others – the need for compliance with other regulatory regimes, outside the immediacy of the Operator's Licensing regime – and the need to manage expectations, to successfully navigate regulatory proceedings.

Richard is licensed to provide legal advice and representation directly to members of the public.

Richard Dawson is an expert trial lawyer who specialises in road traffic law. He has a nation-wide client base and undertakes work throughout the UK. Richard has developed a strong reputation for hard work, immaculate preparation and clear fact management in complex cases and he is highly regarded by all those who instruct him. Richard is a road traffic specialist, with more than 15 years experience representing those accused with driving offences; particularly offences arising from serious road accidents.

His wealth of knowledge and skill in this highly specialised area is best demonstrated by his track record of successfully defending drivers charged with causing death and/or catastrophic injury. Richard is actively sought out by national and international private client companies and insurance companies to represent their employees and insured clients in serious injury and fatal road traffic accidents, owing to his vast experience and expertise in this niche area of law. Richard provides advice and representation to motorists at all stages of criminal investigation and prosecution. He strives to provide the highest level of service to clients and recognises the sensitivities associated with cases of this type, which often attract national media interest. Richard has built up strong working relationships with key experts in the fields of accident investigation and reconstruction; vehicle examination; tachograph analysis and route tracing; telematics (“black box” incident data recorders); CCTV image analysis and enhancement; neurology (including sleep disorders, cough syncope, and forms of epilepsy); A&E care (causation); LGV and PCV operator licensing; and transportation, trucking, haulage and passenger carrying vehicles.

Richard is experienced in regulatory matters arising in the field of road traffic law, with consistent instruction in cases commenced by the Driver and Vehicle Standards Agency (formerly VOSA); Trading Standards; and the Health and Safety Executive. Richard is routinely instructed in road traffic cases arising out of and/or in connection to an inquest before a Coroner, touching on the death. Richard is frequently asked to represent private client individuals charged with motoring offences. He has successfully represented professionals in both the Magistrates’ Court and the Crown Court, including solicitors, accountants, medical professionals, professional sports personalities and high-net-worth individuals. Richard is licensed to provide legal advice and representation directly to members of the public

## ROAD TRAFFIC OFFENCES

### Accidents Resulting in Death

**R v Platt** – causing death by dangerous driving – Defence Counsel – privately funded case (ongoing)

**R v Wall** – causing death by dangerous driving – Defence Counsel – privately funded case (ongoing)

**R v Sant** – double fatality, causing death by dangerous driving – Defence Counsel – privately funded case(ongoing) Reported: <http://www.bbc.co.uk/news/uk-england-devon-39707192>  
<http://www.plymouthherald.co.uk/disabled-gran-who-dozed-at-wheel-jailed-for-four-years-for-killing-two-pedestrians/story-30295226- detail/story.html>

**R v Webber** – causing death by dangerous driving – Defence Counsel – very interesting causation argument as primary cause of death was negligent medical care – ultimately abandoned when plea to causing death by careless driving deemed acceptable – privately funded case (ongoing) Reported: <http://www.liverpoolecho.co.uk/news/liverpool-news/woman-jailed-after-knocking-down-13015449>

**R v Game** – double fatality, causing death by careless driving – Defence Counsel – privately funded case(ongoing)

# Richard Dawson

**R v Flaherty** – causing death by careless driving – Defence Counsel – privately funded case (ongoing)

**R v McKenna** – multiple complainants, causing death by dangerous driving & causing serious injury by dangerous driving – Defence Counsel – privately funded case (ongoing)

**R v O’Boyle** – causing death by careless driving – Defence Counsel – privately funded case (ongoing)

**R v Sant** – double fatality, causing death by dangerous driving – Defence Counsel – privately funded case(ongoing)

**R v Webber** – causing death by dangerous driving – Defence Counsel – privately funded case (ongoing)

**R v Greenidge** – causing death by careless driving & causing death by driving while unlicensed/uninsured– Defence Counsel – Veolia waste lorry worker went to assist elderly driver reversing to avoid fly tip – accidentally stood on accelerator in automatic, left in gear on handbrake – open door hit elderly driver, who fell and hit head, resulting in her death – acquitted of all charges – privately funded case Reported:

<http://www.telegraph.co.uk/news/uknews/12171264/Dust> <http://www.dailymail.co.uk/news/article-3081531/Spitting-Image-star-s-mother-died-crash.html> <http://www.dailymail.co.uk/news/article-3471766/Bin-man-knocked-killed-actor-s-mother-88-offering-drive-car-fly-tipped-rubbish-cleared-death.html>

**“a well-regarded junior with a notable criminal practice. He is particularly sought after for his expertise in dangerous driving cases”**

**"[His] technical ability and advocacy are excellent. He is just very easy to work with and very good with experts" and "[His] in-depth knowledge is brilliant. He just knows what to do and instils confidence in me."**

Richard has been instrumental in introducing and encouraging other members of Chambers to expand their complimentary practices and to take on work in the sphere of transport regulation and compliance. Under Richard’s guidance, Lincoln House Chambers is now one of the leading sets in this practice area, boasting a dedicated team of transport law professionals.

Drawing upon a wealth of knowledge and skill (developed over more than 20 years of practice in criminal and regulatory law) and having repeatedly been instructed to defend professional drivers who had been involved in serious collisions, it was a natural transition for Richard to be instructed to represent those same drivers and, in turn, their employers, when called before the

Richard is regularly instructed to represent sole trader, partnership and company holders of Operator’s Licences, when called upon to attend at either Preliminary Hearings or Public Inquiries by the Office of the Traffic Commissioner.

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Richard is often sought out to provide advice to businesses on aspects of regulatory compliance. Having developed a strong reputation for hard work, immaculate preparation and clear fact management in complex cases, Richard is highly regarded by all those who instruct him.

Richard has delivered bespoke transport law training to Solicitors, Barristers and other industry professionals, including the British Aggregates Association.

**R v Masters** – causing death by dangerous driving – Defence Counsel – first ever case in UK prosecuted solely on basis of telematics data – no CCTV/witnesses to the events at all – privately funded case Reported:

<http://www.bbc.co.uk/news/uk-england-stoke-staffordshire-32932840>

[http://www.cps.gov.uk/westmidlands/cps\\_west\\_midlands\\_news/hit\\_and\\_run\\_driver\\_jailed/](http://www.cps.gov.uk/westmidlands/cps_west_midlands_news/hit_and_run_driver_jailed/)

**R v Shields** – causing death by careless driving – Defence Counsel – prosecution based on analysis of speed from CCTV footage “drive through” comparison sequences – demonstrated to be flawed comparisons – acquitted – privately funded case

**R v Maan** – causing death by careless driving – Defence Counsel – dentist involved in head-on collision with family travelling to school – aquaplaning – featured in BBC documentary “The Prosecutors” – privately funded case Reported:

<http://www.itv.com/news/granada/update/2015-02-13/cheshire-death-crash-driver-walks-free/>

<http://www.mirror.co.uk/tv/tv-news/bereaved-mum-confronts-man-whose-7431431>

<http://www.bbc.co.uk/programmes/b071gvs3>

**R v McWilliam** – causing death by dangerous driving – Defence Counsel – tragic case – 68 year old learnt to drive in order to give his disabled wife some freedom – lost control due to inexperience, having driven less than 1,000 miles after passing test – pleaded guilty – avoided an immediate sentence of imprisonment – privately funded

Reported: <http://www.lincolnshirelive.co.uk/pensioner-driving-months-caused-fatal-crash/story26041249-detail/story.html>

**R v Dear** – causing death by careless driving – Defence Counsel – lorry driver – acquitted – privately funded case

**R v Hilton** – causing death by dangerous driving – Defence Counsel – acquitted – privately funded case

**R v Hodgson** – causing death by careless driving – Defence Counsel – issues of causation – privately funded case

**R v Cox** – double fatality, causing death by careless driving – Defence Counsel – head on collision with husband & wife on a motorbike – Cox unconsciously steered across into the opposing carriageway and tragically into collision, as a result of choking on a throat lozenge – successfully argued automatism on the basis of cough syncope – acquitted – privately funded case Reported: [www.mirror.co.uk/news/uk-news/biker-couple-killed-driver-started-4104246](http://www.mirror.co.uk/news/uk-news/biker-couple-killed-driver-started-4104246)

**R v Smith** – causing death by careless driving – Defence Counsel – tragic case on the motorway, resulting in the death of a teenage student – lorry never actually collided with or indeed touched the car driven by the deceased – the deceased lost control in the course of overtaking the lorry, which was itself overtaking another slower moving vehicle – acquitted – privately funded case

**R v Creasey** – causing death by careless driving – Defence Counsel – privately funded case

**R v O’Loughlin** – causing death by careless driving – Defence Counsel – acquitted – privately funded case

**R v Ward** – causing death by careless driving whilst under the influence of alcohol – Defence Counsel – in excess of 3 times legal driving limit – privately funded case

**R v Christie** – causing death by careless driving – Defence Counsel – deceased was 83 years old – acquitted by unanimous verdict – privately funded case

## Accidents Resulting in Catastrophic Injury

**R v Aslam** – causing serious injury by dangerous driving – Defence Counsel – privately funded case (ongoing) **R v Rathbone** – dangerous driving – Defence Counsel – privately funded case (ongoing)

**R v Sweeting** – multiple complainants, causing serious injury by dangerous driving – Defence Counsel – privately funded case (ongoing)

**R v Harris** – causing serious injury by dangerous driving – Defence Counsel – epilepsy and drug issues – privately funded case

**R v Halliday** – careless driving – Defence Counsel – “ring & ride” driver reversed into elderly pedestrian, who subsequently died – causation issues – primary issue concerned internal audible reversing system – acquitted – privately funded case **R v Hellewell** – dangerous driving – Defence Counsel – acquitted – privately funded case

**R v Kala** – causing serious injury by dangerous driving – Defence Counsel – Kala lost control in the rain when overtaking on a section of wet road incorporating tram tracks; part of the Sheffield Supertram network – acquitted

**R v Bedward** – causing serious injury by dangerous driving – Defence Counsel – acquitted – privately funded case

**R v Makin** – careless driving – Defence Counsel – privately funded case

**R v Lonsdale** – dangerous driving – Defence Counsel – multi-car pile up resulting in catastrophic life changing injuries – Lonsdale fainted and drove into head-on collision – successfully argued automatism on the basis of cough syncope – Prosecution dropped the case – £4 million reserve – acquitted – privately funded case  
Reported: [www.thenorthernecho.co.uk/news/local/southdurham/spennymoor/11415412.Charge\\_dropped\\_against\\_driver\\_accused\\_over\\_multi\\_vehicle\\_crash/](http://www.thenorthernecho.co.uk/news/local/southdurham/spennymoor/11415412.Charge_dropped_against_driver_accused_over_multi_vehicle_crash/)  
[www.dailymail.co.uk/news/article-2733926/Driver-hit-motorbikesidecar-killing-married-couple-cleared-death-careless-driving-choked-SWEET-seconds-crash.html](http://www.dailymail.co.uk/news/article-2733926/Driver-hit-motorbikesidecar-killing-married-couple-cleared-death-careless-driving-choked-SWEET-seconds-crash.html)

**R v Day** – careless driving – Defence Counsel – Complainant motorcyclist & pillion sustained extremely serious injuries – £2 million reserve – acquitted – privately funded case

**R v Potter** – careless driving – Defence Counsel – motorcar collided with teenage pedestrians crossing a dual carriageway – life changing injuries sustained by both; rest of life care necessary for one of the pair – £3 million reserve – acquitted – privately funded case

**R v Harper** – careless driving – Defence Counsel – defending a paraplegic, himself previously injured in a motorcycle accident, who knocked a cyclist off his bike – privately funded case

**R v Semeniuk** – careless driving – Defence Counsel – acquitted of failing to give way to a motorcyclist – able to demonstrate that the Complainant motorcyclist was the author of his own misfortune (he lost a leg in the accident) in that he had attempted a dangerous overtaking manoeuvre when he should not have – privately funded case **Regulators, the Traffic Commissioners.**

**R v Melia** – careless driving – Defence Counsel – HGV driver found blameless in relation to accident causing life changing injuries to young children – Court upheld a submission of no case to answer after demonstrated that car braked heavily and without warning, resulting in the collision – privately funded case

**R v Nicholson** – careless driving – Defence Counsel – retired Consultant Surgeon acquitted when District Judge upheld a submission of no case to answer and stopped the case – privately funded case

**R v Brooks** – careless driving – Defence Counsel – Prosecution offered no evidence after cross-examination of the Complainant pedestrian – privately funded case

**R v Lamb** – careless driving – Defence Counsel – HGV driver acquitted of fault in relation to accident when baby caused serious injury – privately funded case

## **NOTABLE CURRENT & RECENT CASES**

**R v ID** – instructed to defend a professional driver being prosecuted following a DVSA investigation into suspected breaches of EU drivers' hours rules (tachograph offences – pulling cards; misuse of a second driver's card; failures to record other work/positional movements)

**\*\*\* Ltd** – national bakery business with O Licences across multiple Traffic Areas, fleet in excess of 1,500 vehicles, called to a Preliminary Hearing following third bridge strike incident in 6 months – considered a company-wide issue, concerning all O Licences (linked driver conduct hearing)

**Pillory Down Skips Ltd** – initially instructed to draft written arguments (presented by a colleague in Chambers) regarding the scope of the restricted O Licence in the context of a skip hire business with linked waste transfer station, in light of the Environmental Protection Act 1990 (Parker Body Repairs Ltd applied)

**JL&S Ltd** – international O Licence holder, 100+ vehicle fleet size, called in relation to a bridge strike (linked driver conduct hearing)

**BAT Ltd** – instructed to represent both Operator and Transport Manager, called to Public Inquiry in relation to maintenance and compliance issues – an unusual case with significant commercial implications, given established licensing partnership deals with global brands, to offer official afternoon tea bus-tour experiences

**HH Ltd** – complex application to vary existing O Licence conditions – complicated by objections from local residents (environmental concerns) and the local authority, separately represented by Planning Counsel (planning concerns – resulted in complex legal arguments regarding private and public rights of way over restricted byways, by application of CROW 2000 & NERC 2006)

**WTS Ltd** – complex Public Inquiry on behalf of a biomass fuel business, regarding the suitability of a restricted O Licence – complicated corporate structure; misunderstood subsidiary status



**TT Ltd** – proposed appeal to the Upper Tribunal (Transport) Administrative Appeals Chamber, against the decision of the Traffic Commissioner to revoke the O Licence and to disqualify both the Directors (4 years) and Transport Manager (indefinitely)

**HB** – appeal to the Upper Tribunal (Transport), against the decision of the Traffic Commissioner to revoke an O Licence, held for nearly 40 years, without prior complaint – sole issue was whether adjournment should have been granted, given the personal circumstances of the O Licence holder and/or whether the TC should have considered compliance documentation served late

Richard is typically instructed in circa 20 Public Inquiries each year, in addition to other transport-related instructions.

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