

Lee Hughes

Call to Bar: 2006



Lee is a regulatory barrister ranked by Legal 500 and Chambers and Partners in several areas of practice including business crime, health and safety, inquests and inquiries and professional discipline. He is also regularly instructed in cases involving fire, road traffic, transport, environmental, Border Force/HMRC, OFSTED and trading standards. Prior to moving to the Bar Lee was a solicitor in some of the country's best regarded regulatory practices. He knows from first-hand experience what solicitors need from their instructed counsel and for that reason has built a strong practice.

Legal 500 2024

UK Regional Bar, Northern Circuit, Business And Regulatory Crime (Including Health And Safety) - Tier 1

"Lee is a really diligent barrister and his preparation is second-to-none. He is very clear and concise in his advice to clients, he is very amiable and easily wins trust from clients, and in court, he is a precise, persuasive, and effective advocate."

UK Regional Bar, Northern Circuit, Professional disciplinary law - Tier 3

"Lee is insightful and analytical and gives straightforward, practical advice to clients. He is extremely approachable, always happy to be contacted, and willing to go the extra mile." UK Regional Bar, Northern Circuit, Inquests and Inquiries - Tier 3 "Lee is experienced beyond his years. He has a keen eye for detail, an approachable nature, and his experience as a former solicitor enables him to fully understand what an instructing solicitor needs from counsel."

Chambers and Partners 2024

"Lee is far more advanced on his feet than his years of being a barrister would equate to. He puts clients at ease. He's very thorough and very on top of developments in the law."

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Practice areas:

Regulatory Law
Criminal Law
Business Crime
Inquests & Inquiries
Professional Discipline
Public Law

Professional appointments:

UK Bar Northern/North Eastern (Bar), Health & Safety - Band 2

UK Bar The Regions (Bar), Professional Discipline - Band 2

UK Bar The Regions (Bar), Inquests & Public Inquiries - Band 3

"Extremely thorough and user-friendly. His preparations are always exemplary and his advocacy is excellent."

"He is extremely competent, grasps details quickly and gives strong, practical advice to clients. Lee is not afraid to ask difficult questions or tackle difficult issues."

Lee principally defends businesses, directors and professionals in a wide range of proceedings but also prosecutes for the Health and Safety Executive, Environment Agency, Insolvency Service and Local Authorities. Lee is ranked in tier 3 in Legal 500 for general crime and is on the CPS general Crime list, the CPS Serious Crime Specialist Panel and the SFO Panel.

Lee is Junior Counsel to the Crown (Regional C Panel) on the Attorney General's Civil List.

Lee is authorised to represent members of the public under the 'Public Access' scheme.

CASES OF INTEREST

Professional Disciplinary

GMC v DR – represented a doctor at a fitness to practise panel before the Medical Practitioner Tribunal Service following allegations of dishonesty. The tribunal gave weight to the "good mitigation" in the case and suspended the doctor for just one month.

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GMC v DR – advised a doctor in respect of restoration following findings of dishonesty. Doctor restored to the register. **NMC v N** - Represented a nurse in an interim orders hearing before the Nursing and Midwifery Council. Avoided suspension, despite serious allegations.

GMC v DR – represented a doctor at a Review Hearing following impairment through misconduct and adverse physical or mental health.

GMC v DR – advised a doctor in respect of restoration following findings of dishonesty. Teaching Regulation Agency – represented a teacher accused of sexual impropriety with a student.

GMC v DR – represented a doctor in respect of fitness to practise proceedings following serious allegations of dishonesty. The doctor was suspended.

GMC v DR – instructed to represent a psychiatrist in fitness to practise proceedings following the death of a patient. The GMC chose not to pursue the case to the MPTS.

Health and Safety and Fire Safety

HSE v B – represented a farmer prosecuted for health and safety failings following the death of his young relative.

HSE v MS and CS – secured the acquittal of a director prosecuted by the HSE for breaches of the general duties under the Health and Safety at Work etc. Act and contravention of a Prohibition Notice

LA v Q and others – represented a company and a director prosecuted in the Crown Court following a fatal fall from height.

Fire Service v G – represented a former health and safety officer in the Crown Court prosecuted for risk assessment offences spanning a period of 10 years.

LA v G – represented a children’s nursery in the Magistrates’ Court for sentence after a child’s fingertip. was severed. Secured an exceptionally low fine for the company.

LA v D – successfully represented a Local Authority in an appeal against a Prohibition Notice.

HSE v G – defended a roofer in the Crown Court following a fall from height in which a worker was seriously injured. **Multinational Company** – advised a multinational company regarding its fire safety management responsibilities for vacant commercial and residential properties.

HSE v H&S consultancy – advised a health and safety consultancy disputing a Fee for Intervention invoice and prepared submissions on behalf of the company.

HSE v I – advised a company in liquidation regarding prosecution for health and safety offences.

HSE v EJ – instructed to advise a company in respect of a police investigation into the death of an employee whilst repairing a forklift truck and subsequently an investigation by the HSE into breaches under the Health and Safety at Work Act.

HSE v S – prosecuted a secondary school following a field trip during which children were lost in snowy conditions and one child was injured when they slid down a hill.

HSE v A – represented a company following a fall of height from 6 metres. The court reduced the starting point due to Lee’s “powerful mitigation”. Lee is regularly instructed by the Health and Safety Executive to prosecute cases in the Magistrates’ Court and Crown Court, as well as to appear in the Coroners’ Court.

Inquest and Inquiry work

Manchester Arena Inquiry – instructed by the Solicitor to the Inquiry as part of the junior counsel team, assisting with preparation for the Inquiry, with particular focus on the criminal aspect of the inquiry. Sat as a noting brief in the criminal trial of Hashem Abedi.

Gosport Independent Panel – appointed by the Secretary of State for Health, as Junior Counsel to Kate Blackwell KC. The panel was constituted by the Minister to examine and report on historical events relating to the care, treatment and deaths of patients of the Gosport War Memorial Hospital in Portsmouth. Assisted generally in preparation of the final report, but also specifically in respect of health and safety matters.

Grenfell Public Inquiry – instructed by Government Legal Department to assist the Home Office with the disclosure exercise following the fire that occurred in 2017.

Inquest touching the death of a prison inmate – represented the director of a private prison in an Article 2 inquest following the stabbing of an inmate by another inmate.

Inquest touching the death of a diver – represented an enforcement body

Inquest touching the death of a mechanic – represented a company following a workplace accident involving a forklift truck. **Inquest touching the death of an elderly resident of local authority accommodation** – represented the local authority in an Inquest that explored the Council’s obligations towards an elderly resident.

Inquest touching the death of a motorcyclist – represented the driver of a vehicle involved in a collision with the deceased.

Inquest touching the death of a student – represented a university following the death of a student in student accommodation.

Inquest touching the death of a former employee – instructed to represent a company following the death of a former employee.

General Crime

Led junior for the Crown in Operation Chronicle – two defendants convicted of murder and sentenced to 19 and 17 years respectively. Led by Craig Hassall KC. Prosecuted the Insolvency Service’s first Covid Bounce Back Loan prosecution. Led junior for the Crown in Operation Teleut, which concerned an international conspiracy to smuggle crystal meth. The defendants were convicted after trial.

Led junior for the Crown in Operation Quartz which concerned the manufacture of amphetamine at one laboratory and a linked conspiracy to produce amphetamine at another laboratory, which was under construction when police raided it. The case involved two trials and complex POCA proceedings.

Led junior for the Crown in Operation Lithe. Operation Lithe concerned 29-armed robberies of convenience stores across the North West. A gang armed themselves with weapons including machetes and meat cleavers, and attacked shops, usually at night. All of the alleged robbers were convicted, and lengthy prison sentences handed down. The case involved POCA and Serious Crime Prevention Orders.

Led junior for the Crown in Operation Woodvill, which concerned a police investigation into unrest in Oldham after a speech was given by Tommy Robinson. A trial is listed in October 2022

Led junior for the defence in a murder prosecution, in which the juvenile defendant pleaded guilty to manslaughter. Led by Simon Csoka KC. Led junior for the defence in the country’s largest ever drugs conspiracy. Led by Peter Wright KC.

R v B – represented a defendant charged with a s20 wounding after striking a partner with a hammer. The defendant was given a suspended sentence of imprisonment.

R v V – prosecuted a prisoner for escaping from lawful custody after jumping from a moving prison van whilst on a dual carriageway. The defendant was convicted.

R v G – The defendant was accused of robbery. Lee made a successful application to dismiss based on identification evidence.

R v W – The defendant was accused of breaching a Sexual Harm Prevention Order by having history-deleting software on his phone. Lee made a successful application to dismiss the offence based on the Crown's misunderstanding of the technical evidence.

POCA

R v M&S – represented two interested parties from whom over £30,000 had been seized during investigations into a relative's criminal offending. The interested parties recovered £27,000.

Op Lithe – led prosecution junior involved in the resolution of POCA applications for multiple defendants.

Op Quartz - led prosecution junior involved in the resolution of POCA applications for multiple defendants.

HMRC v Ahmadi – successfully represented HMRC in cash forfeiture proceedings.

Seizures by HMRC and Border Force

BF v A – successfully represented an importer of alcohol at the First Tier Tax Tribunal following seizure of wine by Border Force. Goods restored.

HMRC v R – achieved restoration of a seized vehicle days before a hearing in the First Tier Tribunal, persuading HMRC that they had no prospects of success.

Advised many companies and individuals in respect of condemnation and restoration proceedings. Have secured restoration either in the first instance or after review in numerous cases, recovering goods worth tens of thousands of pounds. Regularly instructed in these matters.

Road Traffic

R v M – successfully represented a driver in a trial in the Crown Court in a prosecution for causing death by careless driving.

R v S – represented a driver accused of driving without due care and attention following a collision with a pedestrian. The case was dismissed at the close of the prosecution case.

R v M – represented a driver whose mum forgot to insure his car. Special reasons were found.

R v M – represented a driver in the Magistrates' Court, charged with driving without due care and attention. After cross examination of the injured person made a successful submission that there was no case to answer.

R v A – successfully defended a driver who failed to respond to two requests for information (section 172 Notice) on the basis that it was not reasonably practicable to respond to a request that was not received.

R v CC – achieved an acquittal in the Crown Court for a driver charged with causing death by careless driving.

R v LC - represented a defendant who caused serious injury by driving dangerously. 14-month sentence.

R v G – represented a “totter” in the Magistrates’ Court, convicted of his third speeding offence in three weeks and having amassed 15 points. Successfully argued exceptional hardship.

Traffic Commissioner

PS – successfully represented a company in a Public Inquiry before the Traffic Commissioner. Licence retained, despite dishonesty at a previous Public Inquiry.

JS – successfully represented a company in a PI before the Traffic Commissioner. Licence retained, despite non-compliance with an undertaking and various requirement of the licence.

L – successfully represented a company before the Traffic Commissioner. Licence retained, despite multiple failings in respect of the licence.

W – represented a company at a Public Inquiry before the Traffic Commissioner, where there was alleged to be breach of a restricted licence.

P – represented a skip company at a Public Inquiry before the Traffic Commissioner.

E – represented a company at a Public Inquiry before the Traffic Commissioner – no regulatory action taken.

Licensing

LA v HF – represented a Local Authority in an appeal by a taxi driver against a refusal to grant him a licence. Successfully applied to have the case dismissed after the taxi driver’s evidence.

LA v TD – successfully represented a Local Authority in PII proceedings relating to evidence to be used in an appeal against a withdrawal of a taxi licence.

LA v M – represented a Local Authority in an appeal against a Review of a premises Licence. Case dismissed and full costs awarded. Later successfully resisted an application to reopen the case and achieved a further award of full costs.

CRL – advised a scrap metal dealer in respect of an application for a licence.

R v M – represented a director in a prosecution for operating without a scrap metal dealer’s licence.

OFSTED / Education

Advised a children’s home regarding an appeal following receipt of Notice restricting accommodation. A

advised a children’s home regarding a suspension of registration, cancellation and an interview with a Responsible Individual. Advised a children’s nursery regarding an appeal against a suspension notice. A

advised a Training Academy regarding an investigation by The Education and Skills Funding Agency. Advised a childminder regarding suspension notices and cancellation.

Advised a childminder regarding suspension. Prosecuted for a local authority in a case involving repeated non-attendance at school.

Trading Standards

R v M & Q – represented a company and director in the Magistrates' Court for trademark offences.

R v Y – represented a company prosecuted for food safety offences.

Environmental

L v Housing Authority – represented a Housing Authority in the Magistrates' Court in a private prosecution brought by a tenant under the Environmental Protection Act 1990.

LA v Q – represented a local authority in a prosecution of a couple who had breached enforcement notices served under planning legislation.

EA v L – advised a director in relation to an application to dismiss in the Crown Court.

LA v PL – represented a care home and its owner in a prosecution for a breach of a Tree Preservation Order.

Data Protection

ICO v A & Ors – instructed as junior counsel to Paul Greaney QC. Successfully defended a multinational organisation against a prosecution under data protection legislation

Other matters

Successfully represented a professional regulator as a defendant in judicial review proceedings in the High Court.

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