

Craig Hassall KC

Call to Bar: 1999

Silk Year: 2021



“Craig Hassall KC is instructed for bereaved families and institutional clients in large-scale inquests and inquiries. He has substantial experience in matters concerning health and safety or medical issues.”

Inquests and Public Inquiries - Chambers and Partners 2024

“Craig Hassall KC is commended for his ability to handle high-profile cases involving fatalities and serious injuries. He regularly prosecutes on behalf of the HSE, although he also has experience of representing corporate defendants. He is able to offer additional expertise in fire safety and food safety matters.” Health & Safety - Chambers and Partners 2024

"He strikes exactly the right tone at health and safety hearings and inquests and has a good rapport with clients." - Chambers & Partners, 2022

"He is calm under pressure, level-headed and strategic." - Chambers & Partners, 2022

"He's able to deal with technical, complex cases." - Chambers & Partners, 2022 Ranked in Tier 1 for Business and Regulatory Crime (including Health and Safety) Legal 500 (2021)

“The consummate professional – calm under pressure with the ability to think quickly on his feet” “ a key name to note” Legal 500 (2021)

“Provides prompt strategic advice ” Legal 500 (2020)

“His practice includes environmental health and food standards matters.” – Legal 500 2019

“A strong advocate, who acts with intelligence and calm authority”. – Legal 500 (2017)

“Conscientious and good with clients.” – Legal 500, (2017)

“He is a safe, and very good, pair of hands.” – Legal 500 (2015) “He has excellent people skills” – Legal 500 (2014)

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Practice areas:

Regulatory & Public

Health & Safety

Criminal Law

Professional appointments:

2019 - Judicial appointment to the First-Tier Tribunal Criminal Recorder appointment

2021 Queen’s Counsel

Craig is an A-List Specialist Regulatory Advocate, and prosecutes and defends in a wide range of regulatory cases. His regulatory practice includes serious health and safety and healthcare cases, often involving fatalities. He has appeared for both regulators and potential defendants at numerous inquests.

His regulatory crime practice also encompasses criminal proceedings brought by a wide range of other regulators in the areas of environmental crime, trading standards, fire safety and food safety. He has a particular interest in cases involving allergen control.

Craig has extensive experience of representing corporate defendants. He can be relied upon to approach a case commercially and with a view to avoiding reputational damage. He is experienced in explaining the commercial reality of corporate accounts to lay and professional tribunals and regularly advises boards of directors in relation to criminal and coronial proceedings.

Craig has represented both regulators and professionals in the disciplinary processes of several different professional bodies and sits as a Legally Qualified Chair in Police Misconduct Hearings.

Craig's knowledge of cases involving a wide range of prosecuting authorities enables him to bring a unique perspective to cases that transcend more than one area. He has been involved in many large cases with multiple defendants, regularly dealing with sensitive issues of disclosure.

NOTABLE CASES

Health & Safety

HSE -v- Lightwater Valley Attractions Ltd – Prosecution of the well-known Yorkshire theme park after a child was ejected from a rollercoaster and suffered life-threatening head injuries

Health & Safety: Industrial

HSE -v- Nestlé UK Ltd – Prosecution arising from significant injuries to an employee on the After Eights line at Nestlé's Halifax plant.

HSE -v- W E Rawson Ltd – Prosecution under section 2 HSWA74 arising from a fatal incident in which an employee was dragged into a packaging machine and crushed. Re Richardson – Representation at inquest and subsequent criminal defence of a waste management company following a fatal accident at their plant. The deceased walked into the path of a reversing JCB and suffered catastrophic head injuries. Accident reconstruction and traffic management evidence.

HSE -v- SIG Trading Ltd – Prosecution of a manufacturing company following partial amputation of an employee's hand. Employees had deliberately circumvented safety measures introduced to guard the machine.

HSE -v- H – Retained pre-charge, and direct access, to advise an employee of a waste management company investigated on suspicion of a section 7 HSWA74 offence following a serious de-gloving injury (QC opponent).

HSE -v- Walter Hessewood Ltd – Prosecution of a family-run waste management company whose employee was killed when a compressed air cylinder was expelled at speed from a waste press. One of the first cases to be sentenced following the implementation of the definitive guideline.

HSE –v- Cumbria Design Scaffolding Ltd & Larkin Engineering Services Ltd—Prosecution of two companies after an employee of one company was fatally injured when the other company was contracted to lift a large piece of metalwork. Issues of concurrent liability, liability of directors and delay (QC opponents).

HSE –v- Ainscough Crane Hire – Prosecution of a national crane hire company following the collapse of a ladder. The case involved expert metallurgical evidence about the foreseeability of failure due to galvanic corrosion.

Health & Safety: Construction

HSE –v- P, W, D & T – Ongoing prosecution of two corporate and two individual defendants following the death of an 18-year-old labourer on a building site in Lincolnshire.

HSE –v- Riley James David – Defence of a self-employed builder whose failure to provide adequate edge protection led to a fall from significant height. Non-custodial sentence.

HSE –v- Balfour Beatty Regional Construction Ltd –Prosecution of a very large company following a fall from height when the floor of a partially constructed floor collapsed. Withdrawal of unrealistic concessions made by the prosecution at the Magistrates’ Court (QC opponent).

HSE –v- East Riding of Yorkshire –defence of a local authority, which itself had health and safety prosecutorial powers, following a fall from height during the repair of local authority housing. The District Judge was persuaded to retain jurisdiction. Consideration of the special treatment of public bodies under the sentencing guideline.

Health & Safety: Agricultural

Re Clode – instructed to represent the Health & Safety Executive at the inquest into the death of a grandmother fatally injured by a cow on a public bridleway.

HSE –v- P – Representation at inquest and in criminal proceedings of a self-employed farm worker following the death of a landowner killed by a shard of barbed wire expelled from the defendant’s tractor-mounted flail mower. District Judge persuaded to retain jurisdiction despite the fatality.

HSE –v- UE. Defence of a landowner following a fatal accident on his sporting estate. An off- road all-terrain vehicle overturned, killing an employee who was collecting birds during a shoot. Magistrates persuaded to retain jurisdiction despite the fatality and the very considerable assets of the estate.

Healthcare

Re SL – representation of care company at inquest into service user’s death and in concurrent criminal proceedings brought by the Care Quality Commission.

HSE –v- TG – Section 7 HSWA74 prosecution of a senior care worker at a day centre for disabled adults. The profoundly disabled deceased choked to death on a sweet, given to her by the defendant in breach of the care plan.

Re NS – representation of domiciliary care company at inquest into a service user’s death. The Coroner made no findings against the company, despite criticisms from other interested persons and excluded the client from the prevention of future deaths report.

Re LH – representation of domiciliary care company at inquest into a service user’s death. Complex neurology and endocrinology evidence. The Coroner was persuaded to reject the findings of the pathologist and made exculpatory remarks in relation to the client, despite strident criticisms made by the deceased’s family.

HSE –v- Hillcare Ltd – Prosecution of a care home provider following the death by positional asphyxia of a 76-year-old resident who had been left restrained in her wheelchair for several hours.

R v Pramanik – Prosecution of a care of the elderly consultant for offences under the Cremation Act 1902.

R v Cheadle – Prosecution of a Care of the Elderly Consultant, under the Cremation Act 1902 and the Fraud Act 2006 for fraudulent completion of death certification forms.

Speke Care Home -v- The Care Quality Commission– Instructed to represent the CQC at a three-day appeal before the Health, Education and Social Care Chamber of the First-Tier Tribunal.

CQC –v- B Ltd - Instructed by the CQC to advice on the merits of prosecuting a registered provider /manager for a failure to comply with Regulation 12(1) of the Health & Social Care Act 2008 (Regulated Activities) Regulations 2014 resulting in avoidable harm.

Trading Standards

WYTS v LA Ltd – defence of a home improvement company prosecuted under consumer protection regulations, in relation to illegal distance selling techniques.

NYTS -v- B&M Retail Ltd – prosecution of a multi-billion-pound turnover company for offences under electrical safety regulations. The case arose from the offering for sale of hoverboards which did not comply with EU safety standards.

Food

R -v- Mohammed Khaliq Zaman – Prosecution junior counsel in the first successful prosecution for gross negligence manslaughter arising from a food allergy, and its subsequent successful defence in the Court of Appeal [2018] 1 Cr. App. R. (S.) 26

East Riding Council –v- Dixfield LLP– Ongoing prosecution of food safety offences following a child suffering a significant anaphylactic reaction at a wedding reception.

York City Council -v- The Indian Garden Ltd– Prosecution of food safety offences arising out of inadequate allergen controls.

York City Council -v- North Yorkshire County Council– prosecution of one local authority by another arising from inadequate allergen controls at a primary school. The 4-year-old victim was hospitalised by a school meal.

Environmental

EA v ST – successful defence of a director in a consent/connivance/neglect prosecution by the EA. The defendant’s business had been taken over by known waste criminals not prosecuted by the EA

EA v BH – prosecution of illegal burning of waste which led to the destruction of the defendant’s own business and neighbouring properties.

EA v WP – successful defence of a director in a prosecution based on the consent, connivance and neglect provisions of the EPA1990. The case was discontinued in the face of an abuse of process application.

EA v AWSM & Metcalfe – prosecution of a former young farmer of the year for waste management and water pollution offences, leading to significant fish kills.

EA v PTSD Ltd & G – defence of a demolition company and its sole director for waste offences. The agency was persuaded to drop the case against the director and the company was ordered to pay an insignificant fine.

Fire Safety

South Yorkshire Fire and Rescue Authority -v- Sandhu– prosecution of a hotelier under several articles of the Regulatory Reform Fire Safety Order. The defendant was sentenced to immediate imprisonment, leading to unique Court of Appeal authority in relation to sentencing in this type of case: [2017] EWCA Crim 908 (QC opponent).

SYFRA -v- Monckton Coke & Chemical Co Ltd – prosecution of a waste processing facility following a significant explosion. The case is referred to by commentators as involving one of the twenty most significant fines ever imposed for fire safety breaches.

West Yorkshire Fire & Rescue Authority -v- P, B & H. Prosecution under the Regulatory Reform Fire Safety Order of landlord, caretaker and alarm technician following significant fire at a house in multiple occupation.

Granary Pub Company Ltd -v- West Yorkshire Fire & Rescue Authority– Successful response to appeal against sentence following an incident in which a “smokeless fire” exploded sending a fireball across the ceiling of a public house, setting fire to customers’ clothing.

PUBLIC ACCESS

Craig Hassall KC is qualified to accept Public Access work.

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