

Leila Ghahhary

Call to Bar: 2010



Ranked as a leading barrister in the categories of Inquiries & Inquests and Business & Regulatory Crime:

“Leila Ghahhary is a skilled advocate who has represented both public authorities and the bereaved in numerous inquests and inquiries, including the Hillsborough inquests. She also appeared on the Gosport Independent Panel. Leila is good with clients and her written advice is really comprehensive. She is bright, thorough, meticulous and highly engaging.” *Chambers & Partners, 2024*

“Leila’s written advice is comprehensive yet succinct and written in a way that is accessible to both lay and professional clients. She has a commanding court room presence and is clear in her oral argument and submissions; one of the go-to counsel for inquests operating on the Northern Circuit.” *Legal 500, 2024*

“She is a highly skilled advocate and has a commanding presence in court. She’s always thoroughly well prepared.” *Chambers & Partners, 2023*

“Leila is a superb leading junior in inquests and inquiries. She is a highly skilled advocate who presents well-reasoned arguments, captures the attention of the tribunal and always considers the bigger picture. She is meticulous in terms of approach and a fantastic team-player who will take on board the views of others.” *Legal 500, 2023*

“She has a very good presence when performing on her feet and she got on well with the client. She was very accessible and approachable, and the end result was really good.” *Chambers & Partners, 2023*

“Leila is incredibly approachable and communicative, and it is very easy to develop a positive working relationship with her. Her written and oral advice is both concise and comprehensive, and provided in a manner which is appropriate to the recipient, be that a lay or professional client. She is brilliant on her feet and has a commanding presence in court.” *Legal 500, 2023*

“Her attention to detail is fantastic and she is very proactive. She is also easy to get hold of.” *Chambers & Partners, 2022*

“Leila is a fantastic addition to any team. Her attention to detail and knowledge of niche regulatory areas is worth its weight in gold. Leila is refreshingly hard working and gives masses of time and attention to any job” *Legal 500, 2022*

Contact details:

Leila.Ghahhary@lincolnhousechambers.com

Clerk contact details:

Tprice@lincolnhousechambers.com

Ty Price - 0161 832 5701

Practice areas:

Public Law & Human Rights:

- Public Inquiries & Inquests
- Public International Law & International Human Rights
- Central and Local Government Law
- Equality and Human Rights
- Judicial Review

Regulatory Law:

- Health and Safety
- Licensing
- Trading Standards
- Food Safety
- Environmental Protection
- Fraud
- Professional Disciplinary
- Housing, Planning and Highways (Enforcement)

Professional appointments:

- Attorney General’s Panel of Counsel
- Panel of Specialist Advocates in Health and Safety and Environmental Law
- Equality and Human Rights Commission Panel of Counsel

“Offers exceptional support, quickly grasps the key issues and complexities in the case and adopts a methodical and thorough approach.” *Chambers & Partners, 2022*

“Leila’s attention to detail and thoroughness are outstanding. Leila is a fantastic team player and ensures that everyone’s view is considered. Leila’s view is invariably sensible and clear” *Legal 500, 2022*

“A skilled advocate with excellent experience in this field. She has represented both public authorities and the bereaved in numerous high-profile inquests and inquiries, including the fresh Hillsborough inquests. She also appeared on the Gosport Independent Panel” *Chambers & Partners, 2021*

“I would not hesitate to recommend her as she is excellent with clients and has a commanding presence on her feet in court.’ Leila Ghahhary is extremely bright, thorough and meticulous; her analytical skills are second to none, as is her knowledge of public and regulatory law.’ She is very sharp, delightful with solicitors and clients, and determined and fair in court. She’s also meticulously well prepared.” *Chambers & Partners, 2021*

“A ‘commanding and authoritative presence on her feet’, Leila Ghahhary is also one to watch in this area of practice” *Legal 500, 2021*

“Leila is an exceptional find! She has a background in local authority work which ideally suits some of the issues that arise in inquests and inquiries. Leila is an extremely competent advocate, compelling and impressive on her feet, always meticulously prepared and provides her clients with utmost confidence.” *Legal 500, 2021*

“Leila is becoming a true expert in this field. Her background is superbly suited to the difficult and unusual regulations that appear in many cases. She is an absolute delight to work with and often has razor-like insight into complex cases. Her client care is second to none and she is always a real help.” *Legal 500, 2021*

“She has good judgement and a commanding presence in court” *Legal 500, 2020*

OVERVIEW

Leila is a highly regarded international barrister who specialises in public, regulatory, international and human rights law. The professional guides rank Leila as a Tier 1 advocate. Leila practises in the UK and Canada. She is regularly instructed to represent and advise local and central government departments, individuals and, a variety of public and private organisations before a range of courts, tribunals and constitutional panels across a multitude of jurisdictions, legal areas and issues arising under public, regulatory, international and human rights law.

Leila has been appointed onto:

- The Attorney General’s Panel of Counsel. She regularly receives instructions from the Government Legal Department to represent and advise a variety of government departments on a range of public law and civil matters.
- The Panel of Specialist Advocates in Health and Safety and Environmental Law providing advice and representation to the Health and Safety Executive, the Environment Agency, the Office of Rail and Road, the Care Quality Commission, the Office of Nuclear Regulation and Natural Resources Wales.
- The Equality and Human Rights Commission Panel of Counsel providing advice and representation to the Commission on matters relating to equality, public and human rights law.

Leila regularly acts in complex, high-profile public inquiries of national significance representing government departments, public and private organisations, individuals, and acting as Counsel to the Inquiry. This includes currently acting as Counsel for the UK Government's Cabinet Office and No.10 Downing Street in the UK Covid19 Public Inquiry and as Counsel to Canada's Foreign Interference Inquiry. Leila has also acted for the bereaved families in the Manchester Arena Inquiry, the UK Information Commissioner in relation to the Northern Ireland Renewable Heat Incentive Inquiry, as Counsel to the Gosport Independent Panel Inquiry, and in the Hillsborough Inquests. Leila also has extensive experience acting in large complex regulatory cases, including the recent largest ever UK trading standards prosecution in which Leila, along with other members of the prosecution team, received high praise from the trial judge for their management and conduct of this especially complex, voluminous and challenging case.

Leila's international practice encompasses public international law and international human rights. Her work has involved matters concerning ICJ proceedings, the application of universal jurisdiction and atrocity crimes. It also includes acting as the Senior Legal Advisor for an international NGO. Leila also undertakes pro-bono projects with a number of international law and human rights organisations based in the UK, Canada, and USA.

In 2023, Leila completed her second Master of Laws with Honours at Columbia Law School in New York City, graduating with Kent Scholar status and having been awarded the Parker School Certificate of Achievement in International and Comparative Law. Leila's scholarship was focused on Public International Law, Global Governance, and International Human Rights and Leila was selected to undertake a lawyer leadership programme. Alongside her studies, Leila served as an editor for the Columbia Human Rights Law Review, as a Board Member for the Columbia Society of International Law and was also selected to undertake a UN Externship with UN Women: Peace and Security, during which she spent time working at UN Headquarters New York on matters relating to UN Women's role on the Security Council.

Prior to joining Lincoln House Chambers, Leila spent 10 years working in-house as a Local Government Lawyer within the Common Law Department of a Greater Manchester Local Authority. The work Leila undertook in this role was varied, complex, voluminous and covered the whole range of common law and statutory and corporate functions of a local authority, in relation to a wide range of legal issues relevant to all departments and levels of seniority within local government. Leila regularly represented the Council conducting court proceedings on a wide range of civil, criminal and regulatory matters, in all manner of courts and tribunals. Since joining the independent Bar, Leila continues to enjoy instructions from many local authorities on all aspects of local government business.

Leila's experience covers both the enforcement and administrative aspects of Public and Regulatory Law. Leila provides advice and assistance to both prosecution and defence on all aspects and stages of the regulatory enforcement process including enforcement notices, the investigation, the decision to prosecute, PII and disclosure issues.

Leila accepts instructions on all types of public and regulatory law matters, her practice is not limited to the above list of areas. In this regard, Leila's background of experience brings to any case the added advantage of first hand understanding of the wider statutory, public law and corporate issues which affect governance in a public law and regulatory arena.

Leila also regularly delivers seminars and provides training to other legal professionals. These training courses are prepared and presented by Leila and have covered a variety of legal areas and issues. In particular, she regularly provides such training to Local Government Officers on all stages of criminal investigations, disclosure and the preparation of a case for prosecution. In this regard, Leila is accredited in Investigation Management.

PUBLIC LAW / PUBLIC INQUIRIES / INQUESTS

Notable Cases:

Counsel to Canada's Foreign Interference Inquiry. An ongoing independent public inquiry established in October 2023, to examine and report on any interference by China, Russia and other foreign states or non-state actors to confirm the integrity of and impacts on Canada's 43rd and 44th general elections at the national and electoral district levels, and the capacity of the Government of Canada to detect, deter and counter any foreign interference directly or indirectly targeting Canada's democratic processes.

Counsel to the UK government (No 10 Downing Street and the Cabinet Office) in the ongoing UK Covid-19 Public Inquiry. An independent public inquiry set up to examine and report on the UK's response to and impact of the Covid-19 pandemic and learn lessons for the future.

Counsel to the bereaved families, in the UK Manchester Arena Inquiry. An independent public inquiry, established in October 2019 by the Home Secretary investigate the deaths of the victims of the 2017 Manchester Arena terrorist attack. The Inquiry's work was ongoing for over three years and having investigated the 2017 terrorist attacks which included consideration of tens of thousands of items of evidence, including highly sensitive evidence from the UK's intelligence services and counter terrorists national policing units, and public hearings spanning over 18 months the Inquiry concluded in March 2023 with the publication of its third and final phase report.

Appointed by the UK Secretary of State for Health as Counsel to the Inquiry Panel in the UK Gosport Independent Panel Inquiry. An independent public inquiry established by the Secretary of State for Health, to investigate and report on historical events relating to the care, treatment, and suspicious deaths of patients of the Gosport War Memorial Hospital in Portsmouth, UK. The Panel's work was ongoing for four years and the Panel's report was published in June 2018. It received wide media national and international coverage. The issues and documents in this Inquiry were voluminous, varied, complex and sensitive. The number of patients and families involved were in the many hundreds and the number of documents which were under review were in the many hundreds of thousands. The work required Leila to plan and implement a large-scale document review, manage, supervise and oversee the work of a team of barristers and numerous other professionals who were involved in this work, undertake legal research and provide advice, deal with matters of data protection and privilege, examine and analyse many hundreds of thousands of pages of documents relating to medical care and legal proceedings, present to the Panel on a regular basis and, significantly contributed to the writing of a report for submission to the Minister and for publication. After Publication of the report, Leila continued worked with the Panel in handing over to fresh police investigation which is ongoing.

Counsel to the Assistant Chief Constable of West Midland's Police in the UK Hillsborough Inquests. Article 2 Inquests touching the deaths of 96 men, women and children who lost their lives in the Hillsborough football stadium tragedy in April 1989. These Inquests investigated events before, during and after the tragedy. This was the largest and longest ever Article 2 jury inquest proceedings to be held in the UK. The Inquests followed an Independent Panel Report and successful application by the UK Attorney General to the High Court to quash the original inquest verdicts. The Inquest proceedings lasted two years, involved over 100 parties and hundreds of thousands of documents and concluded in 2016 when the Jury reached its verdicts in all 96 cases. Other criminal investigations and prosecutions followed the Inquests.

Counsel to the UK Information Commissioner in relation to the Northern Ireland Renewable Heat Incentive Inquiry. Instructed by the Information Commissioner on matters relating to UK data protection law arising in the Northern Ireland Renewable Heat Incentive Inquiry ('Cash for Ash' scandal); an independent public inquiry established to investigate a controversial renewable heat incentive scheme, which involved allegations of fraud, maladministration, and data protection breaches. The controversy led to an investigation by the NI Public Accounts Committee, and a series of political disagreements ending in the collapse of the Northern Ireland Assembly, Stormont in 2017.

Inquests: Leila is regularly instructed to represent government departments and individuals in complex Article 2 Inquests.

GENERAL LOCAL GOVERNMENT LAW / LOCAL GOVERNANCE

Leila's experience in local government has involved the administration of local law and governance. Leila has been involved in the implementation, administration and application of public law at all stages and levels of local government administration.

Notable Cases:

Implementation Taxi / Private Hire Minimum Standards and Conditions: Leila is instructed to advise a number of local authorities on the drafting and implementation of a consultation, policy and minimum standards and conditions. This work feeds into the wider regional and national Department for Transport work ongoing in the area of Taxi Licensing.

Local Implementation of the Freedom of Information Act 2000 (2003 - 2012): The Act came into force in 2005 and requires any arm of the State to disclose documents it holds to the public when requested to do so by a member of the public unless, the document meets one of the statutory exemptions and is therefore not disclosable. Leila was part of team of lawyers under the Borough Solicitor responsible for designing, advising on and implementing local governance of the provisions of the Freedom of Information Act 2000 and thereafter continuing to provide advice on FOI requests and issues.

Local Implementation of the Licensing Act 2003 (2003 - 2012): The Act came into force in November 2005. The Act overhauled the alcohol and entertainment licensing regime, transferring the administration and adjudication of licensing applications from the HM Courts Service to Local Government. Leila was part of a team of lawyers under the Borough Solicitor who were generally instructed to deal with licensing matters and responsible for the designing, advising on and implementing of local governance of the Licensing Act 2003 and thereafter continuing to provide advice to local licensing panels and to represent the Council in licensing appeals to the magistrates, crown and high court.

Equal Pay Act 1970 / European Equal Pay Directive Group Action (2006 - 2012): Broadly speaking, historical manual worker pay schemes were successfully challenged and this led to a nationwide action against local authorities across the UK. The impact resulted in a 10-year job evaluation process carried out in consultation with the unions, wide scale claims in the employment tribunal for backdated pay and pension contributions and, a resulting settlement project agreed with the unions for thousands of workers who were deemed to be affected and therefore entitled to pay and pension claims. Leila was part of a team of lawyers under the Borough Solicitor who assessed, negotiated, and settled thousands of claims for pay and pension contributions within the agreed terms of settlement.

Local Implementation of Clean Neighbourhoods and Environment Act 2005 (2009 - 2010): The Act introduced a variety of new powers for local authorities in relation to protecting the local environment. This included the power to make Dog Control Orders. Leila was instructed to write and implement the Dog Control Orders for Tameside Metropolitan Borough Council. This involved the drafting of local legislation, reporting to the executive committee, dealing with public consultation and implementation of the Orders and the system of enforcement of the Orders.

REGULATORY AND BUSINESS CRIME INCLUDING HEALTH AND SAFETY / TRADING STANDARDS / FOOD SAFETY / ENVIRONMENTAL / PLANNING

Leila is regularly instructed to prosecute, defend and advise on Health and Safety, Food Safety and Trading Standards offences. Leila also accepts instructions on Planning and Environmental offences and has been involved in cases prosecuted by local authorities, regional trading standards units and the Environment Agency.

Notable Cases:

R v Pilley & Others: Leading Junior Counsel on the largest ever UK Trading Standards prosecution. Operation Best was an investigation by North-West Regional Trading Standards into fraudulent mis-selling by the BES group of energy companies based in Fleetwood and Blackpool. These were successful businesses with a combined turnover in excess of £100 million pa. Lies were systemically told to customers by telesales staff working at a call centre selling energy contracts to small businesses. Company directors were aware of the fraudulent mis-selling but failed to take effective action to prevent it. The Trading Standards investigation began in 2015 but was delayed by a series of failed attempts by the defendants to block it through High Court claims. Two Judicial Reviews (R (BES) v Preston CC [2018] EWHC 1534 (Admin) and R (Qualter) v Preston CC [2020] EWHC 2563 (Admin)) were dismissed, as was a civil action against the investigating authority (BES v CWAC [2022] EWHC 2162 (QB)). Following a 6-month trial during 2023 at Preston Crown Court, three company directors were convicted of fraudulent trading and the companies' Head of Regulation and Compliance, was convicted of Fraud by False Representation all receiving custodial sentences.

Oldham Metropolitan Borough Council v Shop Direct Home Shopping Limited: Successful prosecution of a very large organisation in respect of Health and Safety Breaches resulting in injury to a worker.

Bury Council v A Company: Defending a company prosecuted in respect of a planning enforcement notice relating to a listed building.

Oldham Metropolitan Borough Council v Mohammed Razaq t/a Debonair: Successful prosecution of a school uniform supplier for multiple, longstanding and flagrant breaches of trade-marks law. This case involved legal arguments on novel points of trade-marks and European competition law.

Trafford Metropolitan Borough Council v TGI Fridays: Successful prosecution of a large international restaurant chain based in a major UK shopping mall, for serious hot oil related health and safety breaches resulting in risk and injury to employees.

Trafford Council v Wellbeing: Successful prosecution of an internet food company and its director for breaches of food safety / health claim regulations and health products law. The regulations prohibit persons from making unapproved health claims in relation to food products. The prosecution was the first of its kind in the UK and involved technical and complicated areas of EU and domestic law. The breaches had occurred over many years and the evidence in this case was voluminous and highly specialised.

Tameside Metropolitan Borough Council v Ashton Hajj & Umra Ltd, Khadim-Ul-Hujjaj Ltd & others: Successful prosecution of two companies and their directors for consumer protection offences involving the failure to secure required visas for travel for hundreds of customers resulting in hundreds of thousands of pounds worth of loss.

LICENSING

Leila is regularly instructed by Local Authorities and Licensees to provide advice and representation in all types of Licensing cases.

When working in local government, Leila liaised regularly and closely with the licensing officers in relation to administrative licensing decisions and panel hearings. Accordingly, Leila is well versed in the multitude of licensing and local government statutes, case law and guidance in this area; she is regularly instructed on behalf of local authorities, responsible authorities, applicants, trade unions, interested parties and objectors at all stages of the licensing process including; on issues of policy, the application stage, revocation and suspension decisions, discussions on conditions, all panel/committee hearings and all types of appeal hearings.

Leila prosecutes and defends all types of licensing offences.

Notable Cases:

Advising a Local Authority on enforcement issues relating to the management of the taxi trade at a major UK Airport including, enforcement action against the Airport itself.

Successful prosecution in a taxi licensing case which was listed for legal argument on novel and complicated issues concerning the Local Government (Miscellaneous Provisions) Act 1976 and Article 8 of the ECHR. The outcome of this case, if not favourable to the Council, would have a significant impact on the enforcement powers of the local licensing officers in Greater Manchester.

Advising and representing a local authority on Taxi License Cross Border enforcement issues.

Advising a local authority on the implementation of licensing language and knowledge tests.

Successfully acting for Local Authorities in appeals relating to decisions to refuse or revoke driver, operator and vehicle licences.

Successfully acting for Local Authorities in appeals relating to decisions to revoke premises licences for example following a history of antisocial behaviour at a nightclub/restaurant.

Advising an animal boarding establishment regarding a Licensing dispute in relation to the imposition of new licence conditions and refusal to renew a licence for an animal boarding establishment.

Advising the Private Hire and Hackney Carriage trade and their Trade Union in relation to the licence conditions and permits associated with a Major Airport's taxi facilities.

Successfully acting on behalf of a local authority in an appeal by the local taxi trade of a decision to refuse to licence a none standard hackney carriage vehicle. The case involved issues of European and Human Rights Law.

Successfully representing a restaurant / cafe shesha business in a licensing hearing involving an action by the local authority to suspend its premises licence.

PROFESSIONAL DISCIPLINARY

Leila regularly appears on behalf of regulatory bodies and individuals in Professional Disciplinary Proceedings. Such cases involve dealing with regulations and guidance, large volumes of evidence and multiple disciplinary charges and often requires the need to understand complex medical issues and evidence and, safeguarding issues.