

Richard Dawson

Call to Bar: 2001



"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:

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

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Practice areas:

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

"[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 their Regulators, the Traffic Commissioners.

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.

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.

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.

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.