









## Kevin Slack

Call 1997



### Clerks' Details

-  Kate Masher  
 0151 242 8841
-  Suzanne Dutch  
 0151 242 8873
-  Denise Sheen  
 0151 242 8874
-  Graeme Hipkiss  
 0151 242 8868

### Memberships

- Criminal Bar Association
- Northern Circuit
- Gray's Inn

### Education

- MA, Law, Emmanuel College  
University of Cambridge  
(Double First 1996)
- Bar Vocational Course, Inns of Court  
School of Law (Very Competent, 1997)
- Prince of Wales Scholarship,  
Gray's Inn (1996)

### Health & Safety CV

#### Overview

Kevin is a member of the specialist Regulatory Advocates Panel (List B). Kevin's experience of health and safety prosecutions is complemented by his work in other regulatory fields. He has prosecuted on behalf of the Environment Agency for the last decade. More recently, Kevin has gained experience of the regulation of medical practitioners by presenting cases on behalf of the GMC before the Medical Practitioners' Tribunal Service.

Kevin also has experience of prosecuting cases on behalf of the Department for Business Innovation and Skills and has provided regulatory advice to local authorities and the Department for Energy and Climate Change.

Kevin prides himself on his attention to detail, thorough preparation and his understanding of complex issues and how to overcome them.

## Cases

**LCC v VT Ltd.** Defence of restaurant charged with multiple breaches of the Food Safety and Hygiene Regulations relating to mice infestation at premises. Secured a reduction in the number of charges brought and a sentence from the District Judge markedly below what the company was expecting.

**HSE v AS and AS Ltd.** Prosecution of haulage company and company director arising out of death of person crushed by reversing HGV whilst working in the company's yard. A series of failings identified relating to yard management and inadequate steps being taken to remove the risks posed by reversing HGVs. The case also concerned consideration of medical evidence relating to issue of director's fitness to stand trial.

**HSE v H Ltd.** Extremely serious burn injuries sustained by employee using highly flammable solvents to clean inside a factory spray booth. Contested expert evidence, including as to risks involved in use of chosen solvent and industry practice, and case originally listed for a 3 day Newton hearing. Won arguments at sentence as to whether proven breaches were a significant cause of the employee's injury.

**HSE v SC Ltd.** which concerned allegations of failing to take sufficient steps to prevent the onset/progression of Hand Arm Vibration Syndrome in two employees. Medical and engineering experts instructed by both sides.

**HSE v H.** Prosecution of employer for failing to provide scaffolding during roof works in context of death of employee following fall from roof.

**HSE v S Ltd.** which concerned the uncontrolled discharge of toxic liquid at a chemical factory. Proceedings brought under the Control of Major Accident Hazards Regulations 1999. One of the first Crown Court cases in the country to apply the new Sentencing Guidelines for Health and Safety offences.

**HSE v E Ltd.** The prosecution in Preston Crown Court of a company involved in a fatal accident caused by a fall from a roof in the workplace. Originally listed for a 5 day trial, the company eventually admitted contravening the Work at Height Regulations 2005. Issues raised in the case included whether the prosecution could prove the deceased was an employee of the defendant at the material time.

**HSE v J.** A prosecution of a gas fitter in respect of the incompetent installation of two domestic boilers and a gas fire. The installations were classified as immediately dangerous, posing a risk of serious injury or death. The defendant also falsely purported to be registered with Gas Safe. Immediate custodial sentences were imposed. (The Court of Appeal subsequently affirmed the appropriateness of immediate custodial sentences, though reducing the sentence length).

**Wigan BC v CM Ltd.** This was a prosecution in Liverpool Crown Court on behalf of a

local authority which had prosecuted a company for health and safety breaches arising out of a fatal accident at the defendant's premises. The fine imposed was, at the time, the largest fine handed down in a health and safety prosecution by the local authority.

**DECC v X plc.** Regulatory advice was provided concerning the potential prosecution of a company for regulatory breaches in connection with its operation of oil platforms in the Irish Sea. Issues considered included the correct interpretation of the provisions of the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 and the true construction of OPEPs relevant to the oil fields.