

## Michael Maher

Call 1995



### Clerks' Details

👤 Nick Buckley  
☎ 0161 817 2757

👤 Dave Haley  
☎ 0161 817 7118

👤 Andy Leech  
☎ 0161 817 2770

👤 Anthony Brown  
☎ 0161 833 2722

### Appointments

- Attorney General's List to prosecute on behalf of the Health and Safety Executive and Environment Agency
- Recorder (2020)

### Memberships

- Criminal Bar Association

### Education

- University of Edinburgh LL.M (International Criminal Law)
- University of Durham BA (Hons) Law

### Health & Safety CV

#### Overview

Drawing on his experience as a well-established criminal advocate, Michael has developed a strong regulatory practice and regularly defends and prosecutes in breaches of health and safety and associated legislation, appearing against other senior specialist health and safety practitioners.

He regularly acts in contested dismissal cases which concern health and safety regulatory provisions on behalf of large respondent companies and claimants in employment tribunals throughout England and Northern Ireland.

Michael is on the Attorney General's list of counsel who prosecute on behalf of the Health and Safety Executive and Environment Agency.

## Cases

**R -v- Duckenfield & Mackrell (Preston CC)** - I am junior defence Counsel for the principal defendant, Mr. Duckenfield in the Hillsborough Disaster – 4 month trial starting January 2019. The charges against the Defendants include gross negligence manslaughter and offences contrary to the 1974 Health and Safety at Work Act and the Safety at Sports Ground Act 1975.

The tragedy at Hillsborough and its causes has required a comprehensive examination of the building design of Hillsborough Stadium and the extent to which it was a causative factor in the deaths of 96 people. There are detailed structural and scientific analyses of the crush barriers, radial fences and handrails on the terraces where the deaths occurred. Additionally, there are expert assessments of how these structures and their defects impact on the stated crowd capacities listed on the Safety Certificate for the stadium.

**R -v- Sabir Hussain & others (Sheffield Crown Court)** – Defence counsel. This was a family who sought to construct an extension to their family restaurant business in the basement of the building which had domestic accommodation on the upper floors. As a result of their failure to reinforce and support the ceilings and walls of the extension, several floors collapsed into the basement causing serious injuries to the residents above. Prosecutions were brought pursuant to section 3 of the 1974 Act and the Construction (Design and Management) Regulations 2007. My client was acquitted.

As one of the approved advocates for the HSE, I have recently had conduct of the following matters.

**R -v- Morecambe Bay NHS Foundation Trust (Carlisle CC)** - concerned sustained failures to manage risks relating to bedrails across a number of hospitals within the Trust including children's wards

**R -v Adler and Alan (Bolton CC)** – this was a prosecution pursuant to s.2 of the 1974 Act involving a vapour explosion which engulfed an employee who was cleaning a petrol tanker with a high-pressure jet wash. He sustained horrific injuries;

**R -v- CP Plastics (Minshull Street CC)** – This Defendant company had no Employers' Liability Insurance and contravened the Provision and Use of Work Equipment Regulations by failing to ensure that measures were taken to prevent a deaf employee from accessing a metal granulator to remove a blockage. He lost his hand and severely impaired his ability to communicate via sign language;

**R -v- Knowsley Engineering (Liverpool CC)** – This was a bespoke metal engineering company who failed to make proper risk assessments in relation to the use of slings for metal suspended from forklift trucks. Serious injuries were caused to one forklift driver when the sling failed

## Beyond the Bar

- Qualified helicopter and fixed wing pilot.
- International Work Jamaica - Awarded the Michael Self QC Scholarship in 2000.
- From February through to May, Michael worked at the Kingston Law Centre, Jamaica on capital murder trials at first instance through to appellate level at the Privy Council.