

Andrew Thomas has a mixed practice, undertaking both serious criminal cases in the Crown Court and common law civil work. Much of his work involves allegations of regulatory breach; including health and safety cases and environmental law. His work often involves complex medical issues. Andrew also undertakes judicial review proceedings.

## Health and Safety

Andrew Thomas has more than 25 years experience of health and safety cases in both the criminal and civil courts. Recent notable cases include the following:

**R v JTF Wholesale Ltd - Stafford Crown Court 2017** – Section 3 HSWA. Prosecution of retail company in respect of an outbreak of Legionnaire's Disease. Spread of disease caused by failure to implement proper maintenance and cleaning regimes for displays of hot tubs in a chain of superstores. Outbreak in Stoke on Trent resulted in 2 deaths and 19 other cases of serious illness.

**R v SR and RJ Brown Ltd and others - Manchester Crown Court 2017** – Corporate Manslaughter and Section 2 HSWA. Construction and Demolition. Employee killed in fall from a roof at a quarry.

**R v M Ltd - Birmingham Crown Court 2017 (ongoing)** – Section 3 HSWA and Dangerous Driving. Prosecution of major bus operator and bus driver arising out of death of a passenger and pedestrian.

**R v C Smith & Son Ltd, Thompson and others - Manchester Crown Court 2016** – Manslaughter and Section 3 HSWA. Construction and Demolition. Employee killed in fall from a roof at a demolition site.

**R v CE Ltd - Bradford Crown Court 2016** – Section 3 HSWA. Hotel business. Collapse of balcony causing serious injury to three guests and manager.

**R v Baldwins Crane Hire Ltd 2016** – Corporate Manslaughter and Section 3 HSWA. Prosecution of crane operator following the death of an employee due to failing of brakes on a 100 tonne mobile crane.

**R v Bawa Garba and others - Nottingham Crown Court 2015; Court of Appeal 2016** – Gross Negligence Manslaughter. Prosecution of hospital doctor and two nurses for grossly negligent treatment of 2 year old child, resulting in death. Conviction upheld on appeal. Reported at (2016) EWCA Crim 1841.

**R v Pyranha Mouldings Ltd, Makreth and others - Liverpool Crown Court 2015** – Corporate Manslaughter and Section 2 HSWA. Manufacturing company. Employee trapped and killed inside an industrial oven.

Andrew Thomas also undertakes advisory work for both prosecution and defence in respect of Corporate Manslaughter, Gross Negligence Manslaughter and Health and Safety Offences. Recent instructions have included the following sectors: construction and demolition; motor repair; NHS hospital trust; medical professionals; nursing and care homes; and children's care home.

## Other Regulatory Law

Andrew Thomas also undertakes both litigation and advisory work in other areas of regulatory law, including environmental law. Notable recent cases include the following:

**EA v W Ltd - High Court, Manchester 2017** – Acting for waste management company and its director in enforcement proceedings before the High Court in Manchester.

**R v Khaliq and others - Bolton Crown Court 2017** – Trading Standards prosecution of operators of rental agency for multiple frauds involving clients (landlords), tenants and insurers.

**EA v M - Brighton Magistrates Court 2017** – Defence of waste operator charged with breach of permit conditions following a fire at his site.

**United Utilities v Brooks - Manchester City Magistrates Court 2017** – Acting for water company in relation to enforcement of powers of entry onto land.

**R v Allensway Recycling Ltd and others - Hull Crown Court 2016, Court of Appeal 2015, High Court, Leeds 2013** – Defence of transport and recycling companies and their directors accused of operating in breach of permit and fraud. 64 count indictment and alleged £4.3 million benefit. Successful challenge to the execution of searches (reported at (2016) Env LR 16, (2016) 1 WLR 1903). Successful defence in Crown Court proceedings resulting in no evidence being offered on all counts.

**R v S Ltd - Gloucester Crown Court 2016** – Defence of waste management company and director for operating in breach of permit.



## CONTACT DETAILS

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## PRACTICE AREAS

Business Crime & Financial Regulation

Civil

Criminal Law

Health & Safety

Inquests

Judicial Review Law

Professional Discipline

Regulatory

## Appointments

Head of Lincoln House Chambers

Deputy High Court Judge (Administrative Court)

Recorder (Crime & Civil)

Part-time Judge of the First Tier Tribunal (HESC)



# Andrew Thomas QC

Call to the Bar: 1989  
Queen's Counsel: 2008

*Hertsmere Borough Council v R C Limited - St Albans Magistrates Court 2016 – Defence of compost operator in abatement of odour nuisance case.*

*Royal Borough of Windsor & Maidenhead v JH - Reading Magistrates Court – Defence of waste operator in abatement of noise nuisance proceedings.*

Andrew Thomas also undertakes advisory work on behalf of local authorities, businesses and industry organisations in relation to all aspects of regulatory and environmental law, including judicial review and appellate work.



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