

Leila is an established and well-regarded junior who specialises in public, regulatory and common law.

Leila 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 UK courts, tribunals and constitutional panels across a multitude of legal areas and issues arising under public law, regulatory law and common law including:

- Public Inquiries
- Inquests
- Judicial Review
- Equality and Human Rights
- Health and Safety
- Licensing
- Trading Standards / Consumer Protection
- Food Safety
- Environmental Protection
- Fraud
- Professional Disciplinary
- Housing, Planning and Highways (Enforcement)

Leila has been instructed in matters of national significance such as the Gosport Independent Panel Inquiry and, the Hillsborough Inquests.

Leila has been appointed onto:

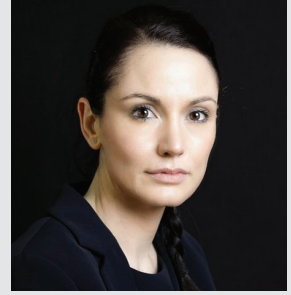
- The Attorney General's Panel of Counsel. She regularly receives instructions from the Government Legal Department to represent and advise a variety of government departments on a range of public law and civil matters.
- The Panel of Specialist Advocates in Health and Safety and Environmental Law providing 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.

Prior to joining Lincoln House Chambers, Leila spent 9 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 regulatory and public 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 deliver seminars and provide 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 Criminal Investigation Management by the University of Portsmouth.



CONTACT DETAILS

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PRACTICE AREAS

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Equality and Human Rights
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APPOINTMENTS

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Equality and Human Rights Commission Panel of Counsel

MEMBERSHIPS

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Administrative Law Bar Association
Criminal Bar Association

EDUCATION

LLB (Hons)
LLM
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Inter-provider National Moot Winner



Leila Ghahhary

Call to the Bar: 2010

Public Law/Public Inquiries/Inquests

Leila is experienced in large scale public inquiries and inquests of national importance involving voluminous material, complex issues, multiple interested parties and proceedings which last many months or years. Leila receives instructions in all manner of Inquests and Public Inquiries, her experience in this area includes involvement in local non-statutory inquiries and local high-profile inquests involving multiple parties and complex areas of public law.

Notable Cases:

Gosport Independent Panel (2016 - 2019) – Leila was appointed by the Secretary of State for Health, as Junior Counsel (lead Counsel Kate Blackwell QC) to the Gosport Independent Panel. This panel was constituted by the Minister to examine and report on historical events which relate to the care, treatment and deaths of the patients of the Gosport War Memorial Hospital (GWMH) in Portsmouth. 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 in the events at GWMH 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, assist in 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 the new police investigation.

You can read the Panel's report here: <https://www.gosportpanel.independent.gov.uk/panel-report/>

Hillsborough Inquests before the Rt Hon Sir John Goldring, Assistant Coroner for South Yorkshire (East) and West Yorkshire (West) (2015 - 2016) – Leila was instructed as Junior Counsel (lead Counsel Lisa Roberts QC) for an Interested Party in the Hillsborough Inquests. These inquests related to the events during and after the well documented Hillsborough tragedy in April 1989. This case is one of national importance and significance and is the largest and longest inquest proceedings ever to be held in the UK. The Inquests followed an Independent Panel Report and successful application by the Attorney General to the High Court to quash the original inquest verdicts. The inquest proceedings lasted 2 years, involved over 100 parties and hundreds of thousands of documents and concluded in April 2016 when the Jury reached its verdicts in all 96 cases. Other investigations and proceedings into matters relating to this case are ongoing.

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

General Local Government Law/Local Governance

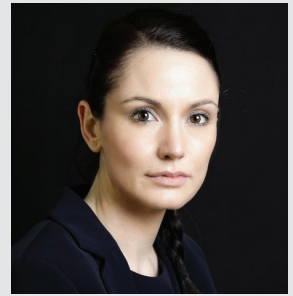
Leila's past experience in local government has involved the administration of local law and governance. Leila has been involved in the implementation, administration and application of public law at all stages and levels of local government administration.

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.



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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.

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 and the Environment Agency.

Northwest Trading Standards – Leila is instructed to advise on a number of large scale, complex, national, consumer protection criminal investigations and proceedings.

Oldham Metropolitan Borough Council v Shop Direct Home Shopping Limited – 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-UI-Hujaj 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.

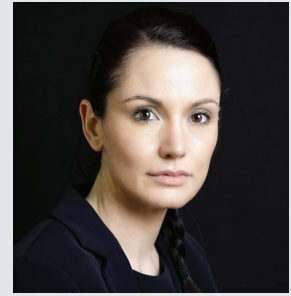
Trafford Metropolitan Borough Council v Diversity ETrade, Lubanzu & Mdenga – Successful prosecution of multiple defendants for large scale breaches of numerous car manufacturer trade-marks and, Proceeds of Crime / Confiscation Proceedings.

Oldham Metropolitan Borough Council v Jawidani, Shapoli, Ahmadi & Ali Zada – Prosecution of multiple defendants for breaches of consumer health law and trade-marks law in relation to the large scale importation and sale of counterfeit tobacco.

Pendle BC & HSE v Qasum – Representing the Defendant in a Prosecution involving an unsafe mincing machine and employee loss of hand.

East Cheshire Council v Rowley – Successful prosecution of Puppy Farm who in breach of animal welfare legislation and consumer protection law, bred dogs which later died from illness soon after purchase causing suffering to the animals and humans involved.

Tameside Metropolitan Borough Council v O'Brien – Successful prosecution of Funeral Director for fraudulently selling funeral plans to vulnerable and elderly customers.



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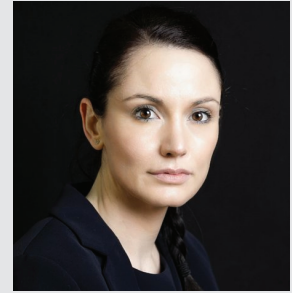
Leila is regularly instructed by Local Authorities and Licensees to provide advice and representation in all types of Licensing cases.

- *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 the A8 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.*
- *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 an 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.*
- *Successfully representing a local authority in a Crown Court appeal by a taxi licence holder prosecuted for unlawfully plying for hire.*
- *Defending an individual prosecuted for a breach of a Dog Boarding Establishment Licence.*

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.

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.



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