

Matthew Howarth specialises in mainly Criminal and Regulatory Law. He has, however, a wealth of experience dealing with civil/commercial disputes and representing individuals/companies/businesses in property law disputes.

In 2020 Matthew was appointed by the Attorney General as Counsel to the Crown. He is instructed in a range of cases across Government Departments on Civil matters and Public Law.

Matthew is on the Regulatory Panel as a specialist advocate for the Environmental Agency and the Health and Safety Executive.

He also represents the Crown as Level 2 Serious Crime Panel Prosecutor.

His broad experience was developed in a number of seats during his time with Baker and McKenzie in Regulatory, Eurozone Real Estate Team of the Year 2015 and Chair for Pro Bono dealing with the International Refugee Crisis.

Matthew is the Northern Circuit's representative on the Bar Council.

Attorney General's Panel Work – Panel C Specialist Advocate

Matthew often appears on behalf of the Government in a wide range of civil and public law disputes. These matters often draw upon his experience in Criminal and Regulatory Law. He has advised Government Departments and in-house lawyers at every stage of the litigation process.

Most Notable Cases

SC v DBS – Oral Permission Hearing – Judicial Review: An appeal in relation to the inclusion of an Appellant's name in the discretionary Adult's Barring List. Provided detailed written advice and submissions prior to representing the DBS at the hearing.

MOD v AJ – Small Claims dispute regarding unpaid fees by a Government Department. Advised and assisted the Department on preparation of a defence to a claim at each stage of the litigation process.

FA v SSHO – Oral Permission Hearing for Judicial review on a decision of the Home Office to refuse indefinite leave to remain and to allow a fresh claim. Advised and represented the Home Office at the Hearing.

Crime

Matthew deals with every aspect of criminal work from chambers. He has a particular niche for Road Traffic Offences and confiscation hearings. Matthew has prosecuted large scale case such as Operation Valiant, which resulted in over 100 offences sentenced for gangs of youths committing serious armed offences such as robberies and section 18 assaults. Matthew appears in every criminal court on a wide range of cases, dealing with specialist matters on POCA. He has conducted a range of jury trials both as Prosecutor and Defence advocate. He recently has appeared as Junior Counsel to the Defence on a large-scale prosecution.

Matthew is a Level 2 Serious Crime Prosecutor.



CONTACT DETAILS

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PRACTICE AREAS

Business Crime & Financial Regulation

Civil Law

Criminal Law

Health & Safety

Housing Law

Immigration & Asylum Law

Industrial Disease

Inquests

Judicial Review Law

Licensing

Local Government

Regulatory

Property Law

Professional Negligence

Environmental Law

Legal Professional Privilege

ASSOCIATIONS

Northern Circuit

Personal Injury Bar Association

AWARDS

Diana Princess of Wales Major Scholar
(Awarded by HRH Duke of Cambridge)

EDUCATION

RBAI

Newcastle Law School - LAW LLB

City Law School - BPTC

Most Notable Cases

R v JD – Large Scale Multi-handed Conspiracy to transfer firearms and Class A drugs. Instructed as Junior Counsel for lead Defendant.

R v FVG – secured the acquittal of a renowned footballer who allegedly assaulted a witness in court proceedings.

R v BWA – successfully excluded a interview with 15 admissions of guilt under section 76 PACE after a day of legal argument at voir dire.

R v DH – mitigated on behalf of a dangerous offender who had mugged a number of people a knifepoint. He was able to mitigate the sentence from a life sentence to a six-year sentence with a extended licence period.

R v ML – successfully represented the wife of a defendant in confiscation proceedings. The Police sought to confiscate money that was legitimately acquired from her Hair Styling business.

Inquiry Work

Matthew is commonly instructed on large scale inquiries. He was a junior counsel appointed to the Independent Inquiry into Child Sexual Abuse. He was recently instructed by the Lobbyist Group Hacked Off to review a decision of the CPS not to proceed to prosecution following the Leveson Inquiry. Matthew was instructed to make a number of key decision on disclosure, relevance and Privilege, something he has replicated in Litigation as Junior Counsel.

Prison Law

Matthew has attended a number of Oral Recall Hearings on a range of cases in front of Panels within Her Majesty's Prison Services. He is able to offer advice and advocacy assistance to solicitors and lay clients for these types of hearings.

Most Notable Cases

HMP Strangeways – This case involved a number of competing Public Interest and Human Rights arguments both for and against release following a self declared recall. Release was allowed following the hearing and submissions of counsel. The Prisoner was serving a life sentence for murder.

Road Traffic Act Offences

Matthew is routinely instructed in a range of RTA Offences in the Magistrates Court and the Crown Court. He deals with a wide range of matters at trial and sentence.

He has experience in fraud offences in relation to offences charged under the RTA 1988 and sections 44 and 45 Vehicle Excise and Registration Act 1994 (Falsifying Tachograph records) and Goods Vehicle Licensing offences.

Most Notable Cases

DVSA v H – Represented a company and it's directors at trial for an offence of intending to deceive a transport officer by transferring a Operators License. Succeeded on a submission of no case to answer after the close of the Prosecution case.



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***R v CW** – successfully argued special reasons for a medical professional who responded to a medical emergency and exceeded the legal speed limit.*

***R v MH** – successfully argued on appeal to the Crown Court that that disqualification of a driver amounted to exceptional hardship. The Driver was a specialist engineer who needed to drive for work and would lose his job otherwise.*

***R v TS** – instructed to represent a defendant charged with Death by Dangerous Driving at Bradford Crown Court. This trial involved the death of one older gentleman and the serious injury to his wife.*

Immigration

Matthew's previous Pro Bono work enabled him to undertake work as a Junior for the Home Office upon joining chambers. The majority of his immigration work is for Appellants in the First Tier Tribunal and Upper Tribunals.

Most Notable Cases

***HO v SA** – instructed to draft grounds of appeal to the UTT on the basis of a decision based on an error of fact in the first tier tribunal.*

***Ethiopia** – secured an appeal in the FTT for an asylum seeker based on Humanitarian Protection and Human Rights arguments.*

***EA v SSHD** – representations made against appeal in the Upper Tribunals on an appeal of a asylum decision from the FTT.*

Property

Previously Matthew volunteered as a Duty Advocate in Housing Matters at Brent Council. As a result he represents a number of Local Councils and Estate Agents on Possession Hearings and Landlord and Tenant Disputes. Equally his brief Family Law background has enabled him to deal with applications under TLATA.

Matthew is routinely instructed on behalf of Respondent and Local Authorities in Business Rates disputes. He has recently done a number of applications for Liability Orders and has contested these applications at trial.

He is routinely instructed to advise on HMO licences and has represented Landlords and Tenants in Business Tenancy proceedings for Forfeiture and on Tenancy renewal applications.

Most Notable Cases

***WBC v SD & E** – represented a company and a director in proceedings for breach of section 70 and 234 of the Housing Act, in relation to not having an HMO licence and breaching health and safety regulations. He was instructed to draft an advice, for trial and at sentence.*

***TCC v EP & IP** – Matthew is routinely instructed on a range of Business Rates Liability Orders for Local Councils and Respondents. Both at trial and preliminary hearings. He has drafted a number of advices on this area of law.*



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T v Z – successfully represented a local Manchester Landlord in obtaining forfeiture of a Commercial lease from a non-paying Tenant. Following a fact finding hearing and legal submissions Mr Howarth was able to argue for forfeiture of the lease in a Business Tenancy and was able to obtain costs beyond that normally allowed.

Regulatory

As a specialist regulatory advocate Matthew is routinely instructed to prosecute and defend serious environmental and Health and Safety offences. He has a broad range of experience in advising directors and companies on a number of offences under the HSWA, Environmental Regulations and Food Safety legislation.

Matthew has appeared as advocate prosecuting and defending a number of licensing and Trademark/counterfeit goods offences. He has successfully represented a number of companies in relation to Fraud allegations as to HGV licences and individuals in Taxi license appeals. Matthew is often instructed on a wide range of professional negligence matters against and for doctors, dentists and solicitors. He is routinely instructed to draft advices, assist with letters before action and represent professional clients at court.

Most Notable Cases

CEC v K – instructed on sentence and POCA in relation to an offender who was selling counterfeit goods and tobacco. He was able to secure a stringent Community Order.

MCC v MI – instructed to represent a Taxi Driver who had his licence revoked and lost his appeal in the Magistrates Court. This case involved prolonged argument on the Fit and Proper Person test, including argument on costs.

R v MM – represented, on sentence, a disqualified director of a business that went into liquidation. The Director who was disqualified opted to act for the company when its owner had fallen ill.

SF v OCC – successfully represented at trial a scrap metal dealer on an appeal against a Local Council regarding a revocation of his licence. This case contained considerable legal argument, as there is very little within the case law that defines the applicability of the Legislation.

HSE v R Housing – de facto junior to Ms Roberts on a Section 2 and 3 Prosecution of a Housing Company where a death had occurred due to serious shortcomings by the Company. He drafted a skeleton argument for the Prosecution regarding a reverse burden of proof argument.

Civil

Matthew is instructed in a wide range of Road Traffic Accident cases, injunctions, civil and contract disputes following his civil/commercial background at Baker and McKenzie.

Most Notable Cases

Anti-Money Laundering Policies – Matthew has experience in drafting and advising on the law on Anti-Laundering Policy. He is able to offer advice and assist in drafting.

LS v EUI – a Fast Track Trial involving three defendant witnesses and one Claimant. Mr Howarth successfully represented the Claimant over a two-day trial.



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JH v A – a Fast Track Trial involving a RTA where a professional rugby player was injured and returned to the pitch within two weeks. Mr Howarth was able to demonstrate at trial that the player was injured following the collision for the full prognosis period of six months despite the players return to the professional game.

FL – Matthew is retained to advise on litigation and draft a number of pre-litigation papers for a Multi-Million Pound start up in London. He advises on a number of areas mainly Debt Recovery. These often are Multi Track and Fast Track proceedings.

Professional Negligence

Matthew is often instructed on a wide range of professional negligence matters against and for doctors, dentists and solicitors. He is routinely instructed to draft advices, assist with letters before action and represent professional clients at court.

Most Notable Cases

Dr C v EL Solicitors – Professional Negligence against a firm of solicitors who had failed to apply for an extension of a lease. Mr Howarth was instructed to draft an advice on the law and assist with a Letter before Claim including a standstill agreement.

Dr K – Matthew was instructed to draft a Letter Before Action and legal argument on a case involving a Limitation Argument where the Claimant did not issue proceedings within the relevant period when there was a severe Mental Health illness.

Legal Professional Privilege

Matthew has been instructed on the Independent Inquiry into Child Sexual Abuse to conduct a number of reviews. He is routinely instructed by the HMRC, the Manchester Metropolitan Police and defence solicitors to review material for privilege.

Professional

He is currently elected as Northern Chair for the Middle Temple Young Bar Association and has a particular emphasis on Mental Health and is well equipped to deal with vulnerable clients and children.

Matthew was Junior for the Northern Circuit in Trinity Term 2018.

Matthew Howarth is Public Access qualified.



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