



New Park Court

Lee Fish

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Year of call 2003

For enquiries please call +44 (0)191 232 1980 or email

Lee Fish is recommended in the leading directories as “an exceptional barrister” who is “very bright and very able”.

Lee’s practice covers the whole spectrum of criminal cases. In recent years he has developed notable expertise in the prosecution and defence of those accused of rape and other serious sexual offences. He is trusted with the most serious of cases which resulted in him being appointed to CPS Serious Crime Panel and Rape and Serious Sexual Offence panel at Grade 4.

Lee has also considerable experience in the prosecution of regulatory offences. He has notable experience in relation to environmental offending. He has been described as a “true environmental law practitioner”. He has also been instructed by the Health and Safety Executive. His level of expertise has resulted in him being placed on List A of the list of specialist regulatory counsel.

In the last few years Lee has developed a considerable practice in the field of professional discipline. Lee is regularly instructed to represent the General Medical Council when it is alleged that a doctor’s fitness to practise is impaired by virtue of misconduct. Lee has dealt with a variety of cases including a psychiatrist who provided flawed expert evidence in a murder trial, dishonesty regarding qualifications and experience, sexual harassment and sexually motivated conduct. The experience that Lee has is transferrable to other professionals who are appearing before their regulator. Lee has also advised the Solicitors Regulation Authority.

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Crime

Representative Cases

- *R v IT*

Prosecution of man who sexually abused his step-son, step-daughter and his step-son's friend. This was sexually offending of the utmost gravity. One of the complainant's disclosed whilst the proceedings were ongoing. This was successfully managed and defendant was convicted. Difficult issues in relation to bad character and s.41.

- *R v PA*

Prosecution of man for raping two separate partners. Also subjected them to domestic abuse and blackmail. Some of the offending was filmed. This case was challenging as the defendant chose to represent himself. Convicted on all counts and sentenced to life imprisonment.

- *R v C*

Defence of lead defendant who organised multiple criminal conspiracies from prison. It was also alleged that he had attempted to interfere with witnesses in an ongoing case. Defendant was acquitted of perverting the course of justice.

- *R v SD*

Defence of a teaching assistant who engaged in sexual communication with one of his students.

- *R v RM*

Defence of a teacher who abused young boys whilst a volunteer in a Catholic orphanage in 1970s.

- *R v H & W*

Prosecution of two serving police officers for child cruelty.

- *R v McKenna*

Defence of man accused of raping two separate women in 1980's. Defendant was identified decades later by DNA evidence. Case received national attention.

- *R v Alemi*

Defence of consultant psychiatrist for forging the will of an elderly woman. Led by Daffyd Enoch KC.

- *R v Marshall*

Prosecution of football coach accused of sexually abusing 5 boys. This was part of Operation Tide, which is a national investigation in to historical sexual abuse within football. This case involved complex fitness to plead issues and disclosure of material which was subject to legal professional privilege.



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- *R v Briggs*
Defence of care assistant who was accused of murdering one of her elderly clients in her own home. Entire prosecution case was focused upon disproving the defendant's account that she and the deceased had been attacked by an unknown intruder. Involved expert evidence regarding the staging of a crime scene. Case also involved significant financial evidence regarding the defendant's dire financial position. Led by John Elvidge KC.
- *R v Armstrong*
Defence of man accused of killing partner. Complex medical and bad character issues. Led by Nick Lumley KC.
- *R v CH*
Defence of 17 old boy for murder. Led by Paul Greaney KC.
- *R v M*
Successful defence of a man for historic sexual offences at the Central Criminal Court.
- *R v Smith*
Successfully excluded the interview of a man with schizophrenia who confessed to a serious robbery in the absence of an appropriate adult or solicitor. Judge held that serious breaches of PACE rendered the interview inadmissible.

Environmental Law

Representative Cases

- *R v HM Property Solutions & Hornsby*
Prosecution of company and its director. Open cast mine that caused pollution to Hartley Burn in Haltwhistle.
- *R v Coates and others*
Prosecution of a number defendants including 3 limited companies for unlawful depositing of waste at two separate sites. At one of the sites the waste was stored in such a way as to be potentially harmful to human health. Issues in relation to the duty of care requirements.
- *R v M*
Defence of company and its director for serious environmental offences arising out of water discharge activities and the spreading of hazardous waste on land.



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- *R v Shepherd & Albert Hill Skip Hire*
Leading counsel for the Crown. Case involved the prosecution of a rogue skip hire company and those running the company who were responsible for serious environmental offences. Successful prosecution, which involved complex issues of law.
- *R v Benson, Brough & Easy Skips (NE) Limited*
Prosecution by the Environment Agency of a limited company and its directors for illegal waste offences. Prosecution for the first time applied for a confiscation order. Advised on the correct approach to the application. The result was an order for just under £250,000 against the directors of the company.
- *R v Sealane Inshore Limited & Durham County Council*
The prosecution of a local authority and an independent contractor for causing pollution. Durham County Council employed Sealane Inshore Limited to complete renovation works on a bridge. A substance from the works entered the watercourse causing pollution and death to fish. Provided advice prior to proceedings commencing. Case involved substantial legal argument on the meaning of “causing”, strict liability and vicarious liability.
- *R v Dunlop, Rutherford & Bain*
Instructed to prosecute a number of Defendants who were engaged in illegal fishing activities at the River Aln. The case revolved around an illegal method of fishing called “stroke hauling”. Involved expert evidence on different methods of fishing and techniques.
- *R v Mba & Kumar*
Prosecution for offences under transfrontier shipment of waste regime. Case concerned the exportation of hazardous waste to Nigeria.
- *RE ES*
Representing the Environment Agency in an appeal to the Planning Inspectorate following the agency’s decision to revoke an environmental permit.

Health & Safety

Representative Cases

- *R v PN*
Instructed by the Health and Safety Executive to prosecute a farmer following the electrocution of one of his workers who died as a result of his injuries.
- *R v NM*
Instructed by Health and Safety Executive to prosecute plumber who was undertaking gas work without

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qualifications. This included the issuing of gas safety certificates.

- *R v PB*

Instructed by the Health and Safety Executive in the prosecution of a construction site supervisor following a fall from height resulting in catastrophic injuries to a worker at the site who was left in a tetraplegic condition.

- *R v MGM Ltd*

Instructed by the Health and Safety Executive in the prosecution of a company following a fall from height at a construction site.

Other Regulatory

Representative Cases

- *R v S and others*

Instructed by the Marine Management Organisation in a test case, where it was argued that the prosecution was an abuse of process due to the way in which fishing quota is allocated and managed in the UK. Involved significant disclosure issues and matters of EU and domestic law. Judge found for the Crown at first instance. This was upheld by the Court of Appeal.

- *R v WSL*

Prosecution by the Food Standards Agency of an abattoir for breaches of regulations relating to the removal of specified risk material from carcasses. Advice was provided prior to proceedings commencing.

- *R v IS*

2 separate prosecutions by the Food Standards Agency of a dairy owner, for breaching hygiene regulations.

Inquests

Representative Cases

- *RE MB*

Represented the Environment Agency at Inquest in to the death of a man during the floods in Hull in Summer 2007. Deceased drowned after his foot became caught in a drain, which the Environment Agency was charged with maintaining.

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- *RE RR*
Represented the family of the deceased when their daughter, a serving prisoner, committed suicide by setting herself on fire in her cell.
- *RE X*
Represented the family of the deceased following a death at work. Inquest focused upon issues about the fitting of a safe in the back of a security van, which caused a crushing injury resulting in death.

Professional Discipline

Representative Cases

- *Dr G*
Represented GMC. Oncoplastic Surgeon. Multiple failures alleged in the procedure in relation to the mastectomies and breast reconstruction.
- *Dr M*
Represented GMC. Psychiatrist who gave flawed evidence in a murder trial in relation to defence of diminished responsibility.
- *Dr S*
Represented GMC. Multiple findings of dishonesty in relation to qualifications and level of experience.

Training

Lee is a qualified advocacy trainer on the North Eastern circuit and provides training to pupils and new practitioners. He has been involved in providing advocacy training to students on the Bar Vocational Course at Northumbria University.

Lee has attended training courses on the handling of vulnerable witnesses and handling cases involving rape and serious sexual offences.

What the directories say

“Lee is an exceptional barrister. Very bright and very able. I couldn’t speak highly enough of him.”

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Chambers & Partners 2023

'Lee is very sensible, very bright and very good to work with.'

Chambers & Partners 2022

'Lee advises with a clarity of thought that inspires confidence. He has a natural rapport with juries and conveys complicated narratives in a way that lands and is persuasive.'

Legal 500 2022

"He is incredibly personable, very well skilled and an excellent performer." "He's thoroughly versed in environmental law."

Chambers & Partners 2021 (Environment)

'A strong criminal junior,'

Legal 500 2021 (Crime)

"A true environmental law practitioner."

Chambers & Partners 2020 (Environment)

'Experienced junior barrister specialising in environmental crime. He frequently acts for the Environment Agency in prosecutions relating to contaminated land, pollution and the unlawful disposal of waste.'

Chambers and Partners 2019 (Environment)

'He has a brilliant tactical mind.'

Legal 500 2018 (Crime)

Appointments & Memberships

CPS Serious Crime Panel (Level 4)

CPS Level 4 Prosecutor

CPS Specialist Rape Panel

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Specialist Regulatory Advocate in Health & Safety and Environmental Law (List A)

Advanced award in Environmental Law

Price Waterhouse Coopers Dissertation Prize

North Eastern Circuit

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