



New Park Court

Jason Pitter QC

#### Leeds

16 Park Place  
Leeds  
LS1 2SJ

DX: 26401  
Leeds Park Square  
T: +44 (0)113 243 3277  
E: [clerks@newparkcourt.co.uk](mailto:clerks@newparkcourt.co.uk)  
F: +44 (0)113 242 1285

#### Newcastle

16 Park Place  
Leeds  
LS1 2SJ

DX: 61012  
Newcastle-Upon-Tyne  
T: +44 (0)191 232 1980  
E: [clerks@newparkcourt.co.uk](mailto:clerks@newparkcourt.co.uk)  
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## Jason Pitter QC

Year of call 1994 / 2014

For enquiries please call +44 (0)113 203 5504 or email

Jason Pitter QC was called to the Bar in 1994 and commenced pupillage in Chambers in 1995 and became a member in 1996 practicing initially in general crime, personal injury and civil fraud.

His practice developed, with a greater emphasis on increasingly complex and serious criminal litigation but rapidly expanded to incorporate professional misconduct and regulatory law, with a particular focus on health and safety and also representing the GMC, GDC and NMC. That was the foundation for his specialist practice in a number of areas for which he has become highly recommended over many years.

He is frequently instructed on private and publicly funded basis in the following areas:

## Crime

Defending and prosecuting in major and complex criminal investigations, in particular cases involving:

- Homicide (including resulting from road traffic collisions and work related accidents)
- Fraud and serious offences of dishonesty
- Organised crime including large drug importation and distribution
- Serious sexual offences
- Proceeds of crime offences and asset recovery

As a result of and linked to work in relation to Professional Misconduct, regularly instructed in the representation number of professional clients facing criminal allegations arising out of alleged misconduct in the workplace

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(including care home workers, police officers and doctors). These offences include homicide (in particular gross negligence manslaughter and misconduct in a public office), mistreatment of patients, serious sexual offences and serious offences of dishonesty.

## Representative Cases

- *R v Walls and Others [2017]*

Represented one of the police helicopter operatives acquitted of misconduct in a public office in relation to allegedly using the video equipment to record members of the public in their own homes in compromising situations. One of the other officers had pleaded guilty. The case received widespread news coverage.

- *R v Ince [2017]*

Represented a senior and eminent University principle who faced an allegations of homicide following a road traffic accident. The issues involved vehicle recognition and complex speed analysis especially in relation to the driving of the deceased. The Defendant was acquitted.

- *R v Brown [2017]*

Secured acquittal in road traffic fatality by an employee of the fire service whilst on duty. The case centred on issues surrounding driver acuity, vehicle conspicuity.

- *R v Rewcroft and Rewcroft [2017]*

Represented the son who was charged along with his father of murdering the partner of his sister. The deceased had been stabbed 38 times. Both were captured on CCTV footage entering the deceased premises armed. Both were acquitted of murder and the son was also acquitted manslaughter.

- *R v Mason [2017]*

Represented the first defendant in an organised killing of her boyfriend. The case involved complex joint enterprise and causation issues. A number of the defendants were juveniles.

- *R v G E Dales Ltd [2017]*

Fatality following a road traffic accident involving farming equipment on the highway. Factual complex and technical accident involving the structure of the machinery. Successful presentation of legal argument in relation to *autre fois* and sequential prosecution.

- *R v Olszewski [2016]*

Polish national charged with murder along with his brother in relation to the death of their housemate, who decomposed and unrecognisable body had been dumped needs the Leeds-Liverpool Canal. The case against the brothers was based largely on a series of confessions and disposal of the deceased's items. The brother was convicted of murder.

- *R v Bickerdike [2016]*

Allegation of murder of homeowner killed during the course of a burglary. Appeared on behalf the

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defendant who was advancing self-defence. The jury were unable to reach a decision.

- *R v Hunt [2016]*

Secured acquittal of murder in relation to joint enterprise attack. The Defendant was convicted of manslaughter whilst the co-accused was convicted of murder. The Defendants DNA had been found on the victim's teeth. The case received significant national media coverage as it involved a vicious attack on an elderly man on his way to prayers. The case arose out of the troubles in Rotherham regarding alleged child sexual exploitation.

- *R v Sherwood Rise Ltd [2016]*

Successful prosecution of the first care home to be charged and convicted of corporate manslaughter in relation to the death of an elderly resident. A director and manager were also dealt with for gross negligence manslaughter and health and safety failings. The case was the first of such cases to be dealt with under new Health and safety offences, corporate manslaughter guidelines. The company was fined £300, 000. The director was sentenced to 3 years 2 months. <http://www.bbc.co.uk/news/uk-england-nottinghamshire-35499865>

- *R v Buckle [2016]*

Represented 17 year old boy charged with murder (18 at the time of the offence) who had stabbed the victim 3 times in the chest. Minimum term of 13 years.

- *R v Colley [2016]*

Secured an acquittal following an allegation that the Defendant had killed a fellow inmate whilst in prison.

- *R v Beers [2015]*

Acquittal of murder and violent disorder in relation to a multi-handed attack which resulted in a man being stabbed to death. The background of the offence was drug and gang related. One of the co-accused was convicted of murder and one of manslaughter.

- *R v Dhers [2015]*

Represented defendant in gang related murder.

- *R v Danter [2015]*

Represented defendant in relation to brutal murder of Leeds student Billy Mankelow. The case was subject to significant media coverage. <http://www.bbc.co.uk/news/uk-england-leeds-34016821>

- *R v Heinen [2015]*

Represented the Defendant at the Old Bailey in relation to the murder of his mother. He had been extradited from Spain having committed a subsequent murder whilst there. The central issue was whether the Defendant was operating under diminished responsibility. Consideration had to be given as to the impact of his sentence in Spain to the minimum term that the Judge imposed.



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- *R v G [2015]*

Defending female defendant charged with murder. Defendant had significant mental health issues having been subjected to a history of abuse whilst working as a prostitute. In addition, she had a history of substance abuse. The combination of those factors left her with a profile that led one of the eminent psychiatrists dealing with her to describe her as “the most dangerous woman he had come across”. Dealt by way of a Hospital Order in relation to manslaughter on the basis of diminished responsibility.

- *R v Falkingham [2015]*

Road traffic fatality where parts of farm equipment collapsed whilst being transported and collided with oncoming traffic. Case involves health and safety issues including in relation to the culpability of the driver.

- *R v Peverley [2014]*

Representing in relation to fatality following double road traffic collision. Complex issues of causation in relation to medical cause of death and scientific in relation to the impact of blinding sunlight. Defendant acquitted.

## Complex Road Traffic

Instructed on a largely private basis in relation to complex road traffic accidents and disasters especially those involving homicide and complex scientific issues (motion camouflage, vehicle conspicuity, driver visual acuity) and cases where unexplained vehicle acceleration is an issue.

Engaged in lecturing bodies engaged in this area of work and more broadly advising on the tactical approach in cases in this area.

## Regulatory

Significant experience of prosecuting and defending in relation to regulatory breaches, in particular cases that have resulted in death, or serious injury.

Advising individuals and corporate bodies in relation to compliance.

Has previously advised the HSE and corporate bodies at procedural and operational level.

Currently instructed in relation to the alleged failings of police officers in relation to the Rotherham Child Sexual Exploitation investigation.

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## Representative Cases

- *Cygnets Learning Disabilities Ltd*  
Instructed to represent one of the largest care home operators in the country. Successful resolution of enforcement actions and linked appeal in relation to conditions imposed by the CQC under s31 Health and Social Care Act 2008. [Instructed by DAC Beechcroft]
- *GC (nursing home) [2018 onwards]*  
Instructed to represent care home in relation to CQC investigation and enforcement in relation to a number of deaths of residents. In particular alleged failings centred around the management of patient care and the measures in place to protect residents/patients from the actions (including violence) of other patients/residents. [Instructed by Keoghs]
- *R v Balfour Beatty Utility Solutions and Balfour Beatty Living Places [2017]*  
Instructed on behalf of the HSE. Largest successful prosecution and financial penalty for historic hand and arm vibration affecting a large number (by exposure and injury) of employees. The case involved complex issues in relation to employee movement, analysis of scientific evidence affecting causation and breach of duty. There was legal argument in relation abuse of process, delay and promise not to prosecute.
- *R v Williams (Magical Dream Beds) [2018]*  
Defended manufacturer children's beds in relation to death of infant whilst sleeping in bed. Charged with gross negligence manslaughter based on failure to adhere to relevant regulations. Case resolved by way of plea to health and safety failings following legal argument in relation to foreseeability in respect of serious risk of death.
- *R v G E Dales Ltd [2017]*  
Fatality following a road traffic accident involving farming equipment on the highway. Dealt with under s3 of the Health and Safety at Work Act. Factual complex and technical accident involving the structure of the machinery. Successful presentation of legal argument in relation to autre fois and sequential prosecution
- *R v Sherwood Rise Ltd [2016]*  
Case arising out of the death of a resident at a care home for lack of care. Jason prosecuted the case which was the first care home to be convicted of corporate manslaughter in relation to the standard of care of its residents. The case had a history of CQC involvement in which inspectors had not identified the failings. Knowledge of CQC regulation was central to the management and outcome of the case as was the inter-relationship with criminal and health safety legislation. [Instructed by Crown Prosecution Service, central case work]
- *Re: Hill [2015]*  
Represented 3 officers in relation to the death of detainee who was 3 times over the legal limit. The case was concluded on the basis that the actions of the officers did not contribute to the death as a result of analysis of the medical evidence.

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- *R v Cemex & Ward Ltd [2014]*  
Prosecution of employee crushed under heavy plant. Issues in relation to impact of the deceased's own actions and interrelationship of the duties of principal company and contractor.
- *R v York College & Other [2014]*  
Prosecution of York College and one of the care workers in relation to the death of one of the children that attended the nursery. The employee was charged with gross negligence manslaughter as well as a health and safety offence.
- *Re: Oliver [2013]*  
Inquest in relation death of patient being during swine flu outbreak. Represented a out of hours GP where the issue was the standard of care provided by her and whether appropriate diagnosis by her. The conclusions was that no criticism to be made of her actions.
- *R v Forgemasters Steel [2013]*  
Fatality caused by the carbon dioxide fire extinguishing system.
- *Re: Njume [2013]*  
Representation of family of terminally ill patient. Conclusion that the actions of the hospital hastened death.
- *R v Camerons Ltd (One Subsea Ltd) [2013]*  
Prosecution of large multinational company in relation to historic suffering of HAVS (Hand and Arm Vibration Syndrome) of a number of employees.
- *R v Lion Steel Ltd*  
3rd company to be prosecuted and convicted under the Corporate Manslaughter and Corporate Homicide Act. Legal argument as regards the applicability of the Act in relation to breaches commencing before the Act. Fine £480,000
- *R v Gavill and Garthwest Ltd.*  
Fatality where employee fell through a roof.
- *Re: Waterpriory Farm*  
Defence and inquest in relation to farm hand crushed by bails of hay.
- *R v Integrated Dental Holdings.*  
Prosecution in relation to dental worker falling from roof. Legal argument as to scope of duty and whether the injured party was "at work".

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# Professional Misconduct

The prosecution of and representation of professional persons at misconduct hearings. In particular cases before the police misconduct panels, cases brought by the General Medical Council, GDC and NMC.

# Coronial Law

Jason has appeared in a number of high profile inquests where there has been an underlying breach of duty leading to death or professional misconduct. This includes death in custody and death in work related deaths.

# Public Law

In particular in relation to claims in relation to the criminal justice system and professional misconduct hearings.

# What the directories say

"He has a great deal of empathy and is excellent with clients. In court he is also amazing."

*Chambers and Partners 2021 (Crime)*

"He is affable, very calm and measured. He has a nice style with juries and he is an attractive advocate."

"Incredibly hard-working and accommodating. He is good with clients and an excellent lawyer."

*Chambers and Partners 2021 (Professional Discipline)*

'An outstanding jury advocate whose cross-examination is measured, robust and powerful.' [Crime] . 'Is calm and pragmatic. He manages clients well. His tactical advice has always proved to be helpful.' [Business Crime and Regulatory]

*Legal 500 (2021)*

"He is superb at what he does and he can hold a room extremely well."

*Chambers & Partners 2020 (Crime)*

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"He knew everything about the case and the client, and I feel he gave me much more assistance than I paid for."  
*Chambers & Partners 2020 (Professional Discipline)*

"Active in a wide range of criminal cases."  
*Legal 500 2019 (Crime)*

"A tenacious and highly effective advocate."  
*Legal 500 2019 (Regulatory, Health & Safety and Licensing)*

"One of the best jury advocates around. He's hugely impressive and fantastic with clients."  
*Chambers & Partners 2019 (Crime)*

"Absolutely excellent. He goes above and beyond in the advice he gives."  
*Chambers and Partners 2019 (Professional Discipline)*

"He is extremely good with the jury, liked and trusted by judges and good at picking up the detail in a case." "He is outstanding in his preparation and tactical approach to a case."  
*Chambers & Partners 2018 (Crime)*

'He provides extremely thorough advice.'  
*Legal 500 2018 (Regulatory, health and safety, and licensing)*

"Very intelligent with a rigorous work ethic". "A silk with a calm and assuring approach to cases."  
*Legal 500 2017 (Crime, Regulatory, Health & Safety)*

"Really experienced silk, one of best jury advocates around" "...deals extraordinarily well with difficult clients"  
"You're guaranteed to get top-quality representation with Jason."  
*Chambers & Partners 2017 (Crime)*

"He's very good in court and he has a very easy manner in conferences."  
*Chambers & Partners 2017 (Health & Safety)*

"...one of the best jury advocates I have seen. His main strength is the way he deals with clients and difficult individuals" "He is a very polished advocate, his cross-examination technique is impressive and effective," "A high-calibre advocate."

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*Chambers & Partners 2017 (Professional Discipline)*

"Highly regarded for serious criminal cases with complex scientific and medical facts".

*Chambers & Partners 2016 (Crime)*

"He is very charming and someone who is very much no-nonsense".

*Legal 500 2016 (Professional Discipline)*

"Particularly strong in cases involving highly complex scientific and forensic evidence."

*Legal 500 2015 (Crime, Regulatory, Health & Safety and Licensing)*

"Incredibly hard-working, he has a great knowledge of the law, and he is good with clients; he is exactly what we look for in a barrister." ... "a very efficient cross-examiner; very clear, concise and analytical. He can slice through complex issues very quickly."

*Chambers & Partners 2014 (Crime, Health & Safety)*

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