



New Park Court

Lee Fish

#### Leeds

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## Lee Fish

Year of call 2003

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

Lee Fish prosecutes and defends serious crime. He is regularly involved in cases of homicide, serious sexual allegations and fraud. He is also regularly instructed in regulatory cases by the prosecution and defence. He has particular experience in environmental and health and safety prosecutions. Lee is recommended in legal directories for his expertise in environmental crime. Lee has also received instructions from the Solicitors Regulation Authority and the General Medical Council.

## Crime

### Representative Cases

- *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 Dafydd Enoch QC.
- *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 QC.
- *R v Spalding*  
Murder in Washington, involving the infliction of a single stab wound to the leg resulting in catastrophic blood loss and death. Defendants initially blamed each other for the killing, until one defendant accepted responsibility for inflicting the fatal wound half way through the trial. Issues in relation to joint enterprise and foreign convictions. Led by John Elvidge QC.
- *R v Armstrong*  
Defence of man accused of killing partner. Complex medical and bad character issues. Led by Nick Lumley QC.
- *R v CH*  
Defence of 17 old boy for murder. Led by Paul Greaney QC.
- *R v CR*  
Defence of professional burglar who targeted high value properties in the Tyne Valley area. Successfully appealed sentence to Court of Appeal.
- *R v A & Others*  
Prosecution of 3 Syrian nationals for sexually assaulting two young girls. The case received national media attention.
- *R v M*  
Successful defence of a man for historic sexual offences at the Central Criminal Court.
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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.
- *R v A*  
Drive by shooting and violent disorder. Case turned exclusively on the evidence of an anonymous witness. Prosecution case collapsed following difficulties with the anonymous witness and disclosure.

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- *R v L*  
Defence of a Senior Aircraftsman at a Court Martial for making indecent images of children.
- *Crann v CPS [2013] EWHC 552 (Admin)*  
Appeal by way of case stated in relation to whether the Crown should have been allowed to amend a charge at a late stage in the proceedings after the 6 month time limit had lapsed.

## Environmental Law

### Representative Cases

- *R v Coates and others*  
Prosecution of a number of 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.
- *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

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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 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

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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.

- *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.

## 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.

Lee has also provided training regarding the Proceeds of Crime Act 2002 and its applicability to environmental

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offences.

## What the directories say

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

*Chambers and 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 and Partners 2021 (Environment)*

'A strong criminal junior,'

*Legal 500 2021 (Crime)*

"A true environmental law practitioner."

*Chambers & Partners 2020 (Environment)*

"A strong criminal junior."

*Legal 500 2019 (Crime)*

'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.' 'He absolutely understands the law that he's applying.'

*Chambers and Partners 2019 (Environment)*

'He has a brilliant tactical mind.'

*Legal 500 2018 (Crime)*

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# Appointments & Memberships

CPS Serious Crime Panel (Level 4)

CPS Level 4 Prosecutor

CPS Specialist Rape Panel

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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