



# Simon Jackson KC

Year of call 1982 Silk 2003



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Simon Jackson KC is regularly instructed in serious criminal (principally homicide), regulatory (including corporate manslaughter), professional discipline (police and medical) cases and inquests (acting as 'counsel to the inquiry' on behalf of HM Coroner on two occasions).

## Expertise

### Crime

Both as a junior and throughout his time in 'silk' Simon Jackson has been instructed in serious criminal cases. These are now principally homicide, fraud and regulatory cases. For example, he has specialist experience in relation to deaths involving children, and for example was recently involved in defending a woman charged with killing her infant daughter. Case involved complex issues of causation relating to multiple and complex injuries, including a skull fracture and the presence of the so called 'triad' of injuries, namely hypoxic-ischaemic encephalopathy, bilateral thin film acute subdural haemorrhages and extensive multi-layered retinal haemorrhages. Case involved complex medical evidence from a large number of tertiary referral experts on both sides of the case.

He has extensive experience of dealing with serious criminal cases that involve complex disclosure issues involving, 'joint enterprise', PII and 'abuse of process' arguments based on delay and alleged unfairness to defendants.

As an experienced leader he has considerable experience dealing with cases involving complex medical, pathological, scientific and technical evidence.

He is also familiar and comfortable with working in teams, from the early stages of a case, and providing leadership where required.

#### Leeds

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## Notable Crime cases

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### Police Discipline

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As a Junior and in silk, Simon Jackson has regularly undertaken police disciplinary cases defending officers [across four police forces] charged with a variety of offences, including dishonesty, sexual harassment, misfeasance in a public office and 'test purchasing' sexual services as part of a police undercover vice operation.

He has also regularly represented police officers, often custody officers [sergeants or inspectors] in connection with 'death in custody' Inquests. He has represented a police firearms team in West Yorkshire in relation to the death of a western 'quick draw' fan who confronted the police with a firearm in Huddersfield. He was also involved in the inquest concerning Christopher Alder who died in custody in Hull and the related judicial review proceedings.

Simon Jackson has experience of dealing with cases that have been the subject of complex Professional Standards and IPCC investigations.

### Notable Police Discipline cases

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### Healthcare

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Simon is a full member of the GMC's Approved Panel of Counsel presenting Fitness to Practise cases involving serious misconduct, deficient professional performance allegations before Medical Practitioners Tribunal Service Tribunals Fitness to Practice Panels and Review Hearings.

### Notable Healthcare cases

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Dr D v General Medical Council [2015] EWHC 3379 (Admin)

Case involving conduct of a UK based multi-centre industry sponsored medical research clinical trial.

Dr AM v General Medical Council [2015] (Admin) Wilkie J. 19.06.2015

GMC v Dr P [2012]

Case involving the London 'G20' riots forensic pathologist who was struck off the Medical Register for misconduct by a Fitness to Practise Panel arising out of his conduct of the Ian Tomlinson post mortem in April 2009. Pathologist had erroneously concluded that the cause of death was 'natural causes', when he had in fact been assaulted by a police officer.

### Health & Safety

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The Health and Safety work has involved representing both individuals and corporate clients.

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## Relevant Experience

- Recently acted for a builder and care home proprietor in relation to a fatal fall involving a vulnerable elderly resident, whose fall arose from alleged historic structural defects in terms of the design and construction of the home's wooden staircase, and more recent management failures of inspection re: the defects. This was a local authority prosecution, and complex 'basis of plea' issues and sentence hearing immediately pre-commencement of the new Sentencing Guidelines. [R v DG (1.12. 2015) Crown Court at Leicester] Achieved a substantial reduction in Local Authority's costs on summary taxation.
- Recently instructed for an employer where the issue was the alleged overexposure of employees to dust when working in a lime kiln, involving complicated expert evidence re WEL exposure rates and mitigating/compliance measures.

## Notable Health & Safety cases

R v Lion Steel Equipment Limited & Others [2012]

Simon Jackson was instructed in the trial of what was the only the third corporate manslaughter prosecution (under the 2007 Act) and allied gross negligence manslaughter prosecution, involving an industrial (roofing) accident.

R v Shah Nawaz Pola [2009] EWCA Crim 655 655

Re: the definition of an 'employer' re: 'migrant workers', under s53 of the Health and Safety at Work Act 1974.

R v HTM [Hatton Traffic Management] & Colas [2008]

Crown Court trial at Teesside.

## Inquests

Specialises in cases involving deaths in custody, in hospitals and outdoor (adventure) activities where issues of gross negligence, neglect and 'Article 2' breaches may arise.

## Relevant Experience

- Recently instructed in relation Inquests concerning a death of child on an overseas school trip.
- Acted as a Legal Assessor on behalf of one of HM Coroner in connection with an Article 2 compliant alleged negligent medical treatment Inquest and on behalf of another HM Coroner as 'Counsel to the Inquest' in an Article 2 compliant 'Death in Custody' Inquest.
- Acted for Local Authority where teenager in care committed suicide, and separately for the Family when a patient receiving 'community based' psychiatric support committed suicide, as a consequence of alleged 'neglect of care'.

## Notable Inquests cases

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## Appointments

- GMC's Approved Panel of Counsel
- Recorder – Class 2 (2014)
- Recorder (2005)

## Publications

- Co-Presented the Capita Symonds Annual H&S Lecture in London in May 2013 with Mr Justice Mark Turner.

## Directory Quotes

“Strongly recommended in Health & Safety / Regulatory.”

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*Legal 500 2012*

“Has particular expertise in medically complex cases.”

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*Legal 500 2011*

“Is outstanding in HSE cases and is noted for instructions of technical complexity.”

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*Legal 500 2009*

“Is extremely effective in cases with a complex technical element.”

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*Legal 500 2008*

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