



James Ageros QC



Contents

Criminal Regulatory & Environmental	1
Selected Cases	1
Prosecution Cases	3
Appeals vs Improvement & Prohibition Notices	4
Inquests & Public Inquiries	5
Selected Cases	5
Recommendations	6

"Jim Ageros QC is very user-friendly, good with clients and good in court."
(Chambers UK 2016)



James Ageros QC practises exclusively in health & safety and environmental law. For many years he has been recognised as one of the most accomplished and versatile barristers in the field. He has been rated in the top category for juniors in health and safety for a number of years and has been consistently nominated as outstanding junior.

He is the co-author of Matthews & Ageros, 'Health & Safety Enforcement, Practice & Procedure', OUP, now in its third edition.

Criminal Regulatory & Environmental

James's health & safety practice involves a mixture of defence and prosecution, court and advisory work. Over the past decade he has represented a number of companies, public authorities and individuals in cases involving fatalities in the workplace. He also does a large amount of inquest work and enforcement notice appeals. On the prosecution side, he has regularly appeared in cases of the upmost complexity and seriousness. His clients include, construction companies, local and county councils, hotel chains, hospitals, rail infrastructure providers, care homes and a variety of other businesses in different sectors.

His environmental work includes prosecutions in respect of the large-scale disposal of controlled waste.

A greatly experienced, jury savvy and technically astute health and safety and regulatory silk. Consistently rated in the top tier of practitioners in the field. Author of most widely used practitioners' text book.

Areas of expertise include: construction, demolition, work at height, traffic management, asbestos, railways, medical devices, clinical failings, recreational and professional diving, machine guarding, gas appliances, electrical contracting, swimming pool and water course accidents.

Selected Cases

- R v Balfour Beatty Engineering Services Ltd & Mark King – Defence of Contracts Manager charged in connection with fatality during electrical upgrade at data centre.

- R v Rolls Royce Marine Power Operations Ltd – Defence of Rolls Royce division in joint prosecution by EA and HSE in connection with loss of radioactive source tip and subsequent exposure of workers to excessive radiation.
- R v David Lloyd Leisure Ltd – Defence of large leisure group in connection with serious accident to gym attendee leading to loss of an eye.
- R v St Edmundsbury Borough Council – Defence of local council charged with health and safety offences resulting from fatality at summer fair when fairgoer trampled to death by runaway horse and cart.
- R v Norfolk County Council – Defence of County Council at Crown Court trial relating to teenager drowning in Norfolk Broad.
- R v Adrian Maund – Defence of signaller charged with health and safety offences arising out of fatality at level crossing.
- R v AMEC PLC & Another – Defence of multi national company in Crown Court trial connected with fatality during construction project in Manchester.
- R v Leadbitter PLC – Defence of Principal Contractor at trial concerned with near fatality on construction site.
- R v Chris Hazel – Defended partner in shotblasting firm charged with guarding offences resulting in serious injuries to employee.
- R v Jilbert & Another – Successfully defended gas fitter charged with manslaughter by gross negligence.
- R v Huntley Mount Engineering Ltd & 3 Others – Represented supervisor of engineering company charged with manslaughter of young apprentice.
- R v Alan Wilkinson & 2 Others – Defended boss of demolition company charged with HSWA offences in connection with death of worker in plant accident. Defendant acquitted.
- R v Balfour Beatty Rail Maintenance & Others – The Hatfield Derailment. Acted on behalf of the infrastructure contractor in contested trial for corporate manslaughter.
- R v Jiffy Packaging Ltd – Defence of company charged with offences in connection with serious guarding accident.
- R v W Carroll & Sons Ltd – Defence of roofing company charged with offences relating to serious injuries following fall from height.
- R v Roy Kennet & Another – Instructed on behalf of defendant in the Tebay rail disaster – prosecution for manslaughter of four track workers killed by runaway engineering trailer in Tebay, Cumbria.
- R v TAV Engineering – Represented company charged with offences arising out of the Buncefield explosion.
- R v North Staffordshire NHS Trust – Instructed on behalf of NHS Trust at inquest and in subsequent prosecution concerning death of a patient undergoing brain surgery.
- R v The Concrete Company Ltd – Represented managing director of company charged with manslaughter by gross negligence.
- R v UK GSE Ltd – Instructed on behalf of large multi-national construction company in case relating to the manslaughter of a construction worker on construction site.
- R v PK & IF Cobley Ltd – Defended company charged with offences relating to serious injuries from work at height.
- R v Nigel Band – Appeared for diving instructor charged with health and safety offences in relation to the death of a diver under his care.
- R v Amber Engineering Ltd – Represented large waste reprocessing company in connection with proceedings relating to the death of a worker at the Company's site.
- R v London Central Bus Company – Acted on behalf of major London Bus Company in connection

- with two prosecutions resulting from a death and serious injury at Central London bus depot.
- R v Exel UK Ltd – Appeared on behalf of worldwide distribution company in two separate cases connected with injuries at distribution depots.
 - R v Knight Frank & Others – Acting for contract manager in multi-party construction site fatality resulting from fall from height.
 - R v Morecare Homes Ltd – Appeared for defendant care home in prosecution concerning death of a patient through asphyxiation.
 - R v PDBL Ltd – Appeared for steel erecting company in prosecution concerning death of a steel erector on multi-party construction site.
 - R v Sunjet Security Ltd – Appeared for Defendant Company in respect of asphyxiation of security guard through carbon monoxide poisoning while at work.
 - R v Prysmian Cables & Systems Ltd – Represented manufacturer of oil-filled cables in prosecution relating to injuries occasioned by contact with corrosive substances.
 - R v Mick Barker & Another – Represented fairground inspector charged with failures connected with the collapse of a waltzer ride.
 - R v Kaltenbach UK Ltd – Represented large UK division of German Manufacturing Company in Crown Court proceedings in connection with prosecution brought following crush injuries to employee.
 - R v Royal Berkshire NHS Foundation Trust – Represented NHS Trust in case connected with fatal fall of elderly patient from poorly maintained and designed trolley.
 - R v Paul Jukes & 3 Others – Defence of contracts manager charged in connection with fatality of worker at recycling plant.
 - R v Aramex Ltd – Defence of multinational expedition company charged in connection with fatal fall from height at company premises.
 - R v Jarvis Construction Ltd – Appeared for Defendant Company in prosecution concerning death on a construction site.
 - R v McDonalds PLC – Appeared for worldwide fast food chain in connection with slip in kitchen.
 - R v Marriot Hotels PLC – Represented hotel chain in connection with injury in kitchen.

Prosecution Cases

- R v Temple Lifts Ltd – Prosecuted lift engineering company in connection with catastrophic lift failure at Tower Bridge London that resulted in a number of tourists suffering broken limbs.
- R v Laing O'Rourke PLC & Another – Prosecuting major construction company in relation to fatality during the construction of Heathrow Terminal 5.
- R v Eastbourne Buses Ltd – Prosecuted company in connection with death of employee at depot.
- R v Team Waste Ltd & Others – Represented HSE in prosecution in Crown Court connected with fatality in Brighton Town Centre.
- R v Wood, Wood and Scott's of Whittington Ltd – Prosecuted gross negligence manslaughter trial concerning fall from height.
- R v Tom Dunn and 7 others – Prosecuted largest ever case brought by Environment Agency in South West of England.
- R v WD Bennett's and Eurolift – Prosecuted both companies in double fatality tower crane collapse during construction of special school in West Sussex.
- R v Veolia & Others – Prosecuting major refuse Collection Company relating to the death of a recycling operative.
- R v Network Rail PLC & Another – Appeared as prosecution counsel in first contested trial conducted by the Office of the Rail Regulator.

- R v BAE Systems Ltd & Others – Appeared for prosecution in respect of death of off-shore worker during renovation of a North Sea platform.
- R v Npower PLC – Prosecuting utility company in relation to accident during upgrade at plant.
- R v Eco Oil Ltd & Another – Prosecuted oil storage company in connection with large fire and explosion at depot in Kent.
- R v PC Harrington Ltd & Another – Prosecuted two companies in relation to fatality during construction of new Wembley Stadium.
- R v Ward & Two Others – Prosecuted 3 individuals concerned with double fatality gas explosion at residential village in Surrey.
- R v AMEC & Network Rail – Appeared for the prosecution in relation to the West Sutton Derailment; derailment of commuter train due to gauge spread through failing lock spikes.
- R v Lionverge Ltd & Another – Prosecuted case involving unsafe maintenance practices on the Midland Mainline.
- R v Nestle UK Ltd – Prosecuted major food producer in contested jury trial relation to the electrocution of employee.
- R v Canary Wharf Contractors Ltd & Others – Appeared for Prosecution in multi party CDM case concerning death on construction site during the construction of Canary Wharf.
- R v LUL & Elkington – Successfully prosecuted underground network and renegade employee ('Dangerous Dave Elkington') in long Crown Court Trial.
- R v Imperial College – Appeared for prosecution in respect of allegation that the defendant propagated the HIV virus in unsafe laboratory conditions.
- R v Cherren III & Others – Prosecuted Development Company and individuals in connection with fatality concerning fall from height in commercial renovation.
- R v Wheeler & Wheeler – Appeared for prosecution for manslaughter of landlords charged in connection with death by carbon monoxide poisoning.
- R v LUL – Appeared for Prosecution in respect of asphyxiation of security guard through carbon monoxide poisoning while at work.
- R v Kent County Council & Others – Acted on behalf of prosecution in respect of fatality on major road due to badly positioned construction plant.
- R v Harris Calnan & Another – Prosecuted double handed fatality at CCC. Resulted in plea.

Appeals vs Improvement & Prohibition Notices

- London Underground Ltd v Hart – Acted on behalf of the respondent (Senior Inspector from HMRI) in 6 day appeal in Employment Tribunal in appeal against prohibition notice concerning network wide unsafe working practice.
- Tesco Ltd v Harrow Borough Council – Appeared for respondent in contested appeal against improvement notices in respect of unsafe working practices in loading bays of Tesco stores.
- Colas Rail Ltd v HMRI Cullen – Appeared for respondent in contested appeal concerning failure to control risk associated with ballast dust during major railway track renewals.
- Karl Durham v HMI Turvey – Represented diving contractor served with prohibition notice following death of student in exercise he had organised.

Inquests & Public Inquiries

Selected Cases

- Re the death of Michael Lawrence; Mitchells and Butler Ltd – Represented national brewery chain in Article 2 inquest in connection with death of pub goer restrained by door supervisors; death through positional asphyxia and co-extensive medical conditions.
- Re the death of construction worker; CMF Ltd – Represented metal fabrication company in connection with death of construction worker crushed by falling stair case section.
- Re the death of 4 workers at a construction site in Lowestoft – Represented the company that employed four ground workers killed when metal cage collapsed during erection.
- Re the death of a 9 month old child – Represented nursery and nursery workers in tragic case involving the death of a 9 month old child who choked to death on cottage pie on third day at nursery.
- Re the death of a 3 year old child – Represented nursery manager in connection with the death of a young child who choked to death on raw jelly used for play purposes.
- Re the death of master Daniel Stickland – Represented special needs school in connection with the death of boy diagnosed with epilepsy while boarder at special school.
- Re the death of A West – Represented division of NHS trust in connection with death of patient suffering terminal cancer. Suggestion that patient had been poisoned to quicken death.
- Re the death of Richard Fozard – Represented engineer said to have miscalibrated MEWP that overturned onto M25 killing operator.
- Re the death of railway cleaner – Represented industrial cleaning company in connection with the death of a train cleaner electrocuted when cleaning a train in a depot.
- Re the death of PC Ian Terry – Represented firearms officer who shot and killed fellow officer during firearms exercise.
- Re the death of 7 men in the Morecombe Bay Helicopter Disaster – Represented Centrica PLC at inquest concerning the deaths of two pilots and 5 gas rig workers in Morecombe Bay.
- Re the death of Christopher Heaton – Represented AMEC PLC at inquest relating to death during CDM project.
- Re the death of James Fyfe. – Represented NHS Trust in inquest concerning death of a patient in accident involving medical devices.
- Re the death of John Altoft – Representing Cape Industries in connection with fatality at cement plant.
- Re the death of construction worker – Represented manager in connection with death of a construction worker carried in excavator bucket in yard.
- Re the death of Wendy Williams – Represented Ambulance service in inquest concerning death of motorist.
- Re the death of Mr. X – Represented Forestry commission in connection with worker felling trees.
- Re the death of a teenager – Represented gamekeeper at inquest concerning the death of a motorbike rider in forest.
- Re the death of Mrs A – Represented Marks and Spencer at inquest touching on the death of a shopper at store in South West.



Recommendations

"His drafting skills are fantastic, but his key strength is his advocacy - he is a very strong barrister."

Chambers & Partners, 2022

"Excellent with clients from individuals to large corporates with empathy and understanding of the case and wider issues.."

Legal 500, 2022

"An unassuming, modest silk. Very relaxed but confident with complex cases and clients. Gets a quick grip on the issues and impresses clients. Jurors like him."

Legal 500, 2021

"He's a go-to barrister for the heavyweight work; he's excellent in terms of how he deals with clients and has a great presence in court."; "He is a superb jury advocate and an excellent barrister."; "His technical grasp of detail is very, very strong."

Chambers & Partners, 2021

"Highly experienced, awesome with the jury and really fights for his clients."

Chambers & Partners, 2020

"Jim Ageros QC is very user-friendly, good with clients and good in court" ; "he's a very decent, straightforward prosecutor. He's always very impressive."

Chambers & Partners, 2016

"It's spectacular to watch the legal arguments he puts together" ; "he is a very smooth, charming and effective advocate."

Chambers & Partners, 2015

"He has an in-depth knowledge of the law."

Legal 500, 2014

"James Ageros successfully splits his time between prosecuting and defending. A well-known expert in the area, he has co-authored a leading book on health and safety. Sources praise his technical brilliance and "supreme understanding of the law - he cuts straight through to the crux of the matter, however complex the facts." Recently, he acted for Norfolk County Council in defending a prosecution brought against it by the HSE following the drowning of a teenager in a Norfolk broad.

Chambers & Partners, 2013