



Mike Atkins



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"Phenomenally hard-working and fights his client's corner with conviction. He has both skill and tenacity."
(Chambers UK 2018)



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Mike Atkins specialises exclusively in the field of criminal regulatory law, with particular expertise in Health & Safety, Inquests, Fire Safety, Food Safety, Product Safety, Consumer Law, and Environmental Law.

He is one of the most sought-after junior counsel for complex and high-profile cases, including prosecutions for corporate and gross negligence manslaughter and health and safety offences.

He is regularly instructed on behalf of multinational and household name companies as well as directors, employees and public bodies. His clients have included Morrisons supermarkets, John Lewis, South Western Railway, Electricity North West, Bupa, Sisk Rail, JCB, HJ Heinz, CEMEX, Mace Group, Serco, Shepherd Neame, Norbert Dentressangle, AWE plc, and a number of NHS Trusts.

The directories describe him as *"a rising star"* who is *"very user-friendly"*, *"phenomenally hard-working"* and who *"fights his client's corner with conviction. He has both skill and tenacity"*.

He is currently instructed in several of the most significant ongoing health & safety investigations including the Didcot Power Station collapse.

Criminal Regulatory & Environmental

Health & Safety

Mike is frequently instructed in the most serious and high-profile cases, including prosecutions for corporate and gross negligence manslaughter, health and safety offences, and appeals against enforcement notices.

He regularly advises and represents multinational and household name companies as well as directors, employees and public bodies. His clients have included Morrisons supermarkets, John Lewis, South Western Railway, Electricity North West, Bupa, Sisk Rail, JCB, HJ Heinz, CEMEX, Mace Group, Serco, Shepherd Neame, Norbert Dentressangle, AWE plc, and a number of NHS Trusts.



He has experience of cases involving construction and demolition, work at height, manufacturing and technology, warehousing and logistics, waste management and recycling, mining and quarrying, work with asbestos, gas and electrical safety, medical treatment, nursing and residential care, schools and nurseries, and road traffic accidents.

He has considerable experience of Fire Safety work, having acted as junior counsel to the Coroner in the Lakanal House tower block fire inquests.

He is developing particular expertise in rail industry work, acting on behalf of both train operating companies (TOCs) and railway industry contractors. He has previously acted on behalf of the Office of Rail and Road (ORR).

He regularly advises on challenges to invoices issued under the HSE Fee for Intervention (FFI) scheme.

Environmental Law

Mike has experience of prosecutions for environmental offences including cases of water pollution and breaches of permit conditions.

Selected Cases

Health & Safety

- Representing a gas distribution network operator in the inquest into the death of a homeowner killed by a domestic gas explosion.
 - Representing a railway industry contractor in relation to the inquest into the death of a possession support worker who was killed on the track during planned engineering works.
 - Representing a university in relation to the inquest into the death of one of its students.
 - Instructed on behalf of the Managing Director of a care home who was prosecuted following a fire in which two residents died.
 - Represented for a small farming business following a fatal accident in which a telehandler collided with a pedestrian.
 - Represented a sole-trader painter and decorator charged after one of his employees fell from a roof and was paralysed from the chest down.
 - Represented a lifeguard charged with wilful neglect after an incident in which a child nearly drowned.
 - Junior Counsel (led by John Cooper Q.C.) instructed on behalf of the demolition contractor in relation to the Didcot Power Station collapse.
 - Represented a department store business in the week-long inquest into the tragic death of a student who committed suicide at one of its stores.
 - Acted for the operator of a leisure centre in the seven-day inquest into the death of a visitor who was fatally electrocuted when he climbed the fence surrounding an outdoor 5-a-side football pitch.
 - Represented a train operating company at the inquest into the death of a passenger who suffered a cardiac arrest during her journey.
 - Represented the company which operated a nursing home and its Managing Director in the week-long inquest into the death of a resident who contracted Legionnaires' disease.
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- Represented a train operating company at the inquest into the death of a passenger who jumped onto the outside of a train as it was departing from a station.
- Represented a care home at the week-long inquest into the death of a resident who refused to take his medication and subsequently died of diabetic ketoacidosis.
- Represented a care home in the four-day inquest into the death of a resident who had developed a Grade 4 pressure sore.
- Represented one of the 'Big Four' supermarkets at the inquest into the death of a customer who collapsed outside one of its stores.
- Junior counsel (led by John Cooper Q.C.) for Maidstone and Tunbridge Wells NHS Trust, acquitted of corporate manslaughter after two and a half weeks of trial. The defendant was the first Trust to be prosecuted for the offence. The Trust's subsequent application for costs thrown away as the result of an unnecessary or improper act or omission is reported as R v Maidstone and Tunbridge Wells NHS Trust [2016] EWHC 779 (QB).
- Junior counsel (led by James Ageros Q.C.) for a manager of a recycling company prosecuted following a fatal accident.
- Junior counsel (led by Jonathan Ashley-Norman Q.C.) for the ORR in a prosecution following the death of a railway depot worker who was electrocuted when he came into contact with the third rail.
- Represented a senior site manager prosecuted following a serious lifting accident on a building site.
- Junior counsel (led by Ben Compton Q.C.) for the owners of a care home prosecuted after an elderly resident suffered fatal scalding injuries.
- Represented an NHS Trust in a prosecution for failure to manage bedrail risks.
- Represented a large engineering company prosecuted for failure to manage the risks associated with vibrating tools.
- Junior counsel (led by James Maxwell-Scott Q.C.) to the Coroner in the Lakanal House tower block fire inquests. The inquests lasted 3 months.
- Junior counsel (led by John Cooper Q.C.) for the Managing Director in the Lion Steel corporate manslaughter case. Not guilty verdicts were returned at Manchester Crown Court after three and a half weeks of trial.
- Secured the acquittal, after a seven-day Crown Court trial, of a director charged with neglect after a member of staff suffered life-changing injuries in a cellar hatch fall.
- Junior counsel (led by John Cooper Q.C.) in a prosecution of one of the 'Big Four' supermarkets, including successful argument about the proper interpretation of Sellafield and Network Rail [2014] EWCA Crim 49.
- Represented a household name multinational food manufacturer following a serious guarding accident at a production plant.
- Junior counsel (led by James Maxwell-Scott Q.C.) for the company that operates the Atomic Weapons Establishment at Aldermaston following a fire in an explosives production building.
- Represented a high-profile multinational company specialising in aggregates and building materials after a serious accident at an asphalt batching plant.
- Junior counsel (led by Jamie Hill Q.C.) for the senior director of an agricultural construction company. The director was charged with manslaughter after an employee fell from the roof of a large agricultural shed during repair work. The director was acquitted after a three-week trial at Newcastle Crown Court.
- Represented an Italian espresso machine manufacturer prosecuted for supplying unsafe equipment. Successfully argued that the Court lacked jurisdiction to try the alleged offence.
- Represented a large rail contractor following a serious accident involving a member of the public.
- Represented Britain's oldest brewing company after an employee was injured by moving cask washing equipment.



- Junior counsel (led by John Cooper Q.C.) for a demolition contractor prosecuted after two employees were severely injured by the unplanned collapse of a concrete floor during demolition work.
- Represented a letting agent charged with numerous breaches of the Fire Safety Order.
- Represented a large environmental and spill response company following a chemical incident at a client's site.
- Represented the London Borough of Wandsworth in its successful appeal to the High Court in *London Borough of Wandsworth v Covent Garden Market Authority* [2011] EWHC 1245 (QB). The case is the leading authority on time limits in the context of appeals against prohibition and enforcement notices.

Environmental Law

- Represented a waste treatment company prosecuted for discharges of waste chemicals in breach of permit.
- Represented a large environmental and spill response company following a chemical incident at a client's site.
- Represented a company charged following an escape of fuel into controlled waters from a storage tank at an oil depot.

Inquests & Public Inquiries

Inquests

Mike regularly represents companies, directors, employees, and public bodies at inquests. He has extensive experience of cases in a broad range of contexts including construction and demolition, work at height, the rail industry, manufacturing and technology, waste management and recycling, fire safety, gas and electrical safety, medical treatment, nursing and residential care, schools and nurseries, deaths in custody, and road traffic accidents.

Selected Cases

- Representing a gas distribution network operator in the inquest into the death of a homeowner killed by a domestic gas explosion.
- Representing a railway industry contractor in relation to the inquest into the death of a possession support worker who was killed on the track during planned engineering works.
- Representing a university in relation to the inquest into the death of one of its students.
- Junior Counsel (led by John Cooper Q.C.) instructed on behalf of the demolition contractor in relation to the Didcot Power Station collapse.
- Represented a department store business in the week-long inquest into the tragic death of a student who committed suicide at one of its stores.
- Acted for the operator of a leisure centre in the seven-day inquest into the death of a visitor who was fatally electrocuted when he climbed the fence surrounding an outdoor 5-a-side football pitch.
- Represented a train operating company at the inquest into the death of a passenger who suffered a cardiac arrest during her journey.

- Represented the company which operated a nursing home and its Managing Director in the week-long inquest into the death of a resident who contracted Legionnaires' disease.
- Represented a train operating company at the inquest into the death of a passenger who jumped onto the outside of a train as it was departing from a station.
- Represented a care home at the week-long inquest into the death of a resident who refused to take his medication and subsequently died of diabetic ketoacidosis.
- Represented one of the 'Big Four' supermarkets at the inquest into the death of a customer who collapsed outside one of its stores.
- Represented a care home in the four-day inquest into the death of a resident who had developed a Grade 4 pressure sore.
- Represented a catering company at the inquest into the death of a primary school pupil who suffered a severe allergic reaction.
- An inquest into the death of a railway depot worker who was electrocuted when he came into contact with the third rail.
- Junior counsel (led by Ben Compton Q.C.) for the care home in an inquest into the death of an elderly resident who suffered fatal scalding injuries.
- A week-long inquest into the death of a motorway worker who was trapped by the boom of a vacuum excavation machine.
- A week-long inquest into the death of a supervisor killed when a silo of ink slipped from the forks of a forklift truck.
- A week-long inquest into the death of a resident at a care home who choked on food.
- A two-week inquest into the death of a member of the public who was struck by a horse and carriage at a country fair.
- An inquest into the death of an infant who suffered serious fireplace burns.
- A two-week inquest into the death of a contractor who fell from a cherry picker.
- A four-day inquest into the death of a driver killed during a police pursuit.
- A two-week inquest into the deaths of two students who were crushed to death at a nightclub in Northampton in 2011.
- An inquest into the death of a patient who failed to recover from anaesthetic following major surgery.
- Instructed to represent Maidstone and Tunbridge Wells NHS Trust in the two-week inquest following the trial at which the Trust was acquitted of corporate manslaughter.
- Represented an international carpet company in the five-week inquest into the death of an employee crushed by moving machinery. The case involved detailed consideration of the respective obligations of designers, suppliers and users of machinery.
- Junior counsel (led by James Maxwell-Scott Q.C.) to the Coroner in the Lakanal House tower block fire inquests. The inquests lasted 3 months.
- A week-long inquest into the death in custody of a remand prisoner. The case involved detailed examination of the mental health care arrangements at the prison.

Regulatory & Consumer Law

Regulatory & Consumer Law

Mike has developed a strong practice in Regulatory & Consumer Law, including Food Safety, Product Safety, Consumer Law, the regulation of medical devices, and building regulations.



He is regularly instructed to advise in relation to cases concerning food allergies, food poisoning, and the sale of date-expired food.

Selected Cases

Regulatory & Consumer Law

- Advising a foreign food manufacturing business in connection with the investigation into the death of a customer who suffered a severe allergic reaction.
- Representing various clients in connection with the alleged sale of date-expired food.
- Represented a restaurant chain prosecuted after a customer was served food containing nuts despite having told staff that she had a severe nut allergy.
- Represented a catering company at the inquest into the death of a primary school pupil who suffered a severe allergic reaction.
- Advised a British food industry association on the compatibility of proposed domestic legislation with European Union law.
- Represented the local authority in a prosecution of a High Street coffee shop chain for food safety offences.
- Represented an Italian espresso machine manufacturer prosecuted for supplying unsafe equipment. Successfully argued that the Court lacked jurisdiction to try the alleged offence.
- Represented a supplier of fire safety equipment at an inquest where it was suggested that the company was responsible for an accident in which a child died.
- Represented a salesman charged with using misleading and aggressive sales practices to sell adjustable and massaging beds to customers. Many of the alleged victims were elderly and vulnerable. Simon Antrobus represented the employer.
- Represented the owner of a restaurant at which inspectors discovered live mice in boxes of food and many other serious breaches of food hygiene legislation.
- *Templeton Insurance Ltd v Motorcare Warranties Ltd* [2013] All ER (D) 32 (Feb) – Junior counsel (led by Ben Quiney Q.C.) for a company director on his successful appeal to the Court of Appeal against a custodial sentence imposed for contempt of court (failure to comply with the terms of a freezing order made by the Commercial Court).

Qualifications

- Queen Mother Scholarship, Middle Temple
- BVC (Outstanding)
- BA (Hons) (Cantab)

Memberships

- HSLA



Recommendations

"He is extremely meticulous and has a forensic approach to his preparation of his cases."

Chambers & Partners, 2022

"Excellent attention to detail with really top-quality presentation and knowledge – very impressive."

Legal 500, 2022

"He's not just buried in the detail but is also strategic in his thinking."

Chambers & Partners, 2022

"Great attention to detail. He very quickly gets into the issues of a case and is able to ascertain the best way forward for a client. He can also be relied upon to deal with any negative aspects of a client's case in a sensitive way."

Legal 500, 2021

"He works phenomenally hard and is a confident and highly intelligent advocate."; "An extremely thorough and strong advocate."

Chambers & Partners, 2021

"One of the best juniors out there in this field. His attention to detail and analytical mind are two key strengths which in the main set him apart. He also has a capacity for unstinting hard work and graft! Technically superb."

Legal 500, 2021

"A rising star" and "a very accomplished technical lawyer who works very hard and is always very well prepared."

Chambers & Partners, 2020

"A very user-friendly barrister."

Legal 500, 2020

"Brilliant in terms of his attention to detail and the way he takes hold of a case."

Chambers & Partners, 2019

"Phenomenally hard-working and fights his client's corner with conviction. He has both skill and tenacity."

Chambers & Partners, 2018

"A real lawyers' lawyer, who demonstrates a painstaking attention to detail and outstanding intellect."

Legal 500, 2017

"Absolutely excellent and so hardworking, he's fully switched on."

Chambers UK, 2017