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David Travers QC

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Area of expertise
[Arbitration](#)
[Criminal Law](#)
[Inquests & Inquiries](#)
[Planning & Environmental](#)
[Public Law](#)
[Regulatory & Competition](#)

Professional memberships
Food Law Group
International Bar Association
Lex Anglo Brasil
Planning and Environmental Bar Association
UK Environmental Law Association
Health & Safety Lawyers Association
Association of Regulatory & Disciplinary Lawyers

Profile

Recommendations

"A very intelligent man, a fearsome opponent and a very able barrister. He unquestionably knows as much about consumer law as any silk at the Bar. He is at the pinnacle of criminal consumer law."

"A robust fighter. A pugilist!"

Chambers UK Bar Guide [2018]

"He has an impeccable manner both in court and with clients".

"A heavyweight with encyclopaedic knowledge".

Legal 500 [2017]

"A silent assassin with a huge brain: in a contentious situation, he'll have spotted all the angles and witnesses don't see him coming."

"He takes the pressure off due to his calm demeanour."

"He is meticulous in preparation and a great team player."

"He has an exceptional skill level and his work is extremely good."

Chambers UK Bar Guide [2017]

□A class act, who is tactically brilliant and easy to use; clients love him and opponents fear him□

□A very bright and charming man with a real strength in food-related consumer law□

□Recommended for defending against environmental regulators□

Legal 500 [2016]

"Witnesses underestimate him at their peril; he is a real heavyweight."

"He has a calming influence and holds the attention of the court every time he rises to speak."

"A real heavyweight □ he is the QC clients ask for if they are in the know."

Legal 500 [2015]

Appointments

Visiting Professor at Business Accountability and Responsibility Centre, University of South Wales;
Honorary Fellow of the Society of Food Hygiene and Technology; Accredited Mediator; Legal Advisor
to the GMC, Legal Advisor to the GDC

Practice

David Travers is unique at the bar in being recommended as a leading barrister in the three fields of Health and Safety, Environmental Law and Consumer Law.

A former Royal Institution Australian Science Scholar and a Harmsworth Scholar, David Travers read Law at King's College London where he was Editor of the Law School Journal. He sits as a legal advisor to the Professional Conduct Committee of the General Medical Council and the General Dental Council and is an Accredited Mediator. David was a Member of the General Council of the Bar 1995 – 2000 and a member of the Law Reform Committee and the Bar Services Committee of the Bar Council 1996 to 1998.

David Travers is recommended in the [Chambers UK Bar Directory](#) and [Legal 500](#). David Travers is ranked as a Leading Individual in Health & Safety by the international publication 'Best Lawyers UK' (2019 edition). In February 2015 he was named Food Law UK Barrister of the Year in the annual Corporate LiveWire Lawyer Awards. To view the brochure [click here](#). He has also been named top Consumer Law Barrister of the Year in the Finance Monthly annuals awards announced in April 2015. [Click here](#) for the full awards list.

He has, whilst in practice been a lecturer at the University of Manchester Institute of Science and Technology, an occasional tutor at the School of Biomedical Science and Biomedical Ethics at the University of Birmingham and a Libel Reader on the Daily Express and Daily Star.

David Travers acts for clients all over England and Wales, for businesses ranging from major industrial concerns and well known high street names to sole traders, as well as for Local Authorities and National Regulatory Bodies.

The vast majority of his practice is in Regulatory Crime (principally Health and Safety - including Fire Safety, Food Safety, Environmental Protection and Trading Standards) and Public Law (including Environment, Planning and Local Government matters). He has appeared in courts at every level from the Magistrates' Court to the House of Lords as well as in disciplinary and professional conduct tribunals and inquests. Many of his cases have been reported in the Law Reports or specialist publications and a number have received national publicity in the media (including successfully leading the defence in the case of Gillian Beckingham, the local authority architect accused of manslaughter after an outbreak of legionnaire's disease at Barrow-in-Furness).

He is regularly instructed in the defence of prosecutions arising from work-related fatal accidents and is happy to be involved from an early stage helping guide the conduct of the case from before the PACE interview, through the inquest, to the final disposal. His food safety work generally involves serious food poisoning outbreaks.

He is particularly experienced in cases involving scientific or technical evidence.

As a junior he was a member of the Attorney General's Panel of Counsel (Criminal) (List A).

David Travers also appears in cases involving the administration and governance of Local authorities and companies and in professional conduct and disciplinary matters.

He also appears in cases arising from breaches of planning control, management and deposit of Waste and other environmental protection matters including statutory nuisance. David Travers is particularly experienced in cases involving scientific or technical evidence. He has appeared at Public Inquiries in relation to appeals against refusal of planning permission and called in matters particularly in relation to landfill and waste management facilities and in appeals including in respect of Bye Laws, Waste Management Licences and Net Limitation Orders. He regularly advises in a wide

range of Regulatory and Local Government matters and appears in the Administrative Court in respect of Judicial Review and Statutory Review. He appears for and advises both decision makers susceptible of Judicial Review and those who are challenging the lawfulness or exercise of discretion.

Training & Conferences

David Travers is a much sought after speaker at professional training events.

He has chaired or presented papers at numerous conferences in the past including:

In November 2016 he presented a paper on "The Autonomous Consumer and the Dutiful State" at Dalhousie University, Halifax, Nova Scotia at the first conference on "Food Law and Policy in Canada".

In October 2016 he spoke on product recalls in a session entitled "Recalls, reputations and repeat business: bringing companies and their products back from the brink of disaster" at the International Bar Association Annual Conference in Washington DC.

In July 2016 he chaired the launch of the Catering Industry Guide for the British Hospitality Association at the RAF Club in London.

In May 2016 he chaired a conference at the House of Lords organised by the Business Accountability and Responsibility Centre at the University of South Wales.

In July 2015 he spoke at the Chartered Institute of Trading Standards Conference in Bournemouth.

In May 2015 he participated in a Moot for Lex Anglo-Brasil, together with the Bar Council of England and Wales Moot Night, as part of the Brazilian Judges' Association (AMB) Second International Congress on 24 May.

In May 2014 he lectured on the new EU Regulation on the Provision of Food Information to Consumers (1169/2011 EC) at a forthcoming Royal Society for Public Health conference entitled 'Allergies on a Plate'.

September 2013: He taught a course on Professional Disciplinary tribunals. The course, entitled ['Enforcing Professional Duties and Obligations'](#) was organised by CLT.

In October 2012: He presented a paper on "Taking Responsibility for Risk Prevention" in the Conference "[Working Together for Risk Prevention, Management Leadership and Worker Participation](#)". The conference was organised by Cardiff & South East Wales Occupational Health and Safety Group, South Wales IOSH and South Wales Construction Safety Group as part of European Safety Week.

September 2012: Chaired the Eversheds residential Summer School "Safety and Director Leadership" at The Queen's College Oxford.

April 2012: He addressed the Local Government Group of the Law Society at the annual Week End School where he was invited to make the after dinner speech.

April 2012: Delivered his Inaugural Lecture "Taking Responsibility" - on the duties of directors - on his appointment as Visiting Professor at Newport Business School.

March 2012: Presented a paper "The Galefreyan Conundrum" on "Chemicals in the Environment" in the Castle Lecture Series at the Atheneum.

January 2012: Solicitors in Local Government (Northern Group) on ["Judicial Review - How to avoid it"](#) ?

December 2011: presented a paper entitled "Guideline Daily Amounts: Knowing What You Can and Can't Claim on Your Labels" at the c5 Conference "Food Safety, Health Claims and Regulation in Europe" in Brussels.

October 2011: co-chaired, with Jon Cooper of Bond Pierce a conference for Central Law Training entitled "Health and Safety Executive Investigations and Prosecutions".

September 2011: chaired the Eversheds Health and Safety Summer School entitled "Culture and Cost Consciousness" at Christ Church, Oxford.

September 2011: at a closed conference in the Business Accountability & Responsibility Centre of the International Business School at Newport, "Perspectives in Corporate Manslaughter". David presented a paper entitled "The Corporate Manslaughter and Corporate Homicide Act - a Pyrric triumph".

July 2011: presented a paper entitled "The Framework Directive - a wasted opportunity?" at the European Environmental Law Association Seminar on the ["EU Waste Framework Directive \(WFD\) and its Transposition by EU Member States, and Potential Impacts on the Regulated Community"](#) at Oriol College, Oxford.

May 2011: chaired a conference organised by Central Law Training on "Corporate Governance for Local Authorities" and presented a paper entitled "Controlling the Quality of Decision Making".

November 2010 at the [Royal Society for Public Health Conference](#), presented a paper called "Food Challenges: Systems, Inspections and Outbreaks".

Publications

David Travers is co-author with Giles Atkinson and Noemi Byrd (also of Six Pump Court Chambers) of a new publication [Planning Law and Practice](#) published in April 2013 by Wildy, Simmons and Hill.

He is co-author of a new book ['Planning Enforcement'](#) published by Wildy, Simmons and Hill in 2015.

David has also written on the regulation of directors, most recently in the International Journal of Law and Management, in a special issue on responsibility and accountability in business. His article, entitled ['Towards Professional-Model Regulation of Directors' Conduct'](#), appears in Int. J.L.M. (2013) 55 (2) 123-140.

Notable cases include:

- Harlow Borough Council v G4S Cash Solutions Ltd [2016]
Defending a company prosecuted for failure to comply with its obligations in respect of the management of the risk of legionnaire's disease.
- Advising a major food manufacturer on a food product recall.
- Re Lee Jane [2016] Acting for a major waste management at an inquest company following a fatal incident involving an employee.
- Birmingham City Council v Mitchells and Butlers plc [2016]
Defending a major food retailer following allegations of a rodent infestation in a city centre public house.
- Health and Safety Executive v West Coast Railway Company [2016]
Defending a train operator following a SPAD (Signal Passed at Danger) which could have led to a collision between a train operated by the defendant and a London to Bristol Express on the mainline.
- Health and Safety Executive v Folwers Ltd and Veolia (Sheffield) Limited [2016]
Defending a prosecution brought after a death during maintainance works at a co-defendants' workshop.
- Bassetlaw District Council v Wilko Ltd [2016]
Defending a major retailer following a fatal incident involving a fork lift truck.
- Advising an international research facility on compliance with environmental obligations.
- Office of Rail Regulation v Millward [2016]
Acting in the prosecution of a rail worker following a fatal incident involving a co worker.
- Health and Safety Executive v Veolia ES UK Ltd [2015]
Representing a mayor recycling company following the collapse of a stack of bales onto an employee.
- Re Robert Geech [2015]
Acting for a utility company at an inquest concerning a member of the workforce.
- Health and Safety Executive v Rettenmaier UK Ltd [2015]
Defending a manufacturing compny after a fatality occurred during the commissioning of a new factory.
- Preston City Council v JD Sports [2015]
Defending a major retailer in relation to a lift safety incident involving customers.
- West Berkshire District Council v Just Lamps Ltd [2015]
Acting in the prosecution of a company accused of breach of projector lamp manufacturers intellectual property rights.
- Re Kingsley Burrell [2015]
Acting for a Mental Health Trust in an inquest concerning the death of a young man following restraint by the police in a psychiatric facility.
- London Fire and Emergency Planning Authority v Patel [2015]
Acting at first instance and in the and Court of Appeal, for a hotel owner accused of numerous breaches of the Regulatory Reform (Fire Safety) Order.
- Advising a retailer on a threatened product recall on safety grounds.
- Advising a global engineering company in relation to non-compliance with safety standards and a threatened product recall.
- Havering Borough Council v Mitchells and Butlers plc and others [2014]
Defending a major food retailer after a fatal food poisoning outbreak in the longest ever food safety trial.
- Advising a public body in relation to the health and Safety implication of re allocating expenditure.
- Health and Safe Executive v National Express [2014]

- Defending a passenger transit company after a fatal incident in a workshop.
- Leicester City Council v Ingelby [2014]
Acting for a company and its director after alleged breach of Conservation Area obligations.
- Hereford & Worcester Fire and Rescue Service v Kaveh [2014]
Acting for the owner of a private school in relation to numerous alleged breaches of the Regulatory Reform (Fire Safety) Order Environment Agency v Freeman [2013]
Acting for a landowner in relation to allegations of non-compliance with environmental permits Bristol City Council v Costco [2013]
Acted for a major wholesaler in relation to allegations of a rodent infestation
- Royal Institution of Chartered Surveyors v Antino [2013]
Contested Disciplinary proceedings against surveyor before Disciplinary Panel and Appeal Panel.
- Surrey Heath Borough Council v Bob Potter Leisure Ltd [2013] Guildford Crown Court
Prosecution of company for inadequate risk assessments and failing to ensure the safety of non-employees at the Lakeside Complex.
- HSE v Christopher Taylor and others [2013] Newcastle Crown Court
Trial of company director arising from collapse of building during dismantling works
- HSE v EMR [2013] Southwark Crown Court
Case arising from a fatal accident at a metal recycling plant
- Food Standards Agency v Hook [2013]
Acting for farmer in relation to the sale of raw milk
- Re Bertha Perrin [2013]
Acting for major medical devices manufacturer at Inquest
- Environment Agency v Moy Park Ltd [2013]
Trial relating to breach of permit conditions in the agricultural sector
- Office of Rail Regulation v Network Rail and another [2013]
Trial arising from fatal accident associated with the use of heavy equipment on the rail network.
- Cumbria Trading Standards v Eurofoods Ltd [2013]
Defence of wholesale supply company accused of being responsible for restaurant sale of mis-described food.
- Food Standards Agency v Lawrence Wholesale Ltd [2012] Southwark Crown Court
Appeal against conviction for failing to protect food from the risk of contamination and failure properly to implement HACCP.
- R v Johnson (John Phillip) [2012] EWCA Crim 580
Representing a defendant whose home lay within a conservation area. He had demolished his own home in the course of reconstruction without conservation area consent. The court reviewed the criteria in sentencing such offences and considered the fines imposed in other cases before substantially reducing the fine imposed.
- Re. Cackett & Compton [2012]
Acting for interested party at an inquest concerning the death of patients at Basildon Hospital arising out of an outbreak of legionella.
- R (HSE) v Velcourt [2011] Salisbury Crown Court
Defended an agricultural company in a prosecution arising out of a fatal electric shock arising from the use of a combine harvester.
- Re. Lee Sheppard [2011] Inquest
Unusual inquest directed by the Secretary of State pursuant to section 15 of the Coroners Act in which the first question the jury had to determine was whether the named person had in fact died.

- R v Lafarge Cement UK Ltd [2010] Basildon Crown Court
Defence of a company after a serious electric shock incident at a cement batching plant.
- R v Hargreaves (UK) Services Ltd [2010] Grimsby Crown Court
Defence of a company after workplace transport fatality involving movement of a loading shovel in a coal stock yard.
- R v Biolabs UK Ltd [2010] Cirencester Crown Court
Defence of a company prosecuted for a Category 1 pollution incident and an explosion at a COMAH site.
- Thames Water plc Water Resources Management Plan Oxford [2010]
Public Inquiry Thames Water plc Water draft Water Resources Management Plan of Thames Water plc.
- R v (HSE) v SDI Group (UK) Ltd. [2010] Derby Crown Court. Defence of principal contractor in a specialist construction project after a sub contractor suffered catastrophic injuries caused by a fall from height.
- R (Office of Rail Regulation) v Serco Limited [2010] Southwark Crown Court. Prosecution arising from the death of a man who had fallen onto the track and was struck by a train on the Docklands Light Railway.
- R v the Co-Operative Group [2010] Southampton Crown Court. Defence of major retailer accused of breaches of the Fire Safety Regulatory Reform (Fire Safety) Order.
- R (HSE) v Veolia ES (UK) Ltd [2010] Aylesbury Crown Court. Defence of a company prosecuted after fatal accident arising from the use of recycling collection equipment.
- Lifeways Community Care Ltd [2010] Oxford Crown Court. Prosecution arising from a death caused by scalding in a domestic care setting.
- R v Royal Mail and another [2010] Reading Crown Court. Prosecution of Royal Mail and an individual arising from a fatal workplace transport accident.
- R (Office of Rail Regulation) v Network Rail & Cabin Club [2009] Snaresbrook Crown Court. Defence at a trial of rail infrastructure company in respect of grave electrical shock to a contractor's employee during the carrying out of works.
- R (HSE) v Lovell Partnerships plc [2009] Newcastle Crown Court. Defence of a construction company in relation to the fatal fall of a child from scaffolding.
- Wallis v Bristol Water plc [2009] EWHC 3432 (Admin) [2009] WLR (D) 362. Meaning of "likely to cause contamination" in regulations made under the Water Industry Act 1991. Point of law certified as of general public importance.
- R v Jinma Ltd and another [2009] Truro Crown Court. Defence of a director prosecuted in relation to a fatal accident involving an imported tractor.
- Re. Wilson (deceased) [2009] Inquest. Sheffield. Representing Fire and Rescue Service at an inquest into a fatal gas explosion.
- R (HSE) v Leek and another [2009] Wolverhampton Crown Court and [2010] Court of Appeal. Defence of lifeguard prosecuted after a drowning in a pool which he was supervising.
- R v Naturediet Ltd [2009] Old Bailey. Defence of company accused of manslaughter.
- R v Braha [2009] Wood Green Crown Court. Prosecution of trader under the Trade Marks Act for supply of counterfeit goods (leading, in 2010, to a confiscation order under the Proceeds of Crime Act in excess of £11,000,000)
- R v Durham County Council [2009] Durham Crown Court. Defence of local authority after death of adult in supported living.
- R (Office of Rail Regulation) v Network Rail [2008] Blackfriars Crown Court. Defence of rail infrastructure company in respect of serious electrical shock to a contractor's employee from a boundary fence.
- Enfield London Borough Council v Argos Ltd [2008] EWHC 2597 (Admin). Due diligence and

under age sales.

- R v Chalcraft Construction [2008] EWCA Crim 770. Proper sentence for construction related fatality.
- North Shropshire District Council v Llyncllys Farm Ltd [2008] Statutory nuisance case involving allegation of failure to properly control flies arising from agricultural operations.
- Bolton MBC v Hogan [2008] Bolton Crown Court. First trial involving the smoking ban.
- R (Royal Borough of Kensington & Chelsea) v The Outdoor Group [2007] Blackfriars Crown Court. Defence of retailer for inadequately controlling exposure to asbestos during building works.
- Express Contract Drying Ltd v Blaenau Gwent County Council [2007] Statutory nuisance allegation involving allegation of failure properly to control fugitive odour emissions.
- R v Beckingham [2006] EWCA Crim 773 and Preston Crown Court. Defence of a local authority architect accused of manslaughter after the UK's largest outbreak of legionnaire's disease (Barrow in Furness).
- Warboys, Cambridgeshire [2005]: Public Inquiry into hazardous waste site, successful objection based upon the nature, and likely destination of, fugitive odours from the site.
- Manchester City Council v Railtrack plc [2003] EHLR 8: Scope of exemption from Building Regulations available to statutory undertaker.
- Monks v East Northamptonshire DC (2002) 166 JP 592: Power of a regulatory body to prosecute in its own name.
- R v Killian & Lang (2002) 166 JP 169. Relationship between a false trade description and a misleading price indication.
- Farrand v Lazarus [2002] 3 All ER 175. Effectiveness of disclaimers and trade practice point of law certified as of general public importance.
- HSE v Harvestime Ltd and anor (Times 12 June 2001). Double fatality in commercial bakery oven. (The appeal against sentence of corporate defendants which pleaded guilty reported at [2003] 1 Cr App R (S) 44).
- Re Premiere Waste [1999] Public Inquiry into Waste Management Licence. Appeared for the Environment Agency successfully objecting to variation based upon the nature, and likely destination of, fugitive odours from the site.
- R v Crown Court at Snaresbrook ex parte Input Management (1999) 163 JP 533. Health and Safety prosecution - collapse of structure in night club - duty of appellate Court to give reasons.
- Inspirations East Limited v Dudley MBC (1998) 162 JP 800. Extent of "main features" of package holiday.
- The Taw & Torridge Fisheries Byelaw Inquiry, The Daily Telegraph 31.1.97 news item - fisheries/Net Limitation Order.
- Hilliers Ltd v Sefton MBC [1997] 3CL 424. Delegation of powers/duties within local authority.
- Lazarus v Coventry City Council (1996) 160 JP 188. Due diligence meaning of "information supplied".
- North Yorkshire CC v Entergold The Guardian 8.2.95. Breach of Site Licence and planning control at a Waste Transfer Station.
- Geotechnics Ltd. v Robbins [1995] CLY 2517. Relationship between the Health and Safety at Work Act and the Electricity at Work Regulations. Meaning of "premises" and "place".
- Ackerman v Coventry City Council (1995) LG & L 5 (5) 7-8. Unsafe product - "due diligence" defence s39 Consumer Protection Act.
- Meston Technical Services v Warwickshire County Council [1995] Env LR 380. Meaning of "Waste".
- T & S Stores Ltd. v Hereford & Worcester County Council [1995] Tr LR 337. Under age sales

and the due diligence defence.

- Gale v Dixons Ltd. (1994) JPN 256. Change of regime and the due diligence defence.
- Birmingham CC v H [1994] 2 AC 212. Child care - conflict of paramountcy between child and mother both in care.
- Janbo Trading Ltd. v Dudley MBC [1993] 157 JP 1056. Nature of a trade description.
- Dudley MBC v Firman Ltd. 1992 Independent 26 October. Flammable furniture coverings - sampling and the due diligence defence.
- Farrand v Tse Times 10.12.92. Emergency Protection Orders under the Food Safety Act.
- Edwards v CPS [1991] 155 JP 746. Review of licensing decision.
- A v Wigan MBC [1986] FLR 608. Child care.
- R v Coffey [1987] Crim LR 498. Crime.