

James Buchanan

"He's approachable, has a keen legal mind and is very strategic." "He is fantastic with clients and is very responsive. He is also a great advocate on his feet and charms coroners and juries alike." and "A really pragmatic barrister. He is tactically very strong and has a dry sense of humour."

Chambers UK 2021



Year of Call: 1993

020 7353 5324

James Buchanan is recognised as a leading criminal and inquest practitioner, specialising in corporate and gross negligence manslaughter, health and safety, trading standards offences and financial crime.

James specialises in workplace crime and has significant experience within the construction, retail, manufacturing, transport and healthcare sectors.

What others say:

"James grasps issues very quickly and is able to articulate arguments with relative ease. He is well liked by juries and has become well versed in his knowledge of health and safety law. He has a likeable manner and has a way of putting clients at ease." – Legal 500 UK 2021

"He is very experienced and very good with clients, and his main strength is that he is so approachable and down-to-earth." "Great attention to detail in preparation and first class presentation in court." Chambers UK 2020

"Very good on his feet with a great client manner." – Legal 500 2020

"Very good with clients, very down-to-earth and very approachable. He's brilliant with clients." – Chambers UK 2018

"A good team player, who is a pleasure to work with." – Legal 500 2017

"Charming, knowledgeable and justifiably established as one of the leading juniors for health and safety." – Chambers UK 2017

"He is excellent in front of clients and very able on his feet. His 'red-meat' criminal background stands him in good stead when dealing with complex regulatory matters. His case analysis is sound and he is incredibly hard-working and very approachable. He is very good at building relationships." –

Location

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Criminal Defence

James has an established track record in the defence of professionals charged with serious and complex crime and acts in proceedings brought by the leading prosecuting authorities. He has appeared as leading counsel in numerous multi-handed trials, often involving serious organised crime and flowing from large-scale investigations run by, amongst others: the Serious Fraud Office; the Serious and Organised Crime Agency; HMRC; Trading Standards; Operation Trident and the Flying Squad.

Criminal Regulatory

James' practice focuses on workplace crime, particularly in relation to health and safety matters. His work covers the full range of offences, from manslaughter to prosecutions under the HSWA arising out of fatal and non-fatal accidents.

James has significant experience of the construction, transport and healthcare sectors and is currently instructed in numerous cases involving fatalities and catastrophic personal injuries.

He is a specialist defence practitioner with a reputation as a robust trial advocate and shrewd tactician.

Cases

R v NS (2021)

Instructed to represent a company director charged with Gross Negligence Manslaughter following the death of a sub-contractor who was working at height on a construction site. Trial listed in April 2022.

R v P Ltd (2021)

Instructed to act on behalf of a specialist roofing contractor (acting as the Principal Contractor) following the death of the employee of a sub-contractor.

HSE v DDL (2021)

Advising a haulage company following the death of an employee during the course of a complex lifting operation. Charged with s.2 HSWA.

Concerning the deaths of S and A (2020)

Instructed to represent a flying school following the deaths of a flying instructor and student during the course of a seemingly routine 'VFR' flight.

HSE v BD (2020)

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A demolition company charged with section 2 HSWA offence following catastrophic crushing injuries sustained by an employee when working at height.

HSE v N (2020)

Representing the Principal Contractor charged with CDM 2015 offence following a near fatal accident during the course of a lifting operation on a construction site.

HSE v TD (2020)

Representing a mine operator charged with section 2 HSWA offence following an underground collapse causing serious crushing injuries to a number of employees.

HSE v AAL (2019)

A cargo handling company charged with s.2 HSWA offence following a serious accident during the course of a lifting operation.

NNDC v WCS (2019)

Operators of a holiday park charged in connection with a non-fatal drowning incident in an onsite swimming pool.

LBC v FF (2019)

Retained to advise a market leading fitness club operator following the death by drowning of a club member.

HSE v RL (2019)

A dairy farmer charged in connection with the death of a farm worker after a fall from height.

HSE v PSL (2019)

Advising operators of a sawmill following fatal injuries sustained by the operator of a panel sorting and stacking line.

HSE v WF (2019)

Advising WF, an employee of Veolia, following the death of a rough sleeper who was crushed to death when the waste bin he had been sleeping in was tipped into a waste collection lorry.

HSE v DDL (2019)

Advising a haulage company following the death of an employee during the course of a lifting operation.

R v NJ (2018)

Retained to advise company director under investigation for Gross Negligence Manslaughter.

HSE v LONDON BOROUGH OF CROYDON (2018)

LBC charged with s.2 HSWA offence following accident causing an employee with learning difficulties catastrophic injuries. [[*Link to read more*](#)]

HSE v C (2018)

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Defendant, the Operations Manager of a demolition company, charged with offences contrary to The Control of Asbestos Regulations.

R v AC Limited (2018)

Retained to advise construction company under investigation for Corporate Manslaughter following the death of a sub-contractor who sustained fatal crushing injuries during the course of a loading operation.

HSE v CA Limited (2018)

Retained to advise company under investigation following a number of incidents at a potash mine in the north of England.

HSE v Dnata International Limited (2017)

Defendant, a wholly owned part of Emirates Airline, charged in connection with alleged breaches of the Ionising Radiation Regulations 1999.

R v Wortley (2017)

Defendant, a ground works supervisor, charged with Gross Negligence Manslaughter, s.2 HSWA and Perverting the Course of Justice. Acquitted following an 8-week trial at Northampton Crown Court. Read about the case in more detail [here](#).

HSE v Ontime Automotive Limited (2017)

Representing company, a vehicle recovery specialist, charged with breaching section 2 HSWA following the death of an employee who sustained fatal crushing injuries whilst lowering the upper deck of a vehicle transporter.

CCBC v Enterprise Inns Plc (2016)

Company charged with breaching section 2 HSWA and multiple breaches of Gas Safety (Installation and Use Regulations) and PUWER, following serious injuries sustained by the tenant of licensed premises the freehold of which was held by the company.

HSE v Topbond Group Plc (2016)

The company was sub-contracted to undertake complex engineering works in order to remove and replace a concrete culvert running beneath a major highway. Charged with breaching CDM regulations following collapse of existing culvert during the course of excavation works.

HSE v Freight First Limited (2015 – 2016)

Represented company, a specialist short-notice haulier, charged with breaching section 2 HSWA following the death of an employee who sustained fatal crushing injuries whilst shunting (coupling and uncoupling) an articulated vehicle. The court required a 9-day *Newton* hearing in order to consider a wide range of complex technical evidence and guidance.

Inquests & Public Inquiries

James has experience of a wide range of inquests including:

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- Deaths arising out of accidents in the workplace specifically on construction sites;
- Alleged negligent medical care in hospitals and in the community;
- Incidents in care homes;
- Homicides; and
- Incidents in custody.

Cases

2019

Represented Dr CB, a GP at HMP Peterborough, in connection with the death of Ms Annabella Landsberg. Instructed by Johanna Seccombe, MDDUS.

2019

Represented WF, an employee of Veolia, following the death of a rough sleeper who was crushed to death when the bin he had been sleeping in was tipped into a waste collection lorry. Instructed by Anna Naylor, Kennedys.

2018

Represented the Richmond Fellowship, a charity supporting individuals with mental health problems to live independently. A 10-day Article 2 inquest followed the death -caused by catastrophic self-inflicted injuries – of a young man living in accommodation provided by the Fellowship. The jury concluded that actions of the Fellowship had not caused or contributed to the death and the Coroner declined to make a Preventing Future Deaths Report.

Instructed by Michael Hafen, Gowling WLG

2018

Instructed on behalf of Dr JH following the death of a patient from an untreated abdominal aortic aneurysm (AAA). The patient had been referred by Dr H for scans in connection with an unconnected illness and those responsible for his secondary care had failed to act upon the incidental finding of an AAA. The Coroner made no criticism of Dr H, but concluded that neglect in secondary care had contributed to the death.

Instructed by Sara Mason, MDU

2017/18

4-week inquest following the death in custody of a prisoner suffering from serious mental health issues. Represented Dr OT, a GP with overall responsibility for the provision of primary care services at HMP Parc.

Instructed by Nick Tennant, MDU

2017

Represented Dr JB, a Consultant in emergency medicine, following the death of a three-year-old boy with Down's Syndrome. The child was said to have been "abandoned in A&E" with significant delays in treatment leading to his death from bronchial pneumonia. The Coroner returned a conclusion of death by natural causes and did not find that neglect had caused or contributed to the death. [Click here](#) to read about the case in the press.

Instructed by Nick Tennant, MDU

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2016

Represented the Principal Contractor responsible for cosmetic refurbishment at a BUPA care home. Resident died as a result of contracting Legionella Pneumonitis. Instructed by Kennedys.

2016

Represented a health care trust contracted to provide primary care in the high security unit at HMP Woodhill. Inquest concerned the death, by suicide, of a vulnerable but highly dangerous transgender prisoner. Instructed by Radcliffes LeBrasseur.

2015

Represented ES Limited in the aftermath of an outbreak of Legionella Pneumonia at a health spa. Alleged failures in the management of water systems were attributed to the neglect of the company. Instructed by Kennedys.

2015

10-day inquest following the death of a patient at Barnsley General Hospital. Represented a Senior House Officer who, in combination with colleagues, was said to have failed in his duty to provide an appropriate level of care. Instructed by RadcliffesLeBrasseur.

2015

Represented a general practitioner following the death of a drug dependent inmate at HMP Belmarsh. The 5-week inquest was concerned with alleged individual and systemic failures. Instructed by the Medical Defence Union.

2014

Represented Hanson PLC following a fall from height at a construction site in the City of London. Instructed by DAC Beachcroft

Professional Discipline

James regularly represents medical professional appearing in front of the General Medical Council (GMC) and also appears as Presenting Officer on behalf of the National College for Teaching and Leadership (NCTL).

Cases

GMC & GDC

James appears regularly for practitioners at IOP and FTP hearings.

GOC

Appointed to the panel of advocates authorised to act on behalf of the General Optical Council.

Accreditations

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Appointments & Memberships

- Association of Regulatory & Disciplinary Lawyers
- Criminal Bar Association
- Health & Safety Lawyers' Association

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