



Sailesh Mehta

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Sailesh Mehta is a leading advocate who has defended and prosecuted in some of the most serious and important cases over the last 30 years. His practice ranges from serious and organised crime to high-profile regulatory cases. He sits as a Recorder of the Crown Court.

Crime

Sailesh Mehta has a leading, heavyweight criminal practice, ranging from terrorism to murder to large-scale fraud. He advises institutions at national level. He has prosecuted and defended well-known corporations and their directors in relation to serious alleged criminality. He has lectured in the UK and abroad on aspects of criminal law.

Organised Crime

Sailesh Mehta has defended as leading Counsel in a number of cases relating to "organised crime" including: Chinese "snakehead" and triad cases conspiracies involving kidnap, torture and people trafficking; drugs and arms importation and distribution conspiracies.

Significant cases since 2009 include:

- Defending in a number of multi-handed conspiracies alleging importation and distribution of steroids by organised gang whose distribution network was said to cover most of the UK.
- Was led Counsel for the leader of an organised crime gang in a murder involving a drugs turf war.
- Leading Counsel in a series of "cash for crash" cases involving gangs in London and Newcastle, including one of the largest family-gang related investigations of the North East.
- Leading Counsel in a series of triad kidnap cases in which the victims were kidnapped and tortured so that their families in China would pay ransom.
- Represented leading figures in alleged "crime families" in relation to drugs and money

laundering allegations.

Fraud & Proceeds of Crime (POCA)

Sailesh is regularly instructed as Leading Counsel in large and complex fraud cases, usually involving numerous defendants, corporations and substantial assets.

Significant cases since 2009 include:

- **R v. BM and Co.** Currently advising and representing a large airport car-parking company and its director in a fraud and money-laundering allegation (and restraint order).
- **R v. TD and SJ.** Multi-million pound fraud of a recycling scheme that had international dimensions, involving 43,000 documents.
- **R v. JE.** Proceeds of Crime Act application for the main defendant in a £134m conspiracy to import cannabis into the UK. After submissions the figure was reduced to £6m.
- **R v. MT and others.** Represented main defendant (out of ten) in a multi-million “Box top Fraud” of Virgin Media, said to have cost the company up to £200m in lost revenue (eventually sentenced on £1m loss).
- **R v. P and others:** Large-scale immigration fraud.
- **R v. JM.** Defended a multi-million pound, complex fraud of banks – defendant fooled a number of eminent psychiatrists into believing his actions were controlled by a large “man-rabbit”.
- **R v M.** Court of Appeal - Authority for the proposition that a restaurant used as a front for money-laundering cannot be a "realisable asset" when it has no intrinsic value.
- **R v O'Donnell; R v Gray.** Prosecuted two of the largest asset-chasing cases in environmental law.
- **“Cash for Crash” fraud.** Defended a series of insurance fraud cases involving large fraud gangs throughout the UK.
- **R v. JC (2015).** Represented the main defendant in a 7-defendant case involving one of the North East's largest tobacco importation conspiracies: 3 year sentence after a guilty plea followed by a complex Proceeds of Crime Act confiscation hearing with realizable assets assessed as “nil”.

VAT Tribunal Cases

Instructed as leading Counsel [with two Junior Counsel] by Customs and Excise in VAT fraud. The applicant failed in his attempt to seek VAT returns of over £10m.

Homicide

Sailesh is regularly instructed in high-profile murder cases. He is a sought-after advocate particularly for cases in which a conflict between defendants is likely to arise.

- **R v. AM and others (2014)** A notorious Exeter murder involving a background of gangs and

drugs, extreme violence: all the defendants were involved in a "cut-throat" defences. Press Link: [BBC](#)

- [R v. MR \(2012\)](#) Represented a solicitor charged with murdering his wife after months of abuse. Press Link: [BBC](#)
- [R v. KT and others \(2008\)](#) Leading Counsel in a 2-month long triple-murder and double attempted murder, which (represented the father of the alleged murderers who was charged with assisting his sons to flee the country). Press Link: [BBC](#)
- [R v. RW and others \(2010\)](#) (the "Matalan murder"). Defended the store security manager in a "cut-throat" defence: the only defendant (out of 7) to be acquitted of murder and manslaughter. Press Link: [BBC](#)
- [R v. C](#) Soliciting to murder: after many years' marriage, C hired a "hit-man" to kill his wife, having taken out two insurance policies on her.

Terrorism

- [R v. MK \(2016\)](#). The first terrorism case to be tried in the North East. The defendant was alleged to be a funder and recruiter of terrorists; he had a bomb-making manual and was preparing to go to Syria. The case is now the leading authority on sentencing in terrorism cases after a specially constituted Court of Appeal hear the Attorney-General's appeal: [\[2016\] EWCA Crim 568](#).

Sexual Offences

Sailesh Mehta is instructed in cases involving serious sexual allegations. He is among a small number of Recorders "ticketed" to try serious sexual offence cases.

Significant cases since 2012 include:

- Instructed in the well-publicised case involving "grooming" of young girls by taxi drivers in Teeside.
- Instructed in a sensitive case involving a 14-year old defendant charged with the rape of his young step-sisters.
- Successfully defended in a rape case in East London, which became a local "cause celebre" when the "victim" was arrested for giving false evidence in the trial.
- Instructed in a multi-handed rape in which guilty pleas had to be vacated

Professional Disciplinary & Regulatory

Environmental Crime

Sailesh Mehta has prosecuted and advised the Environment Agency and has also defended some of the most important recent environmental cases. He is regularly instructed in criminal environmental cases involving a complex, novel or difficult aspect of environmental law.

Sailesh has helped to shape environmental prosecution policy, over the last 20 years, advising the Environment Agency not only on specific cases, but also on aspects of national policy, disclosure and changes of legislation.

Sailesh lectured 250 Judges from 45 countries at the Commonwealth Judges' Conference in Tanzania in September 2017 on aspects of Environmental Law. Towards the end of 2014 Sailesh travelled to Segovia in Northern Spain to speak to an international gathering of Environmental Lawyers in relation to the export of waste from developed economies to the developing economies.

Environmental Law

Sailesh has been instructed in a series of cases involving the international export of waste to developing countries, which have been heard in the Crown Court and the Court of Appeal: they resulted in a change and clarification of the law in this growing area. One case led to a formal complaint against the UK by the President of Brazil. Press Link: [BBC](#)

Significant cases since 2012 include:

- **R v Thames Water** Prosecuted Thames Water for causing millions of gallons of effluent to enter the River Thames, resulting in a record fine of £20.3m. This case received wide media coverage (including the financial press). Press Link: [The Guardian](#)
- **R v H N. A** “test case” on whether plastic pots containing plants were packaging. Industry representatives from Europe attended to keep a “watching brief” and the case resulted in a change in the way the law relating the waste packaging was interpreted. Press Link: [Telegraph](#)
- **R v G PLC** Leading counsel in an international waste export case – the Mayor of London expressed concern that a prosecution of the company may result in London streets being littered with uncollected waste This was the first in a series of cases demonstrating the UK’s commitment to lead Europe in stopping the export of harmful waste to developing countries.
- **R v A and K** This case involved two of London’s most prolific polluters who dumped large volumes of controlled waste all over London. The case became a sentencing authority for serious and persistent polluters.

Health & Safety

Regularly instructed by the Health and Safety Executive to prosecute major PLCs and their directors in cases involving multiple death or serious injury.

Significant cases since 2012 include:

- **R v. O Ltd and others (2017)** Prosecuted a fatality case in which the driver of a tow truck was crushed when the top deck fell on him while he was cleaning the vehicle.
- **R v B PLC and others (2017)** Prosecuted one of the largest international construction company and its sub-contractors who demolished parts of a school without using any safety measures to protect staff and pupils from the asbestos which was exposed by the demolition.
- **R v T and S (2017 - ongoing)** Prosecuting a farm partnership whose young employee was killed while driving a harvest-laden farm vehicle whose brakes did not function correctly. The vehicle could not stop at a roundabout due to the state of its brakes and crashed, killing the young driver.
- **R v B.** Prosecuted (first contested trial under the Health Act) a pub landlord who smoked cigarettes with customers in his pub: the defendant was backed by a pro-smoking lobby which used the media to air its case.
- **R v W.** Prosecuted a boiler and central heating engineer who had fitted “death traps” which could have resulted in multiple deaths if not caught in time.
- **R v D Ltd** Prosecuted in a case involving the death of a welder working in a confined space on a ship.
- **R v W Ltd** Prosecuted a fatal accident inside a printing press which was used to print The Economist.
- **HSE v C** Complex case involving an accident which resulted in a factory worker losing his arm.
- **HSE v M** and Ors Death of a man in a yard while driving a fork-lift truck. His 16-year old son was the first on the scene and helped to recover the body. Causation was an issue and a complicating feature.

Fire Law

Sailesh Mehta is one of a handful of barristers in the UK who specialises in fire law. He leads the Red Lion Chambers Fire Law Team. He has advised fire brigades across the country on aspects of law and policy, and prosecutes and defends, particularly in fatality cases.

Significant cases since 2012 include:

- **R v. St. H (2017).** Instructed to prosecute in relation to a fire in a hospice which resulted in the deaths of residents. Press Link: [BBC](#)
- **R v F (2013)** Led a prosecution team in respect of breach of fire regulations which caused the deaths of 2 jockeys in a North Yorkshire fire. The sentence of the defendant is now an authority on sentencing in this area of law. Press Link: [BBC](#)

International Representation

In 2017, Sailesh spoke at the Annual Conference of the Commonwealth Magistrates' and Judges' Association, in Tanzania. He addressed over 200 Judges from over 40 jurisdictions, on aspects of environmental law.

Sailesh is a founding member of the Bar Human Rights Committee. As its first Vice-Chairman he advised a number of organisations on human rights law and lectured on aspects of the subject. He regularly advises on cases with an international perspective.

Sailesh has been a trial observer abroad, and a member of two delegations to Malawi: one to visit Africa's second-longest-serving Prisoners of Conscience after Nelson Mandela, and the second to advise on Malawi's new Constitution.

He is the joint author of a report on the Marching Season in Northern Ireland, published by the Bar Human Rights Committee, with recommendations on how violence during the Marching Season can be reduced and mitigated.

Sailesh jointly led a delegation of lawyers to Sicily (2016) to report on aspects of the refugee crisis. They visited refugee centres and met with the Italian Coastguard and Navy as well as the Mayor of Catania.

Recommendations

Chambers UK

Legal 500

- *"Calm, considered, firm and resolute."* - **Chambers UK 2018**
- *"He's very good; an expert when it comes to prosecuting waste cases."* - **Chambers UK 2018**
- *"He gets straight to the heart of the most complex cases."* - **Legal 500 2017**
- *"A tenacious fighter."* - **Chambers UK 2017**
- *"A very fine performer."* - **Chambers UK 2017**
- *"Clearly respected by both opponents and Judges."* - **Chambers UK 2017**
- *"He gets straight to the heart of the most complex cases."* - **Legal 500 2017**

Publications, Lectures and Training

Regularly lectures on aspects of Criminal Law and Regulatory Law at Law Society Accredited seminars

Problem solving in Courts and environmental law (2017) Commonwealth Magistrates' and Judges' Conference, Tanzania

Law Society Gazette 11 Aug 2017 – article on “The Laws the Grenfell Inquiry must tackle” [Article](#)

The Prosecution of Complex Cases (2017) Seminar for the Environment Agency's Senior Lawyers and Officers

Prosecuting complex environmental cases: the export of waste from Europe to Africa (2014) the European Prosecutors' Network, Segovia, Spain

Education

LLB (Hons) in Law: Manchester University

Memberships

Bar Human Rights Committee (founding member)

Society of Asian Lawyers (founding member)

Health and Safety Lawyers' Association (HSLA)

Elected Member of the Bar Council (2010 -2013)

Criminal Bar Association Executive Committee (2010 - 2013)

Chair of the Trustees of the BLD Foundation (2015-2016)

Trustee of Civitas Maxima (United Kingdom) Trust (2017) a UK charity which assists victims of torture, war crimes and crimes against humanity by gathering evidence which will assist in bringing the perpetrators of such crimes to justice.