



## Miles Bennett

Barrister

Call: 1986

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| “The Rolls Royce of Consumer Lawyers”

| “The doyen of consumer law among leading juniors.”

| “He is a pillar of knowledge and support and as an advocate he is absolutely fantastic”

### Specialist areas

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Consumer Law

Health & Safety

Inquests & Inquiries

Professional Regulation

Fraud, Business and Financial Crime

Crime

VAT number: 494752406

Bar council number: 21397

Having been instructed in excess of 20 murder trials, numerous fraud and rape cases in the early part of his career, Miles uses his experience, advocacy skills, tactical awareness, common sense and judgment to get the best practical and commercial result for his clients

Miles is ranked in Band 1 for leading juniors for Consumer Law in both the current Chambers and Partners and Legal 500 and is ranked in Chambers and Partners

and Legal 500 for Health and Safety.

## Consumer Law

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### Consumer Law: Prosecution

Miles is instructed to prosecute by many local authorities both as leading junior and junior counsel. Cases range from multi-million-pound ticket fraud to product safety, and Consumer Protection from Unfair Trading Regulation cases. Miles has considerable experience in advising and prosecuting multi jurisdiction/authority cases.

Miles was instructed as leading junior by the OFT/CMA in the first ever Pyramid Promotional Scheme case under the CPUTR'S involving a £21 Million loss to consumers and advised the ODA in relation to their powers on seizure and prosecution for the 2012 London Olympics.

He is regularly instructed by local authorities in Unfair Trading and Counterfeit Goods cases.

Miles successfully represented Suffolk County Council in The Court of Appeal against a company and director involved in aggressive commercial practices and unfair trading.

Miles was instructed to advise a local authority and the DVSA in a criminal investigation into a major car manufacturer and serious product safety issues.

Miles heads up a powerful 5 PB Consumer law group who provide topical, informative and entertaining seminars at the annual CTSI (Trading Standards) Conference. Both Miles and others in the group regularly provide seminars and training for local authorities on Criminal Procedure and impending consumer law and IP theft changes.

### Consumer Law: Defence

Miles is instructed to advise and appear on behalf of Companies, Directors and individuals alike.

Over the last 20 years he has been instructed on behalf of most of the major supermarket chains operating in the UK in pricing, unfair trading, food safety and product safety cases.

Miles was instructed as junior counsel on behalf of a major supermarket group in a national prosecution for misleading price indications under the CPUTS relating to seasonal produce.

Miles has advised the producers of high-profile computer/console games on content and compliance with UK and EU legislation.

He has recently been involved in a product safety withdrawal/recall involving a "boutique" baby food manufacturer

Miles was instructed to represent a major high street retailer in a prosecution and subsequent confiscation proceedings arising out of the supply of children's car seats. The confiscation figure was settled for a significantly smaller figure than the prosecution had originally claimed.

Miles has recently been instructed in a series of "online" sales of age restricted products (knives) on behalf of major online retailers.

## Health and Safety Law & Inquests

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Miles is regularly instructed to defend PLCs, Limited companies, Hospital Trusts, and individuals charged with manslaughter and various health and safety offences.

Miles was instructed as junior counsel for the defence (led by Graham Trembath QC) in the first ever acquittal at trial of a company charged with Corporate Manslaughter.

He represented the tram driver in the Croydon/Sandilands inquest. The jury returned a conclusion of Accident although they were invited to return a conclusion of unlawful killing.. The jury were invited to consider unlawful killing conclusions in relation to the police and detention officers. The jury rejected unlawful killing. He is instructed to defend the tram driver in a health and safety prosecution brought by the ORR.

Miles was leading junior (leading Andrew Johnson) in the inquest into the death of Leon Briggs, a death in custody case, representing two custody sergeants and a detention officer

Miles was instructed on behalf of a local authority trading standards department in related inquests arising out of carbon monoxide poisoning caused by a well known manufacturer's domestic (cooker) appliances.

Miles is regularly instructed to represent companies in Health and Safety cases arising out of fatalities in the work place. recent cases include representing a hotel proprietor where a resident fell to his death from a second floor window and representing a well know poultry company in relation to two workplace employee accidents.

He was leading junior (leading Andrew Johnson) instructed by Herts CC to prosecute a care home in relation to the death of two residents killed in a fire at the home.

Miles has represented Hospital trusts, doctors, directors and families at inquests and is particularly alive to the risks for clients who may face subsequent criminal or disciplinary proceedings.

Miles represented the Chief Constable of Hertfordshire in a 2-week Article 2 'Death in Prison / Custody' case, where one of the issues was whether officers had failed to pass on potential suicide concerns to the Prison service.

## Regulatory Law / IP and Trade marks

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Miles has been involved in Trademark, Copyright and IP theft prosecutions for the last 25 Years. He has prosecuted on behalf of FACT Ltd, BSkyB, the Premier League as well as local authorities.

### Regulatory: Prosecution

Miles prosecuted Karen Murphy on behalf of MPS Ltd in a case involving the use of an EU Member state decoder card in UK commercial premises. The case involved complex issues of EU and Competition Law and was referred to the ECJ by the Administrative Court.

He was instructed as junior counsel (led by Jonathan Caplan QC) in FACT Ltd v Ashton in the Admin Court. The case involved the use of a Virgin Media domestic system to show live Premier League football in commercial premises.

Miles was also instructed as junior in MPS v Crawford, a case involving private prosecutions and the Legal Services Act.

He was instructed to prosecute a company and its directors for the illegal screening of Premier League Football in a group of pubs in the Midlands. The case resulted in record fines being imposed on the companies and directors.

Miles is currently prosecution a £600,000 counterfeit goods case against a director of a wholesaler company. The director has pleaded guilty and is awaiting sentence and confiscation proceedings.

### Regulatory: Defence

In addition to representing companies and individuals in Criminal IP Theft allegations, Miles has acted as leading junior counsel on behalf of companies

involved in an OFT investigation into Price fixing in the building industry.

Miles was advising a Times Rated "Best employer" company in relation to a criminal investigation into the sale and supply of counterfeit branded products. The local authority involved have described it as their largest ever seizure of counterfeit goods. The investigation was concluded with no criminal proceedings, a warning and an offer to pay costs.

Miles defended one of the defendants in a £1.5 million secondary ticketing fraud funded by National Trading Standards. The prosecution offered no evidence some 20 months post charge. The defendant's restrained funds were returned in full.

Miles advises companies in dispute with the MHRA. He has also represented companies being prosecuted for nutritional / health claims in relation to supplements and food products.

## Transport Law

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Miles both prosecutes and defends companies, businesses and individuals charged with transport offences, in particular tachograph fraud. He also represents clients at public inquiries before the Traffic Commissioners.

### Transport: Defence

Miles has represented companies and individuals charged with offences including Manslaughter and conspiracy to falsify tachograph charts. He has represented a major PLC at a preliminary hearing/PI and a Northern Irish company with a GB "O" licence before the Traffic Commissioners (twice). He has also represented a company before the Traffic Commissioner for Northern Ireland. Miles recently represented a "boutique" food retailer before the TC. The company had been running after their O licence had expired

## Disciplinary

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Miles acts for individuals appearing before their professional disciplinary bodies and in related/subsequent criminal proceedings. Miles regularly represents Doctors appearing before the MPTS accused of dishonesty and sexual misconduct. Miles represented a doctor who had been convicted of Manslaughter before the (then) GMC and was part of the team that prevented him from being erased from the

register.

Miles also represents Pharmacists, Solicitors and Chartered surveyors before their respective professional bodies and was recently instructed to represent an optician in disciplinary proceedings. As a result of submissions made the GOC withdrew all the allegations.

Miles represented a junior doctor before the MPTS who had pleaded guilty to two allegations of drink driving, one whilst on bail and is currently representing a consultant before the MPTS who is charged with sexual assault and rape.

## Training

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Miles regularly provides training masterclasses and seminars at CTSI's annual conference on Consumer law issues, Copyright and Intellectual Property Theft and has provided training to solicitors and barristers on Trademark Theft for the Legal Training Consultancy and has provided legal training on IP Theft for White Paper Training.