



Tim Green

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## Tim Green

"One of the best leading juniors in this field. For clients, he is a real fighter which with his exceptional knowledge of regulatory legislation and considerable experience makes him a force to be reckoned with." "A highly skilled barrister who is incredibly impressive in front of a jury; he is meticulous, hardworking and very friendly."

- Chambers UK 2021 & Legal 500 2021

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Tim Green is a formidable trial advocate who is widely recognised as one of the Bar's leaders in regulatory crime and corporate defence work. He has recently been shortlisted for Health and Safety Junior of the Year at the Chambers Bar Awards 2020 and is ranked by *Chambers UK* as band 1 counsel for both health & safety work and environmental law. *Chambers UK* has recognised Tim as a leader at the Bar for financial crime and money laundering investigations since the category was first introduced in 2008. The *Legal 500* also strongly recommends Tim in the fields of regulatory crime and POCA work ranking him as tier 1 counsel.

Tim has appeared in many of the most sensitive and complex health and safety prosecutions over the last 10 years. His clients include most of the leading international and national firms in the field with instructions arising from workplace fatalities in the construction, manufacturing, mining, waste management, logistics, health care, maritime and agricultural sectors. Tim frequently appears in the Court of Appeal including these four guideline decisions heard since 2018: *JHSL v HSE* (applying *H&S Sentencing Guidelines*), *St Michaels Hospice v ESFRS* (sentencing fire safety offences), *Workchain v TPR* (sentencing data crime) and *Bell v HMAG* (cash forfeiture with simultaneous criminal proceedings).

Tim has extensive experience appearing in public inquiries, as well as Article 2 and jury inquests. He has been instructed by a Core Participant in the Grenfell Tower Inquiry and is well versed in inquiry law, procedure, handling complex/sensitive disclosure and the tactical considerations that arise in simultaneous inquisitorial, criminal and civil investigations.

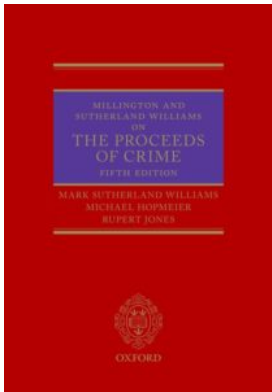
Tim has been recognised as a leader in environmental law since he successfully appeared for the respondent in *EA v Thorn International* in 2008. He regularly advises companies and their officers on their response to regulatory investigations in the waste management, telecoms, biofuel, mining and construction sectors. Tim was appointed a member of the Attorney General's "A Panel" of Specialist Regulatory Advocates and a Recorder (Crime SSO) in 2012.

In a unique role, Tim holds the powers of the Attorney General of the Isle of Man in respect of the Island's largest ever investigation: an inquiry into multi-jurisdictional tax fraud, money laundering and financial crime. He has an unprecedented insight into AML, the rules of beneficial ownership and financial regulation in the IoM and other offshore financial centres. He is also a contributing editor to OUP's textbook "The Proceeds of Crime".

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[Please click here](#) for a copy of Tim Green's privacy policy.



## Financial Regulation

Tim frequently advises and represents large commercial concerns and their officers facing investigation by the FCA, SFO, HMRC, Trading Standards, FRC, The Pensions Regulator and other financial regulators.

Since 2014 he has been authorised to act as the Attorney General of the Isle of Man in respect of the Island's largest ever investigation into tax fraud and money laundering.

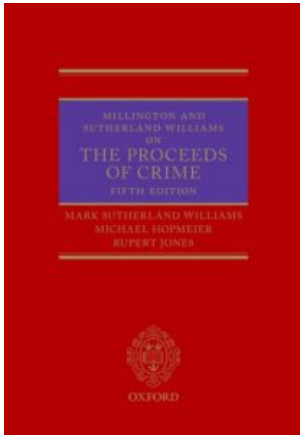
Tim has a particular interest in AML law, the rules of beneficial ownership and financial regulation in off-shore financial center's arising from his work in the Crown Dependencies.

He is an editor of the Lexis Nexis Encyclopedia of Financial Services Law and is a contributing editor to the latest edition of The Proceeds of Crime by Millington and Sutherland Williams.

Tim has extensive experience in representing large companies and their officers facing prosecution, and a strong understanding of the law governing corporate criminal liability. He was recently instructed by The Pensions Regulator to bring its first ever prosecution for general economic crime arising out of deliberate and systematic abuse of the automatic enrolment scheme for workplace pensions by a large company and its officers.

In 2012 Tim was seconded to a "Technical Specialist" role in the FCA Enforcement Division and subsequently led FCA enforcement activity against banks, hedge funds, investment houses, retail financial services firms and senior managers, giving him an excellent knowledge of FCA principles, rules, powers and processes. He now frequently advises investment firms, lenders, solicitors and high net wealth individuals of their responsibility under FSMA and the FSA Handbook, as well as how to strategically and tactically best respond to an FSA

investigation.



## Representative Cases

- *TPR v Workchain Ltd [2019] EWCA 1422*  
Instructed by the Pensions Regulator in respect of a precedent setting prosecution of a company, its directors and managers arising from unauthorised access to automatic enrolment data contrary to the Computer Misuse Act.
- *Re a large cosmetics company 2018*  
Advising and representing a large cosmetics business on managing and resisting a sensitive inquiry brought in respect of products sold and services supplied.
- *Bell v HMAG [2018] 2 ES*  
Successfully upheld a civil asset recovery order arising from a concurrent criminal investigation in another jurisdiction before the Judicial Committee of the Privy Council.
- *Re a developer 2017*  
Advising a leading solicitor's firm on its regulatory obligations in respect of the sale of investments in an unregulated collective investment scheme.
- *Re Peer to Peer Lending 2017*  
Advising a large US investor on the FCA rules governing P2P lending platforms and associated regulation.
- *In Re Claims Management Co. 2016*  
Advised one of the UK's largest claims management in respect of its obligations under the Enterprise Act pursuant to an investigation by trading standards.
- *Re Offshore Gaming Co. 2016*  
Advised regarding asset tracing and off-shore gaming law in the context of heavy commercial litigation arising out of a shareholder dispute.
- *Re Investment Co 2015*  
Advised an investment company on the application Prospectus Rules and issue of mini-bonds for P2P

lending.

- *Re the FSCS 2014*  
Represented multiple investors on a successful challenge to the FSCS following liquidation of regulated firms.
- *Re a major health insurer 2014*  
Successfully advised a leading private health insurer on the application of FCA Handbook to sale of insurance products to schools.
- *Re a leading solicitor's firm 2014*  
Successfully advised a leading solicitor of the application of CIS rules to the sale of apartments to investors in China.
- *Operation S IOM 2014*  
Led and advised an investigation into fraud and financial wrong doing by company directors in an offshore financial centre. The investigation was highly sensitive and linked to the prosecution of prominent law officers in the jurisdiction.

## Health & Safety

Tim has been shortlisted for Health and Safety Junior 2020 in the Chambers Bar Awards and consistently ranked in band I / tier I by Chambers UK and the Legal 500 for his health and safety work. In 2012 he was appointed to the Attorney General's "A Panel" of approved regulatory advocates.

Over the last three years Tim has defended or prosecuted over 30 cases arising from death or serious injury at work. He has specific experience of health and safety law applied to the following sectors:

- Agricultural – working at height; use of specialised machinery.
- Construction – numerous investigations arising from falls from height; asbestos exposure; electrocution whilst conducting roof work; collapsed buildings.
- Engineering – avoidable death in a metal forge; and HAVS/CTS exposure during manufacturing process, PUWER.
- Fire safety – Fire Safety Order applied to (i) a hospice following arson and deaths of three patients; (ii) to the company director of a housing trust managing multi-occupancy accommodation following two accidental fires.
- Grenfell Tower – representing large corporate manufacturer of insulation as Core Participant.
- Health care – avoidable deaths in care homes arising from unsuitable hospital environment.
- Waste industry – death of a binman on waste collection rounds; multiple investigations following deaths in recycling/scrap metal works.

Tim's health and safety work also includes regular instructions to appear at inquests representing companies, public bodies, charities and families of the deceased before juries and/or where Article 2 of the ECHR is engaged. His clients include several FTSE 100 companies where the impact of the inquiry on prosecution and upon reputational risk is a paramount.

In the past 3 years Tim has been asked to deliver training on best practice in advocacy, law and process at the HSLA annual conference (twice), London, Leeds, Manchester, Birmingham and Bristol.

## Representative Cases

- *HSE v Scapa UK Limited Luton 2020*  
Defence of a medium sized company following fatality in linked coronial and criminal proceeding. Successfully deployed COVID and Brexit related mitigation to achieve a fine of less than 1/3 of the starting point applying the relevant Guidelines.
- *HSE v JW and Mersea Limited Chelmsford CC 2020*  
Death on construction site leading to prosecution of director and company in one of the UK's first full remote sentencing hearings lasting one day.
- *HSE v Evergreen and others Birmingham CC 2020*  
Sensitive 3 week trial of multiple duty holders arising from death on a construction site.
- *HSE v EMSL and Amey Northampton CC 2020*  
Complex 3 week prosecution of two very large companies arising for the accidental death of a banksman when run over by a bin lorry.
- *MCA v Port of London Authority ("PLA") and others Snaresbrook CC 2019*  
Successful defence of the PLA accused of serious maritime safety offences arising from a fatality on the Thames when a tug boat was "run over" by a barge it was towing down the River Thames. Trial before Thornton J lasting 7 weeks and hearing evidence from eight maritime experts.
- *Inquest re SMH East Sussex Coroner's Court 2019*  
Complex inquiry into death of three patients at a hospice following arson by another patient. Complex and concurrent coronial, civil and criminal proceedings.
- *HSE v Lightpower & W Hereford CC 2019*  
Defended company and director in simultaneous coronial and criminal proceedings following fatal fall from height on construction site where deceased was the brother of the defendant director.
- *LFRS v VS Leicester CC 2019*  
Defended a company director facing 16 allegations of breaching the Fire Safety Order of over 30 a month arising from his management of a multi-occupational premises where two separate fires occurred.
- *HSE v FTT Stoke on Trent CC 2019*  
Defended a medium sized transport company against allegations of breach of s2/3 HSWA arising out of the risk of "HAVS" from vibration tools. A case featuring three experts and highly technical analysis of historic business records/vibration magnitude and trigger times.
- *HSE v An investment fund, Snaresbrook CC 2019*  
Defended an EU based fund which owned premises in London against complex allegations of breach of s4 HSWA arising from a near fatal accident.

- *Inquest re a company director, Hereford 2018*  
Represented a company director at inquest following a death on a construction site and where he was under investigation by HSE for breaches of s3/s37 HSWA.
- *Inquest re a global travel company 2018*  
Represented a global travel business at an inquest into a death arising whilst on a holiday excursion.
- *JHSL v HSE [2018] EWCA Crim 30*  
Successful in precedent setting Court of Appeal judgment on assessment of culpability, harm and costs.
- *East Sussex Fire & Rescue Service v St Michael's Hospice Lewes CC 2018*  
Defended a prosecution in respect of the Fire Safety Order arising from an arson at a Hospice following which three patients died.

## Environment

Tim has been recognised as one of the UK's leading advocates in environmental law since he successfully appeared for the defence in the leading environmental case of *EA v Thorn International* [2008] EWHC 2595 (Admin). In 2012 he was appointed to the Attorney General's "A Panel" of approved regulatory counsel.

In the last 10 years he has received instructions to advise and defend many of the UK's largest environmental concerns and their directors in all aspects of environmental enforcement including:

- Pre-action advice and submissions to the Agency by a leading UK soil manufacturer.
- Advice and representation to various London Boroughs engaged in high value civil litigation arising from a contractual dispute with large environmental concern.
- Civil appeals against the refusal of an environmental permit and/or Agency accreditation.
- The use of Civil Undertakings as an alternative to prosecution for a successful waste operator.
- A 6-week trial in Sheffield CC arising from fly-tipping on an industrial scale.
- A 3-week trial in Hereford CC arising from deliberate misuse of a quarry for illegal storage of waste.
- Confiscation and restraint where waste crime has been a species of economic crime.

Tim's environmental advisory practice includes all aspects of environmental compliance of EU/UK/Agency rules with particular emphasis on the waste and biofuels industries. Tim is a contributing editor to LexisNexis PSL on waste law

## Representative Cases

- *Re a global telephone mobile telephone distributor 2019*  
Advised multi-national company on compliance with EU waste law following acquisition of competitor.
- *Re CFL and AD 2019*  
Represented corporate landlord and director in proceedings following alleged breach of listed building consent for large scale commercial gain.



- *Re a waste management company 2018*  
Advised a large scale waste management company to settle a prosecution brought by the EA for the alleged deliberate breach of the EPR using civil undertakings as an alternative.
- *EA v A Ltd and directors 2018*  
Instructed by the EA in respect of unlawful storage of huge quantities of highly flammable waste creating serious risk of category I pollution event (very large fire in an urban area beside A roads). Complex fire risk and confiscation proceedings.
- *Re a biofuels company 2017*  
Advised an innovative biofuels concern as to how successfully overcome EA resistance to the issuing of an environmental permit.
- *Re N Ltd 2017*  
Advised a large-scale waste management business on how to overcome EA criminal investigations to in order to obtain an environmental permit.
- *Re NPR 2017*  
Appeared in a precedent setting appeal against EA's powers to refuse an accredited waste re-processor pursuant to the Producer Responsibility Regulations.
- *Re a Very Large Transport Undertaking 2016*  
Provided advice to a very large transport company concerning the application of environmental law to a complex and high value commercial dispute.
- *EA v WS 2016*  
Advised and represented company director following sensitive investigation into water pollution.
- *Re a soil company and directors 2015*  
Retained pre-charge to advise a leading soil company and its directors on how to respond to multiple EA investigations.

## Inquests & Inquiries

Inquiries and inquests are an essential part of Tim's practice. He has been instructed since 2019 for a Core Participant in the Grenfell Tower Inquiry and clients include Gowlings, BLM, DWF, DAC Beachcroft. Knights and Network Rail. In particular, Tim is very experienced in the application of A2 of the ECHR to the Coroners' Court and in handling jury inquests. He is well versed in the sensitive and complex disclosure and tactical issues that arise in simultaneous coronial, criminal and civil inquiries.

Tim has special experience of the Traffic Commissioner and has recently represented FTSE 250 companies concerned with revocation of vehicle licences at public inquiries.

In June 2020 Tim delivered a webinar concerning recent changes to inquest law and procedure to over 200 members for the Health and Safety Lawyers Association ("HSLA"). This followed Tim's other successful partnerships with HSLA delivering advice on best practice before the HSLA annual conferences in 2019, 2018

and 2017 and a similar “road show” seminar program in 2016.

## Representative Cases

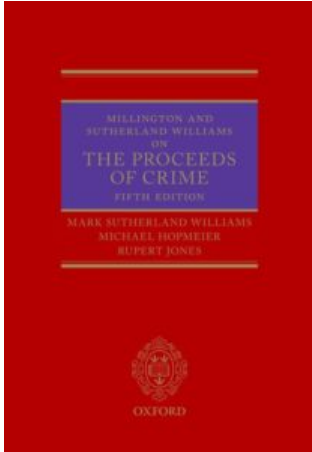
- *Re Grenfell Tower Inquiry 2020*  
Representing a large corporation that is a Core Participant who contributed insulation to the cladding. Unprecedented sensitivity and complexity.
- *Re Network Rail (“NR”) 2020*  
Representing NR is highly sensitive A2 inquest arising from double suicide near a railway line in 8 day inquest. Highly sensitive.
- *Re A Recycling Company 2020*  
Representing company wrongly accused by Police investigation causing death of homeless man. Difficult issues of causation for expert witnesses.
- *Re Scapa Limited 2019*  
For the company at inquest following death at work at global manufacturing concern. Impact on linked HSE prosecution.
- *Re St Michael Hospice 2019*  
For the hospice at 12 day inquest following arson at premises leading to the death of three patients. Unique complexity and sensitivity.
- *Re Thomas Cook Ltd 2018*  
For the company at inquest following death by drowning of a holiday maker in Cyprus and advised on response to PFDR. Highly sensitive.
- *Re A railway worker 2018*  
For the family of a deceased worker accidentally killed whilst maintaining the railway. Various IPs accused of health and safety failings leading to FDPR.
- *Re Large Food Manufacturer 2018*  
Represented FTSE 30 company at 3-day Traffic Commissioner public inquiry following allegations of fraud relating to the obtaining for vehicle licences. Very significant commercial interests at stake.

## Proceeds of Crime

Tim Green has been recommended by *Chambers UK* as one the Bar’s leaders in proceeds of crime work for the last 10 years. In a unique appointment, Tim is authorised to exercise the powers of the Attorney General of the Isle of Man in respect of a complex multi-jurisdictional money laundering investigation and is an expert in the regulation and enforcement of AML in offshore financial centres.

Tim is frequently instructed by FTSE 250 companies and their officers; international and national firms; banks, lenders and regulators to act as advisor and advocate in respect of difficult investigations arising from AML compliance, cash forfeiture, asset recovery and confiscation. He recently advised an off-shore government on

the investigation and prosecution of sophisticated financial crime arising from corporate malfeasance and bankruptcy. Tim was a member of the national committee of the Proceeds of Crime Lawyer Association for 5 years and is a contributing editor to OUP's "The Proceeds of Crime".



## Representative Cases

- *Re GIGL Croydon CC 2020*  
Representing Global Casino brand asserting third parties' rights to a disputed account balance following unlawful gaming.
- *Operation B 2014 - 2019*  
Multi-jurisdictional investigation into large scale tax fraud and money laundering concerning a variety of off-shore financial centres and the professional services sector.
- *Re a Global Lender 2018*  
Advice to bespoke lender applying flexible application of the KYC and due diligence rules in various EU AML Codes.
- *Bell v HMAG [2018] 2 ES*  
Precedent-setting application for cash forfeiture before the Staff of Government Division of the High Court of the Isle of Man and Judicial Committee of the Privy Council.
- *Re a Gaming Firm 2017*  
Off-shore AML advice arising from shareholder dispute.
- *Environment Agency v Moss and others Sheffield CC 2016*  
The first EA prosecution for money laundering arising from organized unlawful waste operation.
- *Operation S 2013*  
Off-shore financial investigation into corporate wrong-doing by company officers linked to the government and legal services.

## What the directories say

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"A strong and tenacious advocate who gives clear, strategic advice."

*Legal 500 2021*

"A compelling advocate with an excellent work ethic. A real thinker, who takes time to consider the overall position rather than rushing into making a decision."

*Legal 500 2021*

"A hard-working, careful advocate"

*Chambers UK 2021*

"One of the leading juniors in this field. He is highly experienced and has very sound judgement. He has the ability to provide difficult advice to clients in such a way that it delivers great results and happy clients." "A good operator - he's smooth and works very hard."

*Chambers uk 2021*

"He is an indefatigable and detail-oriented barrister."

*Legal 500 2020*

"He is very tenacious, sees the bigger picture and spots the good points."

"He thinks of different ways of presenting the case and explores different angles so as to present it in the best possible way."

"He has a very good reputation, and he makes well-structured, attractive submissions where everything is very well thought through."

"Very commercially savvy. He's also very bright, capable and an absolute pleasure to deal with. If you need him to, he can pull out all the stops and produce things at the eleventh hour."

"He is extremely good and has lots of very practical experience. He has a nice manner, is very easy-going and is easy to work with."

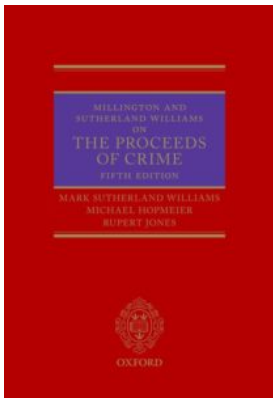
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## Appointments

- 2014 Authorised as Attorney General Isle of Man for Operation Braid.
- 2012 to present – Recorder Crime (SSO ticket).
- 2012 to present – “A Panel” Attorney General’s List of Approved Regulatory Counsel (reappointed 2019).

## Publications

- Contributing Editor – “Lexis Nexis Financial Services Encyclopedia”
- Contributing Editor – “The Proceeds of Crime” by OUP



## Memberships

- HSLA
- FSLA
- POCLA
- UKELA
- Midland Circuit

## Education

- 1996 – Kalisher Scholarship, Grays Inn
- 1996 – Very Competent, BVC
- 1995 – Commendation Diploma in Law
- 1994 – MA Magdalen College, Oxford

## Awards & Recognitions

