

Tom Gent

CALL: 1998

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Overview

Tom Gent is a **leading junior** in regulatory and motor defence law. He is ranked in *The Legal 500* as a **leading junior** in regulatory, health and safety and licensing.

He is extremely experienced in the criminal courts, prosecuting and defending in a wide range of allegations, including murder. He has appeared on numerous occasions in the Court of Appeal, including in a number of cited cases and guideline cases (for example, *R v Steven Smith and others* [2012] 1 Cr App R (S) 82; *R v MI and others* [2012] EWCA Crim 1792).

He is an expert in all aspects of motor crime and regularly defends fatal cases in the Crown Court.

His regulatory practice is focused principally on serious health and safety offences but he also has experience of prosecutions involving trading standards and environmental law.

He acts regularly for interested parties in inquests conducted by the Coroner's Court, usually in cases involving either a death at work or on the roads.

S.H.E (Safety, Health & Environment)

Tom specialises in the field of regulatory crime, with an emphasis on health and safety. He represents and advises companies as corporate entities, directors and individuals at all stages in criminal proceedings. He has been involved in numerous serious injury and fatality cases.

Complex issues that require expert evidence are frequently involved in his cases. He excels at applying regulations in all manner of specialised activities to an individual case in order to get the best possible outcome for a client.

He has substantial experience of prosecutions involving trading standards and environmental law.

Tom welcomes instructions to act for interested parties in inquests conducted at the Coroner's Court. He is known for his ability to handle particularly sensitive and emotionally charged cases.

Recent Cases

- *R v Waterfall* (2014): Successfully defended a farmer prosecuted for gross negligence manslaughter as a result of a bull that he owned allegedly killing a rambler in a field with a public right of way. Advised from an early stage, when the prosecution were considering a charge of corporate manslaughter.
- *Bradford CC v Rosegarland* (2014): Defence of a care home that was prosecuted pursuant to s.3(1) as a result of a resident falling to her death down an unguarded staircase. The company was fined just £5,000.
- *HSE v Pockmor Ltd* (2014): Defence in the Crown Court of a farming company prosecuted following an accident in which an employee was crushed when straw bales fell on him.
- *HSE v Timmins Engineering and Construction Ltd.* (2014): Defence of a construction company prosecuted following an employee being severely injured as a result of falling from a roof.

Expertise

- Health & Safety & Environmental Law
- Motor Defence
- Sport

Recommendations

"Specialises in health and safety cases" *The Legal 500*

"A persuasive advocate with a keen eye for detail" *The Legal 500*

Key contacts

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- *HSE v Heaps Arnold and Heaps Ltd* (2014): Defended a manufacturer of stained glass charged with health and safety offences following an accident in which an employee's fingers were removed in a press.
- *HSE v Stormseal Windows Ltd* (2015): Defendant roofing company prosecuted as a result of a site supervisor departing from a proposed method of work and falling from height.

Motor Defence

Tom is particularly specialised in road traffic law. He frequently defends in the Crown Court in fatal and near-fatal road traffic accident cases, but has a detailed and wide knowledge of all aspects of road traffic legislation.

Many of his cases involve complex expert evidence. Tom is adept at quickly understanding the issues involved and excels at presenting arguments in a way that is easy for a jury to understand.

He enjoys a reputation as a skilled trial advocate but equally recognises the importance of presenting a powerful mitigation in those cases where a Defendant's principal concern is the loss of their licence.

He is available to provide pre-charge advice and is frequently invited to speak at training days for both insurance companies and solicitors.

- *R v Whitfield* (2017) - Allegation of causing death by careless driving at Shrewsbury Crown Court. Defence that vehicle spontaneously sped up as a result of engine run-away (mechanical defect). Acquitted.
- *R v Georgiev* (2017) - Death by careless driving. Turning across path of motorcycle. Non-custodial disposal at Lincoln Crown Court.
- *R v Millington* (2017) - Allegation of careless driving that caused life changing injury to motorcyclist. Acquittal following 3-day trial at Brighton MC.
- *R v Williams* (2017) - Trial at Chester Crown Court in relation to allegations of causing death and serious injury by dangerous driving.
- *R v Tomlinson* (2017) - Nottingham Crown court. Acquitted of causing death by dangerous driving. Overtaking manoeuvre resulting in oncoming vehicle losing control and colliding with a LGV.
- *R v Marlow* (2016) - Death by careless driving at Liverpool Crown Court. Collision with pedestrian as she crossed the road behind a bus. Acquitted.
- *R v Naylor* (2016) - Peterborough Crown Court. Acquitted of causing serious injury by dangerous driving. LGV driver in collision with stationary vehicle ahead on A1(M).
- *R v Burgess* (2016) - Allegation of careless driving . Collision with pedestrian at low speed in poor visibility. Very serious injuries that later resulted in death. Acquitted.
- *R v Amos* (2016) - Allegation of causing death by careless driving. Low speed impact with pedestrian at Heathrow. Acquittal following re-trial, Isleworth Crown Court.
- *R v Thompson* (2016) - Lincoln Crown Court. Non-custodial disposal for young man who drove into a collision with a vehicle in the opposing carriageway.
- *R v Bates* (2016) - Nottingham Crown Court. Allegation of causing death by dangerous driving. Acquitted, but convicted of lesser offence of causing death by careless driving. Non-custodial disposal.
- *R v Benson* (2016) - Acquitted of dangerous driving at York Crown Court.
- *R v Howe* (2015) - Non-custodial sentence for woman following guilty plea to causing death by careless driving (collision with motorcycle in opposing carriageway). Lincoln Crown Court.
- *R v Hutchison* (2015) medical defence to allegation of careless driving (loss of consciousness due to medication). Acquitted.
- *R v Hill* (2015) - Two counts of causing serious injury by dangerous driving; crossing into opposing carriageway causing collision. Lincoln Crown Court.
- *R v Dakin* (2015) - Careless driving allegation where catastrophic injury caused to injured party. LGV driver alleged to have caused multiple vehicle collision by drifting into opposing carriageway. Acquitted.

Sports Law

Tom is a registered lawyer under the FA Football Agents Regulations and has been involved in advising on procedure at County FA level. He is also a registered agent with the Rugby Football League.