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Nicholas Robinson

Year of Call: 2007
Telephone: 0115 947 2581

Overview

Nicholas was educated at University College, Durham but spent a year at the Universite de Fribourg, Switzerland studying International law in French.

He became a tenant at Ropewalk Chambers in 2008, having completed pupillage there. Nicholas has a broad common law practice.

He has developed a reputation of being down to earth and approachable. He is always readily available to discuss a case as he appreciates that often a quick discussion of an issue can be invaluable.

Away from the bar Nicholas a keen sportsman and in particular is a devoted hockey player for West Bridgford Hockey Club. In addition he organises Ropewalk Chambers' football team.

Expertise

Personal Injury

Nicholas acts on behalf of both Claimants and Defendants. He regularly undertakes paperwork and appears in Fast and Multi track cases including employers' liability, public liability including Occupiers' Liability Act cases, Highways Act claims and Defective Premises Act cases.

He has appeared at first instance and at an appellant level in County Courts across the country and in the High Court.

In addition, he has experience of CICA appeals which have run into six figures in value and regularly appears on appeals on eligibility issues as well as questions of tariff and quantum.

Disease

Nicholas has experience dealing with trials and interim applications in disease cases, for Claimants and Defendants alike, on both the Fast- and Multi-Tracks. He is regularly instructed to advise in such matters and to draft statements of case and further requests for information.

He has a particular familiarity with deafness claims and is well versed in cases involving disputes on causation, arguments of de minimis, breach of duty and limitation. He also routinely appears at CCMC's in these matters, where his costs practice assists in budgeting arguments and he is well versed in arguments concerning the use of expert evidence which is often decisive in cases.

He also acts on other disease cases including HAVS, dermatitis, upper limb disorders, occupational asthma and other respiratory conditions.

Counter Fraud

Nicholas has extensive experience and has regularly been instructed on the whole range of fraud cases by a number of large insurers. In particular, he has received instructions in ringed fraud cases in which he is able to assimilate and cross reference large amounts of information quickly and concisely. He has dealt with numerous non-motor fraud cases involving aspects issues relating to surveillance evidence, wasted costs, exaggerated claims involving claims pleaded in excess of £100,000.

He also appreciates that often the most important part of defending a fraud case are the early stages and he is regularly asked to advise and discuss the prospects of success as well as tactics and procedural or evidential issues.

He regularly undertakes paperwork including the drafting of pleadings, counter schedules or interim applications. Nicholas' experience also extends to matters regularly associated with fraud cases such as credit hire where he has extensive experience of very large credit hire claims across all issues including enforceability, period, rate as well as the more specific situations which arise such as fleet vehicles and commercial vehicles.

Nicholas has experience of dealing with the costs aspect of counter-fraud work which is an area of ever increasing importance to insurers. He is well versed in arguments concerning fixed costs, QOCS (and its exceptions) and fundamental dishonesty. In particular, he successfully argued for the disapplication of QOCS on the grounds of fundamental dishonesty but also where a claim was brought for the financial benefit of another party in a significant credit hire claim (***Waggett v Warchalowski – Lawtel***).

Motor

Nicholas has extensive experience in a broad range of motor claims for both Claimants and Defendants. He has routinely been instructed by a number of major bus companies to deal with large amounts of their work, as well as undertaking work for many national insurers. His practice has included connected areas such as personal injury, costs and counter-fraud, allowing him to provide a well-rounded approach to motor cases.

He has also been involved in a large number of cases involving procedural matters, particularly related to insurance which have included claims involving the Motor Insurers' Bureau, issues of indemnity, questions of agency related to whether adequate notice of a claim has been provided and a large number of costs related issues.

He has been involved in a number of cases of significant value including representing a paramedic who lost an eye, suffered various facial injuries and suffered a mild brain injury.

Credit Hire

Nicholas has been undertaking large amounts of credit hire work since called and has routinely dealt with all aspects of credit hire. He has been instructed in a number of large credit hire claims in excess of £50,000. He has also been involved with evolving areas of credit hire such as bicycle hire claims. His experience comes from acting for both Claimants and Defendants, which allows him to appreciate the strengths and weaknesses of cases as viewed from both sides.

He is well versed in all the routine areas of credit hire litigation including enforceability arguments, period arguments, rates evidence, impecuniosity, fleet vehicles, offers of alternative vehicles and professional drivers / lost profit claims. His other practice areas such as costs work and counter-fraud also mean he is able to deal with tangential issues which can arise in certain cases.

Costs & Litigation Funding

Nicholas has a broad experience in respect of costs issues, whether they arise during the course of substantive proceedings such as costs budgeting or costs arguments following trial or are free standing matters. He has experience of costs arguments both in county courts and also in the SCCO. Examples of the costs work which he undertakes includes detailed assessment proceedings, cases where there have been challenges to additional liabilities, applications for Bullock and Sanderson orders, arguments concerning the scope and impact of Part 36 offers, arguments concerning aspects of recoverability and reasonableness of insurance premiums.

His personal injury and counter-fraud practice also ties in well with his costs practice, allowing him to advise and appear on matters concerning fixed costs, their application and exceptions as well as QOCS-based issues including but not limited to matters concerning fundamental dishonesty.

Property & Real Estate

Nicholas has undertaken property work including possession proceedings and has appeared before the Land Adjudicator in disputes over easements and prescriptive rights. He has experience of advising and appearing in cases concerning easements, rights of way and restrictive covenants and neighbour disputes in general.

Commercial Dispute Resolution

In commercial terms, Nicholas' practice encompasses sale of goods and services work and contractual disputes. He is often instructed in respect of contractual disputes and associated matters, such as claims for mistake, misrepresentation and the validity of contractual terms.

Police Law

Nick has undertaken work for different police forces across a number of areas of law which coincide with his other areas of practice.

Nick has represented the police in a wide range of personal injury and tortious claims across the fast and multi-track including cases where issues of fraud and causation are raised. Other cases include employers' liability claims brought against the police force and claims involving alleged assaults.

Previous cases include data protection work where Nick has experience of cases concerning the subtle differences between when legal enforcement processing provisions apply and when they don't as well as issues about the justification and extent of processing of data.

Examples of recent police cases include:

B-D v The Chief Constable of Lincs Police

Defending an employers' liability claim where a police officer alleged he suffered significant back injuries where he was wrestled to the floor when trying to transport a prisoner to a cell. Allegations included inadequate provision of information, systems for transporting prisoners, training, and negligence on the part his work colleagues. Claim dismissed at trial before Circuit Judge.

R v Chief Constable of Leics Police

Involvement in procedurally complex case whereby the Claimant alleged that data was retained improperly following an investigation into alleged criminal activity. The application involved consideration of the provisions in respect of law enforcement processing and the dividing line between that and normal data processing. It was accepted that the Claimant was wrong and was ordered to amend their pleadings.

Education

- LLB, University of Durham

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