

**Year of Call:** 2004  
**Practice Areas:** Crime, Employment, , Inquests, Public Law and Judicial Review  
**Email:** clerks@cobden.co.uk

- EMPLOYMENT PRACTICE
- CRIMINAL PRACTICE
- INQUESTS PRACTICE



### Profile

Nicholas is sensible, client-focused and down to earth. He is hard-working with a good commercial attitude. He complements his bar practice with sitting in various jurisdictions, giving him a unique ability to identify the most persuasive mechanism in presenting a case.

### Appointments

- Junior Counsel to the Crown 2012
- Assistant Coroner (Manchester North) 2015
- Legally Qualified Chair and Legal Assessor for the Medical Practitioners' Tribunal (on behalf of the GMC)
- AG Regional Panel – first appointed in 2012, reappointed in 2018 to Panel B.

### Employment

Nicholas has developed a wide and varied employment practice, earning a reputation for thorough preparation and excellent knowledge of the law. He was appointed to the Attorney General's Regional Panel of Counsel in 2012 and is frequently instructed on behalf of Government Departments. He uses his sharp intelligence to ensure that client's case is presented in the most persuasive manner, covering the whole spectrum of employment issues, including:

- Complex discrimination, TUPE, public interest disclosure cases, ranging from days to weeks long
- Restrictive covenants, confidentiality, breaches of fiduciary duties
- Settlement agreements, non-contentions variations in contracts and collective bargaining.
- Restructuring, internal processes reorganisation.
- Appeared in the EAT and High Court on employment matters

Nicholas has a keen understanding of the commercial interaction with employment cases, including the impacts on insolvency proceedings and adopts a practice, team-focused approach. He is regularly instructed by government departments, local authorities, large and small private sector employers, as well as individual employees.

## Crime

Nicholas has a wealth of experience in all aspects of criminal litigation, frequently acting for the prosecution and defence. He has conducted a wide variety of cases, including serious sexual offences, drugs, firearms and fraud. He is known for his approachability, as well as his sensitive handling of lay clients and witnesses alike.

He has been appointed a CPS Category 3 prosecutor and is on the specialist rape and serious sexual offences panel. He has prosecuted and defended allegations of rape and child sexual offences and regularly acts in cases involving particularly vulnerable complainants. Nicholas has been instructed in cases involving complex and sensitive issues, including mental health difficulties and cases with a foreign dynamic.

- Serious sexual offences, including historic abuse
- Drug conspiracies
- Serious violence and weapon offences
- White collar and complex frauds
- Regulatory offences, including trademarks and immigration matters

Nicholas has prosecuted a number of multi-handed and material-dense cases, where anxious scrutiny and thorough preparation is required.

## Inquests

Nicholas frequently acts for Property Interested Persons in lengthy and complex inquests. His experience sitting as a coroner is invaluable in identifying the salient issues and making submissions on establishing the scope of inquest. He has experience in acting for large and small organisations, as well as individuals – such as medical professionals and police officers.

Nicholas has been appointed to the Attorney-General's Panel Counsel since 2012 and is regularly instructed by Government Departments, as well as local authorities and the police. He has been involved in a number of cases where submissions focused on the requirement for a jury and the relationship with RIDDOR and the CQC regulations, as well as the requirement for prevention of future death reports.

## Notable Cases

## Employment

- *C v W (2017)* Acted for the Respondent in a complex disability discrimination and unfair dismissal claim, relating to disability-related absences. The Respondent succeeded in all but one claim, which was then significantly limited in the assessment of remedy.
- *H v S (2018)* Represented the Respondent (a large public organisation) in a sexual orientation and unfair dismissal claim. The Respondent succeeded in defending all the claims following correct identification of the issues in the case.
- *G v A (2017)* Acted for the Claimant in a sexual discrimination, harassment and unfair dismissal claim. All the Claimant's causes of action succeeded, with the Claimant receiving a top-tier Vento award.
- *A v H (2018)* Acted in a discrete jurisdiction of the ET, where the proper assessment of what constitutes an apprentice was fundamental in successfully defending the matter.
- *B v I (2016)* Successfully represented the Respondent in a racial and religious discrimination claim, resulting in a cost award being made against the Claimant.

## Crime

- *R v S* – Prosecuted an allegation of male rape, with a significant volume of third party material and electronic evidence.
- *R v I* – Successfully defended a taxi driver alleged to have seriously sexually assaulted a young passenger.

- R v J – Defended an individual charged with fraudulent use of trademarks and proceeds of crime offences totalling over £700k.
- R v P and others – Prosecuted a complex honour-based kidnapping and assault involving four Defendants, with significant media interest.
- R v N – Acted in a domestic-violence trial, with allegations of controlling and coercive behaviour, sexual assaults and related immigration offences.
- R v O – Junior defence counsel in a gang murder trial.
- R v S – Acted as junior counsel in a case concerning historic sexual offences allegedly committed by a convicted murderer.

## Inquests

- Acted for the IOPC in a tazer-related death, with complex medical issues and questions over force and restraint. The case involved 9 PIPs and lasted for over 5 weeks.
- Acted for a Care Home in an inquest following an inappropriate feeding regime, with the CQC, Local Authority, police and HSE represented.
- Acted for the MoJ in a 4-week inquest following the death of a prisoner by hanging.
- Represented a local authority in the death of a care home resident following an assault by another resident, who were both subject to DoLS authorisations.
- Acted for a prison in week-long inquest following a spice-related death.
- Represented the family of a two-year old following a hospital's failure to diagnose a congenital condition.

## Membership

- Criminal Bar Association
- Employment Law Association