



“She is absolutely excellent – very clear and knows her subject extremely well.”

Chambers & Partners 2021

“Goes above and beyond for her clients. She is also a charming and skilled advocate, with real courtroom gravitas.”

The Legal 500 2021

Nicola has a broad practice spanning public and human rights law and Court of Protection work. She also practises in general common law and regulatory and disciplinary law. She is recommended for both Administrative and Public Law (The Legal 500 2021) and for Court of Protection & Community Care work (The Legal 500 2021 & Chambers & Partners 2021). She has been appointed to the Treasury Panel of Junior Counsel (B Panel) and the Equality and Human Rights Commission Panel of Counsel (C Panel).

Prior to coming to the Bar, Nicola spent eleven years as a political news journalist at the BBC where she worked as a programme producer on the BBC1 *Politics Show* and Radio Four's *Today*, and as a senior producer on *Newsnight*.

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## PRACTICE AREAS

- Administrative & Public
- Civil Liability
- Regulatory
- Commercial

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## PRACTICE AREAS

### ADMINISTRATIVE & PUBLIC

Nicola has a broad public law practice. She has been involved in a number of landmark cases, acting for both claimants and defendants. She is currently instructed on behalf of the Defendant in **Bell v Tavistock & Portman NHS Foundation Trust** [2020] EHC 3274 (Admin) (led by Fenella Morris QC) which is before the Court of Appeal in June 2021 and on behalf of the in **R (Maguire) v HM Senior Coroner for Blackpool & Fylde** [2020] EWCA Civ 738 (led by Victoria Butler-Cole QC), pending permission to appeal to the Supreme Court. She was also recently instructed by the Medical Defence Union in their challenge to the Department of Health's Clinical Negligence Liability Scheme for GPs (led by James Strachan QC) and in a challenge against a failure to provide an intermediary for a police interview of a learning disabled young man: **AB v Chief Constable of Hampshire Police** [2019] EWHC 3461 (Admin) (led by Paul Bowen QC).

She is a member of the Attorney General's B Panel and the EHRC C Panel. She has been involved in a number of security-related cases. She is currently instructed by the Ministry of Defence in an Article 2 unlawful killing claim (led by Lisa Giovannetti QC).

Nicola frequently acts as sole counsel in the Court of Protection in both the County Court and High Court and in the County Court and High Court in both common law and regulatory cases. She welcomes instructions as both junior and sole counsel.

### MENTAL CAPACITY AND MENTAL HEALTH

*"Goes above and beyond for her clients. She is also a charming and skilled advocate, with real courtroom gravitas."*  
The Legal 500 2021

*"She is absolutely excellent – very clear and knows her subject extremely well." "Nicola is very responsive, has excellent attention to detail and also has a strong knowledge and grasp of the law in this area."*  
Chambers & Partners 2021

Nicola has a substantial Court of Protection practice, specialising in health and welfare cases and serious medical treatment. She is regularly instructed by the Official Solicitor, family members, local authorities and NHS bodies to conduct work in both the county court and the High Court. She has dealt with cases concerning a wide number of issues on capacity and best interests including capacity to consent to medical treatment, determine contact, consent to sex, contraception, manage food intake and the best interests of Ps with a wide range of conditions including dementia, alcohol-related Korsakoff's syndrome, acquired brain injury, personality disorder, schizophrenia and Prader-Willi syndrome. She has a particular interest in and knowledge of capacity to consent to sex in the Court of Protection arising out of her involvement in the case of **Manchester City Council v LC** [2018] EWHC 2849 (Fam) and **Lincolnshire CC v AB** [2019]. Other notable cases include:

**Cambridge University Hospitals NHS Foundation Trust v Mother** [2021] EWHC 126 (Fam) – acting for the mother who did not wish her daughter to have radiotherapy following treatment for a brain tumour

**United Lincolnshire Hospitals NHS Foundation Trust v Q** [2020] EWCOP 27 – acting for the applicant trust: capacity and best interests application regarding full dental extraction

**Tower Hamlets LBC v A** [2020] EWCOP 21 – acting for the local authority: P's capacity to determine residence where capacity to consent to care was agreed to be lacking

**Raqeeb v Barts Health NHS Trust** [2019] EWHC 2531 (Admin) – led by Vikram Sachdeva QC, acting for the litigation friend in a successful challenge to the Trust’s application to withdraw life-saving treatment and refuse consent for the child to leave the country to seek treatment in Italy.

She is one of the co-authors of the 39 Essex Chambers Mental Capacity Report and is a contributor to the 4th edition of the Assessment of Mental Capacity (Law Society/British Medical Association).

## INQUESTS

Nicola has a substantial inquest practice. She has appeared for both family members and public authorities on a number of occasions and has dealt with matters involving Article 2, Article 8, Article 10 and the need for reporting restrictions. Nicola’s media background makes her uniquely suited to dealing with issues combining privacy and freedom of speech and she particularly welcomes instructions in this area.

She acted for the family as junior counsel at the pre-inquest review stages and subsequently in the substantive JR and Court of Appeal hearing, led by Victoria Butler-Cole QC, in **R (Muriel Maguire) v HM Senior Coroner for Blackpool and Fylde** [2019] EWHC 1232 (Admin). Permission to appeal to the Supreme Court is pending.

## CIVIL LIABILITY

Nicola’s common law practice is focused primarily on historic sexual abuse and secondary victim claims.

She represented the claimant in the case of **JT v (1) FTT & (2) AAC** CICA [2015] UKUT 0478 (AAC), a judicial review of the so-called “same roof rule” under which certain victims of crime are prevented from recovering compensation from the CICA. As sole counsel Nicola gained permission to appeal to the Court of Appeal. Led by Fenella Morris QC, Nicola appeared in the successful appeal, **JT v FTT** [2018] EWCA Civ 1735, which resulted in the government deciding to scrap the same roof rule. Nicola was nominated for the 2018 Bar Pro Bono Young Barrister of the year for her work.

In addition to this, Nicola has provided legal advice for one of the three investigations carried out into the behaviour of Jimmy Savile at various NHS establishments. She was also instructed as one of a number of juniors providing assistance to insurers in the ongoing Independent Inquiry into Child Sexual Abuse (IICSA).

She is currently instructed in a £1million+ claim for damages for historic sexual and physical abuse.

She particularly welcomes instructions that allow her to draw on her dual expertise in public and common law.

Nicola assisted Charles Cory-Wright QC in the Court of Appeal in **Taylor v A Novo** [2013] EWCA Civ 194, a case concerning whether a secondary victim could recover damages for the shock of witnessing a loved one’s death a number of weeks after the initial injury was sustained. Damages for psychiatric injury and the law on primary and secondary victims remain a particular interest. She maintains a keen interest in this area and is currently instructed on behalf of the defendant in an ongoing secondary victim claim.

## REGULATORY

In Nicola’s regulatory practice she has appeared in the High Court on behalf of the GMC and the HCPC as well as before the Solicitors’ Disciplinary Tribunal and the General Chiropractic Council. Reported cases include: **Goodchild-Simpson v GMC** [2020] EWHC 271 (Admin) **Rowe v HCPC** [2019] EWHC 695 (Admin); **HCPC v Sibeko** [2018] EWHC 3691 (Admin); **HCPC v Tideswell** [2018] EWHC 1863 (Admin).

She has been a contributor to the ninth edition of *Disciplinary and Regulatory Proceedings* by Treverton-Jones, Foster and Hanif.

## COMMERCIAL

Before coming to the Bar, Nicola had a lengthy career in journalism. During the eleven years she spent at the BBC, she gained experience as a journalist of defamation disputes, electoral law and parliamentary privilege, staff and agency contracts and the most important skill in media work: handling the 'talent'.

As part of her commercial work, Nicola is developing a media-related practice. She has experience of defamation actions in the county court and is keen to develop her practice in this area.

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## MEMBERSHIPS

- COPBA
  - ALBA
  - ARDL
  - PIBA
  - HRLA
  - NUJ
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## QUALIFICATIONS

- Bar Professional Training Course, BPP University College, Very Competent
- Graduate Diploma in Law, BPP University College, Distinction
- MSc in International Relations with Distinction, London School of Economics
- BA (Hons) First Class, English Literature, Hertford College, Oxford University

### Scholarships

- Major Scholar, Inner Temple
  - Ivor Yorke Scholarship for Media Law, BBC
  - Scholarship for academic excellence, London School of Economics
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## ADDITIONAL INFORMATION

Nicola is interested in current affairs, particularly national and international politics.

Nicola speaks conversational French, German and Spanish and has studied Arabic and Chinese without gaining any great proficiency in either.

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