



Nicholas Sefton

Introduction

Nic specialises in family and criminal law. He has a determined commitment to achieving the best possible results for his clients using thorough analysis, preparation and presentation of the facts, with a commitment to meeting dates for the return of paperwork. He is known for his determined, approachable and pleasant manner with both clients and professionals whilst maintaining a professional standard which has been vital in dealing effectively with a diversity of people and issues.

Year of Call

2004

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Family Law

Nic has developed a wide experience in all aspects of child care proceedings which has involved serious and complex cases representing Parents, Local Authorities and Children's Guardians from first appointment direction hearings to final hearing.

His family law practice in Children Act 1989 matters has involved issues including:

- Sexual abuse and non-accidental injuries including cases where there has been the resultant death of very young children;
- Serious domestic violence where there has been the alleged sustained use of weapons;
- Specialist assessment of the veracity of evidence provided by children with regards to allegations of domestic violence and sexual abuse from Best Practice Interviews;
- Issues surrounding attachment disorders in children including inter-sibling and parental attachments requiring specialist assessment and treatment;
- In depth analysis of local authority assessment and decision making processes in relation to the placement of children with foster carers, permanent family member placements and adopters from adoption agency panel to the principal officer;
- Cases involving specific cultural and religious issues;
- Representation of clients, which has required the assistance of the Official Solicitor;
- Residence and contact disputes including intractable contact cases where psychological and psychiatric assessment and enforcement issues are involved;
- Cases involving the appointment of a rule 9.5 Children's Guardian given the implacable hostility between the parties and complexity involved in the case.

Nic receives instructions in a range of ancillary relief proceedings, including matrimonial and cohabitee property disputes involving substantial assets. He is experienced in all aspects of financial provision following the breakdown of a marriage including disputes involving pensions, dissipation of assets, and provision for children.

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Criminal Law

Nic's criminal practice includes both Prosecution and Defence work and he has trial experience encompassing a variety of criminal areas which has included:

- Representation of defendants in serious child abuse trials involving historic allegations of

rape involving the cross examination of vulnerable child and adult witnesses;

- Multi handed defence work trials for both the prosecution and defence in serious violence and drug conspiracy matters involving class A controlled drugs and subsequent POCA 2002 applications;
- Assaults including racially aggravated offences involving legal argument as to the definition of what constitutes racially aggravated offences for the purposes of the Crime & Disorder Act 1998;
- Applications and appeals with regards to operator's licences before the Traffic Commissioner and private criminal prosecutions on behalf of the Department for Environment and Rural Affairs which have extended into European Community Law and Competition Law;
- Relevant experience of cross examining experts in a variety of fields from road traffic matters, to psychiatric assessments and forensic examination of scenes of crime in matters of arson with intent to endanger life;
- Dwelling house burglaries, including group distraction burglary's involving covert surveillance;
- Representation of a defendant charged with conspiracy to defraud involving the sale of false celebrity autographs which was subject to national press and news coverage.

Nic is a Category 3 Prosecutor for the Crown Prosecution Service.

Nic has appeared in both the Divisional and Administrative Court and in the Court of Appeal representing appellants and respondents. He was privileged to represent the appellant in the case of R v Hughes which was the first case to be heard by the Administrative Court sitting at Swansea dealing with the issue as to whether the questioning by a police officer of a suspect in the circumstances of the case amounted to an interview.

Nic is CPD accredited by the Bar Council and has delivered lectures and updates on matters including Inheritance (Provision for Family Dependents) Act 1975 claims; Criminal Justice & Immigration Act 2008; and Cohabitee Disputes.
He is qualified to undertake Public Access work.

Cases of Interest

R v Barrett [2009] EWHC 423
R v Kolombo [2009] EWCA Crim 2378
Hughes -v- DPP [2009] EWHC 515 (Admin)

Education

University of Wales, Cardiff

Personal Interests

Nic is a keen musician having played the piano both socially and in a number of orchestras. He has taught the piano as a recognised teacher of the Associated Board of the Royal Schools of Music. He enjoys a wide range of sports such as squash, football, golf and badminton in which he has competed at county level.

