Robert Courts KC



Year of Call: 2003
Email Address: robert.courts@3pb.co.uk
Secure Email: robert.courts@3paper.cjsm.net
Telephone: 01865 793736

Overview

Robert Courts KC is a door tenant at 3PB and a member of the Western Circuit, the Personal Injury Bar Association and the Criminal Bar Association.

Robert has a general common law practice, principally in the fields of personal injury/clinical negligence and public and regulatory law especially Animal Welfare, Aviation, Police and Proceeds of Crime Law.

In 2009, Robert was the winner of a Pegasus Scholarship to Wellington, New Zealand, injury law.

He also undertakes Contract, Commercial and Public & Regulatory law, where he worked for Crown Law Office, the Legal Advisors to the New Zealand Government.

Robert is an Accredited Mediation Advocate.

Scholarships

Hardwicke Scholarship (Lincolns' Inn) - 2003
Denning Pupillage Scholarship (Lincolns' Inn) - 2003
Pegasus Scholarship - 2009

Professional qualifications & appointments

Accredited Mediation Advocate

Professional bodies

Criminal Bar Association
Personal Injury Bar Association (PIBA)
Western Circuit

Expertise

Crime and Regulatory Crime

Robert Courts is an experienced criminal practitioner appearing for both the prosecution and defence in all Courts up to and including the Court of Appeal.

He is a Grade 2 prosecutor on the CPS Approved List of Advocates for the Western Circuit.
In 2009 Robert spent four months in New Zealand, working for Crown Law Office - the government's legal advisory department - as part of a Pegasus Scholarship. As part of his stint in the criminal department, which only handles appellate work, Robert drafted submissions for the Court of Appeal and Supreme Court of New Zealand, and appeared as a second junior for the Crown in the New Zealand Court of Appeal.

Back in the United Kingdom, he undertakes all areas of criminal work in the Crown Court, has particular experience in dealing with multi-handed trials and accordingly has been led on a number of occasions (R v Ward & others, R v Clarke & Painter; R v Quadri & others, R v Phillips).
He has experience in all aspects of criminal offences, but particular expertise in the following:

- Offences Against the Person, including murder;
- Fraud;
- Road Traffic;
- Dangerous Dogs Act;
- Animal cruelty;
- Theft and other dishonesty;
- Sexual Offences;
- Child Cruelty;
- Criminal Damage and Arson;
- Proceeds of Crime Act 2002.

Robert has a particular specialist interest in cases arising from animals and aircraft, in both the criminal and civil spheres. He also has a related interest in animal cruelty cases and RSPCA prosecutions.

He also has a particular specialist interest in trading standards offences, where he has prosecuted and defended in high profile cases, and has experience cross-examining experts.
Robert has experience prosecuting Proceeds of Crime Act 2002 and related confiscation proceedings (see R v Ward and others, below).
He also has experience of arguments arising from Risk of Sexual Harm Orders under the Sexual Offences Act 2003.

Recent notable cases include:
Oxfordshire Trading Standards v Bateman (2011) - Robert defended the first defendant in a three handed case prosecuted by leading Counsel;
R v Ellis (2011) - appeal against sentence in the Court of Appeal;
R v S (2009) – Winchester Crown Court. Second junior in a multi-handed case defending a youth charged with grievous bodily harm;
CAA v Hynett (2009) – prosecuting a low-flying helicopter pilot on the Isle of Wight;
R v Phillips (2008) – Bournemouth Crown Court. 8 week trial, as second junior counsel. An alleged conspiracy to steal high value plant machinery from across the south of England and export it to Cyprus.
R v Ward and others (2007) – Portsmouth Crown Court. Robert was the Prosecution junior in this six week, seven-handed trial, concerning a conspiracy to defraud vulnerable householders. Reports of the case appeared in national newspapers. Robert prosecuted all the POCA proceedings arising from the case in his own right;

R v Clarke & Painter (2006) – Bristol Crown Court. Robert was the Prosecution second junior in this widely publicised case concerning a parental double murder. Robert's responsibility was for unused material and disclosure. He also appeared to prosecute the matter in his own right when leading and first junior Counsel were unavailable;
R v Quadri and others (2006) – Southampton Crown Court. Robert was a Prosecution junior in this four-handed fraud trial, concerning identity theft.
R v Morrow (2006) – appeal against sentence in the Court of Appeal;

Other cases of note include:
Legal argument of Risk of Sexual Harm Orders under the Sexual Offences Act 2003;
Defending a Youth on a charge of Arson;
Defending a Youth on a charge of Blackmail;
Defending Proceeds of Crime Act confiscation applications.

He is often instructed by various other agencies to prosecute, including local authorities (for example, enforcing vagrancy and begging laws,) the police (in relation to orders relating to sex offenders and confiscation matters), the RCPO, the Department of Work and Pensions and the Civil Aviation Authority.
Robert has recently lectured on various issues arising out of trading standards prosecutions.

Robert is a member of the Criminal Bar Association.

Personal Injury

Robert Courts is experienced in a broad range of personal injury cases on the multi track and fast track.
Robert has a particular interest in psychiatric injuries, noise-induced hearing loss, travel claims and specialised areas of road traffic law such as cycling and motorcycles.
Robert also has a particular interest and corresponding experience in the complicated area of injuries caused by animals, for example under the Animals Act 1971 but also under other, less well-known causes of action.
Robert has experience of cross-examining, and holding conferences with, experts in many of these areas.
He also has long experience across the wide variety of personal injury work, such as employer's liability, occupiers' liability, highways claims, fatal accidents, low velocity impact cases, accidents at work, and the costs issues arising out of them.
Robert also has experience in representing interested parties at inquests, for example arising out of industrial accidents or mesothelioma.

Reported cases from this year:
Hobbs v DGB Windsor Ltd (2012) LTL 29/6/2012 - High Court mesothelioma assessment of damages.

Other recent notable cases include:
A number of noise induced hearing loss cases, involving issues of causation, attenuation, breach of duty, experts, Coles guidelines;
Advising on vibration white finger;
A number of cases involving accidents involving animals, involving issues of strict liability under the Animals Act 1971, causation, expert opinion, nuisance and negligence, arising out of accidents involving dogs, horses and cows;
Advising on a fatal accident claim involving a cyclist;
Advising on an accident whilst boarding an aircraft, under the Convention, Occupiers' Liability Act and negligence;
Advising on package holiday and other travel claims;
Advising on an infant's psychiatric symptoms;
Scarring cases, both advising and representing, child and adult, particularly regarding facial scarring;
Advising on Occupiers' Liability cases, involving for example local authorities and hotels.
Robert is happy to and regularly lectures on various topics including "Animals Act 1971 - Claim or not?" and caselaw updates.

In 2009, Robert spent four months in New Zealand, working for Crown Law Office - the government's legal advisory department - as part of a Pegasus Scholarship award. As part of his stint in the Social Services and Employment department (whose remit also includes defending tortious claims against government departments,) Robert spent most of his time

working and advising on matters arising out of psychiatric injury – nervous shock as it is sometimes called – in which Robert has had a particular interest since University.

Robert has a keen attention to detail and brings a clear-sighted judgment on all matters in which he is instructed, such that he is able to distill complicated matters to their essentials for presentation either to clients or to the Court.

He is instructed by both claimants and defendants and accepts instructions under Conditional Fee Agreements in appropriate cases.

Robert is a member of the Personal Injury Bar Association.

Public and Administrative Law

Energy & Utilities

Robert has long experience in energy-related debt recovery matters. He appears in the County Court for trials as well as interlocutory matters such as summary judgment applications, as appropriate. He is familiar with the system-related and documentary problems that arise when representing a large company, particularly when dealing with litigants in person.

Robert has particular knowledge of arguing the "deemed contract" provisions for electricity and gas in front of Courts who are not familiar with the concept, and has dealt with trials arising out of debts owed in relation to individual premises, as well as commercial, be they takeaways, restaurants, factories, hotels, shops or in a landlord & tenant context.

Robert also has an interest in matters arising out rights of entry (under the Rights of Entry (Gas and Electricity Boards) Act 1954) in the Magistrates' Court and has provided in-house training in that respect to energy company officers.

Regulatory Compliance & Consumer Protection

Robert has long experience of prosecuting and defending Trading Standards matters.
His most significant case was Oxfordshire Trading Standards v Bateman & Merriman, a five week, three-handed case in 2011. Robert defended the lead Defendant against leading Counsel. This was a factually complex case involving allegations of systematic fraud and breaches of CPUTR against elderly, infirm and vulnerable people with significant financial loss, and issues of expert evidence arising out of technical aspects of building work undertaken.
Building on this experience, Robert's predominant interest is now in prosecuting for local authorities, be this for Trading Standards departments at County Council level, or similar agencies at District Council level. Robert is currently involved in a major prosecution arising out of extensive investigations on behalf of a local authority that is likely to come to trial within the next year.
He has significant experience of the sometimes complicated issues arising under the Consumer Protection from Unfair Trading Regulations 2008, including aggressive and unfair practices, how the same interact with fraud in some cases, as well as the disclosure and tactical issues arising out of long and detailed investigations.
Robert further has experience of and accepts instructions to prosecute under the Environmental Protection Act 1990; fly-tipping being the most prevalent concern in the Oxfordshire area.

Licensing
Robert is an experienced advocate in licensing hearings, for both traditional licensed premises and ad hoc applications, both at committee stage and appeal, in a practice area that is a compliment to his specialised Trading Standards prosecution work. His licensing practice is largely local to Oxfordshire, but Robert will undertake appropriate cases elsewhere.

Recent notable cases include:

Appearing for applicant in an appeal against refusal to extend licensing hours on the Cowley Road in Oxford;
appearing for the applicant in a first instance application to extend licensing hours for premises in Woodstock;
appearing for the Respondent in an appeal against revocation of an alcohol sales license for a corner shop on the south coast.

Robert is particularly experienced in dealing with the detailed and thorny issues arising out of local authority policy, such as saturation areas.

Articles

3PB's Robert Courts comments on the Court of Appeal's recent judgment in the conjoined cases of Broadhurst (1) & Taylor (2) v Tan (1) & Smith (2) [2016] EWCA Civ 94

View Article