



Nicola Frost

Year of Call: 2009

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Overview

Nicola Frost is a specialist family law barrister. Her thriving practice encompasses finance and private law matters. She is committed to achieving the best results for her clients and uses her strong negotiation skills to facilitate settlement, wherever possible. Nicola's clients appreciate her amiable and pragmatic approach to issues, alongside her meticulous preparation and tenacity at court.

Nicola is married with two young children. She enjoys running, swimming and singing. She is a governor at a primary school.

Recommendations

"I was really impressed with how understanding you were and also how direct and honest you were."

"My client loved Nicola because she was feisty but fair."

"You did an excellent job for my client in difficult circumstances. Thank you."

"Tenacious!" (judge)

"Your skeleton argument is excellent" (judge)

"I think your skeleton [argument] is beautifully written and presented."

Academic qualifications

- LL.B (Hons) (First Class) – Bristol Law School, UWE Bristol
- BVC (Very Competent) – Bristol Institute of Legal Practice, UWE Bristol

Scholarships

- Inner Temple Exhibition and Duke of Edinburgh Scholar
- Inner Temple Keble Advanced International Advocacy Scholar

Professional qualifications & appointments

- Accredited Mediator – Civil & Commercial Mediation (Bristol ADR Group)

Professional bodies

- Family Law Bar Association
- Bar Pro Bono Unit
- Inner Temple
- Insolvency Practitioners Association
- Western Circuit
- R3 Association of Business Recovery Professionals
- European Circuit

Direct Access

Nicola Frost is qualified to accept instructions directly from members of the public and professional clients under the Direct Public Access scheme.

Expertise

Family

Finance/Property

Nicola is highly experienced in matters involving financial remedies upon divorce under the Matrimonial Causes Act 1973, cohabitation disputes under the Trusts of Land and Appointment of Trustees Act 1996 (TOLATA) and applications involving provision for children under Schedule 1 to the Children Act 1989. Nicola also has specialist expertise in the area of prenuptial agreements and advises upon and prepares both prenuptial and postnuptial agreements.

Nicola has particular experience of:

- Prenuptial agreements / postnuptial agreements
- Consent orders (enforceability, challenge, Barder events)
- Cohabitation agreements
- TOLATA claims
- Transfers of overseas property, ensuring the enforceability of orders
- Conduct, including dissipation of assets
- Maintenance pending suit / spousal maintenance
- Farming cases
- Third party interests
- Insolvency, including transaction avoidance, non disclosure, uncovering concealed assets
- Schedule 1 to the Children Act
- Enforcement applications
- Cohabitation and conversion / delivery up
- Annulment proceedings
- Business assets
- Pensions (including Forces pensions)
- Disabled adult 'child' dependants
- Freezing injunctions

Private Law

Nicola has an extensive private law practice and covers the spectrum of child law matters. She is particularly experienced in relationship breakdowns involving intractable contact disputes. Nicola has a special interest in surrogacy cases and has acted and advised in this niche area of private law.

Nicola has acted in cases involving allegations of domestic and sexual abuse, psychiatric disorders and issues of alcoholism and drug misuse; she deals with complex medical evidence and has conducted lengthy fact finding hearings.

In addition to general private law practice (child arrangements, specific issue and prohibited steps orders), Nicola has acted in the following types of private law cases:

- Surrogacy

- Private adoption
- Removal from the jurisdiction (including Hague Convention)
- Internal relocation cases
- Declarations of parentage
- Non-molestation / occupation proceedings
- DNA cases

Court of Protection

Nicola is fully qualified to undertake Court of Protection cases.

Public Interest Immunity / Disclosure

Nicola reviews and advises upon all aspects of PII, including compliance with the Disclosure Protocol, interaction with other agencies and balancing competing public interests. Nicola has experience of dealing with complex medical evidence and, in addition to social services' records, is willing to review health departments' records.

Publications

3PB Family Barrister Nicola Frost provides an insightful summary of *Re: MM (A patient)* [2017] EWCA Civ 34, an appeal from the Court of Protection in which the appellant had been ordered to facilitate MM's return to this jurisdiction, the court having found (on a number of occasions) it to be in MM's best welfare interests to be cared for in the south west of England.

The parties compromised the appeal and the court was asked to approve a consent order, allowing the appeal, on the basis that (i) the order made had become otiose and (ii) it would be futile to subject the appellant to further coercive orders in the face of her continuing obduracy. Case remitted to the court of first instance for the proceedings to be concluded.

[View Publication](#)

3PB Family Barrister Nicola Frost provides an insightful summary of *AB (Surrogacy: Domicile)* [2016] EWFC 63, an application for parental orders in relation to two children in which the court had to determine whether at least one of the applicants could be said to be 'domiciled' in the jurisdiction at the time of the application and at the time of making the order, as required by section 54(4)(b) of the Human Fertilisation and Embryology Act 2008.

[View Publication](#)

Mediation

Nicola is an Accredited Mediator – Civil & Commercial Mediation (Bristol ADR Group).