

# Nicola Frost

**Year of Call:** 2009

**Email Address:** [nicola.frost@3pb.co.uk](mailto:nicola.frost@3pb.co.uk)

**Secure Email:** [nicola.frost@3paper.cjsm.net](mailto:nicola.frost@3paper.cjsm.net)

**Telephone:** 0117 928 1520



## 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. Click here to listen to Nicola's latest podcast on "[pre-nuptial agreements: are they worth it?](#)", recorded with Get Legally Speaking.

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 Remote FDR Hearings

Nicola is available for private remote FDR hearings. For more information on private remote FDR hearings please click [here](#).

## **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 and has been instructed on behalf of the Official Solicitor.

## **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.

## **Articles**

Nicola Frost examines if the court should automatically disregard pre-nuptial agreements that fail to adhere to the '28-Day Rule', in this article first published in Family Law.

[View Article](#)

Over 10 years on from *Radmacher v Granantino*, with pre-nuptial agreements still not guaranteed to be upheld in court, Nicola Frost offers her best recipe to make them binding.

[View Article](#)

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 Article](#)

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 Article](#)

## Recommendations

Nicola Frost is an experienced junior who is particularly well known for taking on financial remedy cases. She is skilled at dealing with pre and post-nuptial agreements, cohabitant disputes and trusts and business issues.

Strengths: "Nicola is a persuasive advocate. She is always on top of her cases and she is well researched."

"Nicola is thorough and robust. She always goes the extra mile to prepare a strong case."

"Nicola is extremely approachable, fantastic with clients and a highly persuasive advocate."

### **Chambers UK 2024**/Family/Matrimonial Finance/Western Bar

Nicola Frost is a 'go-to barrister for difficult private children law cases'. Her broad practice includes child abduction and Hague Convention cases, as well as surrogacy and intractable contract disputes.

'Nicola has an amazing ability to collate huge amounts of information down to the key points without missing anything. She approaches her cases with forensic accuracy as well as a great deal of compassion for clients. She is also incredibly robust when dealing with her opponents and with the court.'

### **Legal 500 2024**/Family: Children and Domestic Violence/Leading Juniors/Western Circuit

'Nicola is extremely thorough and her attention to detail is impressive. She has excellent client care qualities and goes the extra mile for her clients. Nicola is a calm but very persuasive advocate.'

### **Legal 500 2024**/Divorce and Financial Remedy/Leading Juniors/Western Circuit

'She is robust, yet engaging and empathetic with a client.'

### **Legal 500 2023**/Child Law (Public and Private)/Leading Juniors/Western Circuit

'Nicola is tenacious and perceptive, and thorough in her preparation.'

### **Legal 500 2023**/Divorce and Financial Remedy/Leading Juniors/Western Circuit

'She always has a total command of the papers and is a robust advocate.'

### **Legal 500 2022**/Child Law (Public and Private)/Leading Juniors/Western Circuit

'She always has a total command of the papers and is a robust advocate.'

### **Legal 500 2022**/Divorce and Financial Remedy/Leading Juniors/Western Circuit

"I've always used another chambers but have recently instructed Nicola Frost from 3PB who was fantastic and really sorted a difficult case. I've instructed her again on another case."

### **Instructing solicitor**

"Nicola's attention to detail far exceeds any other barrister or lawyer I have ever come across!"

### **Solicitor, Head of Family**

"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
- Author of '[A Practical Guide to Pre-Nuptial and Post-Nuptial Agreements](#)'

## **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)
- Advocacy Trainer (Western Circuit)

## **Professional bodies**

- Family Law Bar Association
- Bar Pro Bono Unit
- Inner Temple
- Western Circuit
- European Circuit