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## Nigel Fryer

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## Practice Overview

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Nigel is an experienced advocate who has a mixed criminal and regulatory practice, he prosecutes and defends in equal measure. He is a Grade 4 CPS prosecutor, member of the CPS rape panel and a member of the List of Specialist Advocates in Health and Safety and Environmental Law.

### Notable and Reported cases

- R v L. (R) and F. (J.) 2009 1 Cr. App. R. 16 CA.

#### COURT OF APPEAL

Defence Counsel in the guideline case resolving the appropriate approach to the prosecution of an unincorporated association. Successfully argued that the Environment Agency had adopted the wrong approach in the prosecution of a golf club where they had identified the chairman and treasurer as culpable rather than the organization itself.

- Blouet v Bath and Wansdyke Magistrates Court [2009] EWHC 759 (Admin)

Judicial Review of the decision of the District Judge not to order a mental health fact finding exercise rather than a trial.

- Recent notable cases

R v X - Defence of a Naval Officer of good character. He was accused of multiple sexual offences against his best friend's daughters. The case involved sensitive cross-examination of the girls who were 6 and 8 years old at the time of trial.

R v X - Defence of a young man accused of Death by Dangerous Driving. The Crown alleged that X had engaged in a high-speed race on public roads that resulted in a catastrophic collision in which the driver was killed instantly.

R v X - Defence of a young man charged with multiple counts of vaginal, anal and oral rape against his ex-partner. It was then alleged that he forced his way into her home and subjected her to a 16-hour ordeal of serious sexual and physical violence. The case required a determined approach that enabled the defence to prove a pattern of deceit and a history of making false allegations



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R v X - Defence of a man charged with firearms offences and aggravated burglary. He was alleged to have burst into the complainant's home and threatened to shoot him. He put a pair of pliers in the complainant's mouth; threatening to rip his tongue out if he did tell him where the safe and the drugs were. He refused to tell them so a large kitchen knife was held to his throat and the co-defendant fired the gun to intimidate him.

R v X - Defence of a man accused of multiple counts of sadistic historical rape, sexual assault and intercourse with a girl under 13 against three complainants.

R v CF & Others - Prosecution of nine people charged with an exceptionally serious violent disorder, during the course of which knives, baseball bats and bottles were used.

R v X (Operation Dino) - Defence of a man at trial indicted with conspiracy to commit fraud. He, along with 10 others, was at the centre of a conspiracy to defraud insurance companies by making false claims. The total value amounted to £7 million.

## Crime

His criminal practice encompasses the full range of serious offending such as rape, serious violence, firearms, sexual offences, child sexual offending, complex fraud, drug manufacture, drug conspiracy, armed robbery, blackmail and fatal road traffic offences.

He is known for his approachable manner with clients, assertive nature in Court and has been listed in the Legal 500 as "Excellent".

## Regulatory

Nigel undertakes work nationwide, with particular emphasis on health and safety, environmental law, planning enforcement, gang master licencing trading standards and prosecutions on behalf of the Department of Business, Innovation and Skills. He believes that a team approach is essential to any regulatory case and welcomes the opportunity to advise from an early stage including at the inquest in matters involving a fatality. He is always keen to undertake site visits to understand the fine detail of a case.

## Environmental Law

Nigel has acted for both government authorities, private individuals and insurance companies in respect of environmental matters. Legal 500, 2013 describes him as having a "notable environmental practice". General examples of work include the prosecution and defence of water and air pollution, spillage including waste, slurry and effluent, the storage of waste and the transportation of waste.

## Planning Enforcement & Statutory Nuisance

He has extensive experience of the prosecution and defence of matters arising from breach of planning legislation, including stop, enforcement notices and breaches of listed building regulations. In addition Nigel undertakes work in the field of statutory nuisance and has advised upon, and litigated, notice abatement notices.

## Education & Qualification

Queen Mary, University of London  
University of the West of England

- LLB
- BVC