



# Nicholas Levisieur

**Year of Call:** 1979

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## Public and Regulatory

Nicholas Levisieur is a well-known regulatory barrister with considerable experience of appearing in regulatory tribunals both as an advocate and as a legal assessor. His experience extends beyond the formally regulated sectors to include the disciplinary bodies set up by private organisations to control the conduct of their membership including political, trade and professional bodies.

He has considerable experience in advising at an early stage before proceedings are instituted, in helping to negotiate consensual disposals, and of appearing at interlocutors and final hearings. His experience covers all the medical, dental, nursing and ancillary medical professions as well as accountancy, education, ecclesiastical, environmental, health & Safety and the legal services professions. He also has considerable related experience of judicial review proceedings before the High Court.

Nicholas is regularly appearing in the first and upper tier tribunals and the High Court in relation to all aspects of local authority work and ancillary criminal enforcement proceedings brought by a variety of government agencies.

Over the years Nicholas has built a reputation and solid practice working for and against many regulators and is often found as an opponent to KC's and leading counsel. Nicholas has recent experience working for and against the following regulators: NMC, CQC, GMC, SRA, UKCP, GPHC, BACP, OFSTED, GDC, CIMA,

### **Recent significant cases have included:**

#### **Medical/Care**

Advising on the admissibility of highly prejudicial medical evidence given before a coroner and of the narrative verdict of the coroner itself, and subsequently successfully excluding both evidence and verdict

Negotiating successfully with the SRA as to the terms of a compromise agreement not involving the striking off of either client in a case involving the misuse of client funds totalling more than £500,000 over a 4-year period

Representing a distinguished practitioner at the end of her career before 3 separate tribunals and professional bodies in cases involving probity, clinical judgement and root and branch attacks on competence, resulting in complete acquittals in all cases.

Defending a primary school teacher against allegations of physical violence against young children, cross examining hostile teaching assistants, analysing data and social media records and securing acquittals in respect of each allegation.

H v GMC: Successfully appealing to the High Court against a striking off decision made by the General Medical Council in a case, against a KC as opposing counsel, involving financial dishonesty and the improper use of reserved medical qualifications

D v GMC: Successfully appealing to the High Court to force the reconsideration of orders made against a doctor by the

General Medical Council

General Pharmaceutical Council v A: Representing a pharmacist accused of long standing sexually motivated conduct towards a junior member of staff and avoiding strike off

General Pharmaceutical Council v B: Successfully resisting an application for an interim order against the managing director and owner of a pharmacy chain accused of supplying and facilitating the improper transfer of the active ingredients of new wave recreational drugs to unqualified persons

### **Professional Discipline**

Pearson v SRA: Successfully representing a solicitor in the evening of his professional career before his professional regulator against allegations of misuse of client account funds, over charging and accounts irregularities such that strike off was avoided

CQC v Oakdene: Representing a nursing home, its owners and manager against charges brought by the CQC for significant failings in care resulting in serious harm to an elderly disabled resident under the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

D v Association of Dance Movement Psychotherapists UK Ltd: Acting for the successful claimant in the High Court against striking off decisions made by her professional body in breach of its internal procedures

### **Licensing / Animal Welfare**

H v Crawley Borough Council: Advising, representing and successfully overturning a local authority decision to close kennels on animal welfare and fit and proper person grounds in aa case in which the documentary evidence exceeded 10,000 pages.

### **Health and Safety**

C BC v N: Advising, appearing and successfully striking out charges brought against a night club for significant breaches of covid regulations.

### **Ecclesiastical Law**

Van der Zyl v Sizer: Appearing as prosecution counsel in the only Church of England Bishop's Disciplinary Tribunal to be heard in public. Prosecuting allegations that a clergyman provoked and offended the Jewish community and engaged in anti-Semitic behaviour.

### **Environmental Law**

Low v Z and H: Representing landlords in court in respect of statutory nuisances under the Environmental Protection Act 1990 and successfully negotiating agreed outcomes before judgement.

## **Articles**

Our legal assessors – David Swinstead, Peter Jennings, Nicholas Levisieur, Timothy Bradbury, Lachlan Wilson and Mark Sullivan – share with you hints and tips from their own experience, focused for the second time on the use of language: the different ways in which people use language, and which words can mean different things to different people.

[View Article](#)

## **Academic qualifications**

MA (Oxon)

## **Professional qualifications & appointments**

- Legal Adviser to the General Dental Council
- Legal Assessor to the General Optical Council
- Called to the Bar of Southern Ireland
- Legal Assessor to the Nursing and Midwifery Council
- Legal Assessor to the General Chiropractic Council