

Robert Parkin

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Robert Parkin is an established mixed civil practitioner, advising on a very wide range of civil matters, particularly immigration, personal injury, housing, probate, debt recovery and general litigation claims as well as non-contentious drafting.

Robert has held an unusually large number of roles in the legal sector, having previously been a paralegal advocate, solicitor, a solicitor-advocate, and a OISC Level 3 accredited immigration consultant. He brings this range of expertise to the bar and uses it to find innovative solutions to common problems- having often faced similar problems himself at one time in practice.

Areas of Expertise

Personal Injury

Personal injury claims form an important part of Robert's day-to-day practice. He acts, routinely, for both Claimants and insurer Defendants; in a very large range of accidents from simply road traffic collisions to industrial accidents; claims involving assaults; and claims arising from lack of supervision, for example, in a school environment. This ranges from simple, low value work, to complex, high value, claims involving brain damage.

A large portion of Robert's work involves bringing and defending claims under the Highways Act 1980 relating to slips and trips on the public highway. He has acted in the defence of such claims for a range of high profile clients, including a nationally recognised landholding charity; an airport; and local authorities.

A regular theme in Robert's work involves either seeking relief from sanctions or the imposition of those sanctions. He is also very familiar with bringing or defending claims in which fundamental dishonesty is alleged.

Robert is also instructed to both bring and defend claims involving clinical negligence.

Commercial, Chancery & Property

Robert is routinely instructed in claims relating to rented residential property and represents both landlords and tenants in these actions, most memorably, by a national government to recover possession of a grace and favour property in the UK.

His most common instructions concern claims for possession and for damages arising from disrepair, mishandled deposits, or rent repayment orders; including local authority defence work.

Alongside residential property, Robert is also regularly instructed in respect of claims relating to commercial property and has substantial experience of leasehold actions under the Landlord and Tenant Act 1954 or TOLATA claims concerning ownership of property. These claims often have an overseas element, with recent claims involving property in Spain, India, Cyprus, and the United Arab Emirates.

Robert has a detailed knowledge of mortgage and bridging loan repossession actions, having previously acted for both commercial lenders and mortgagors in financial difficulties; including on one recent occasion concerning a failure to make sufficient repayments under a multi-million pound specialist mortgage affecting a large property in Central London.

Robert is instructed in an extremely broad range of civil claims for damages or debt recovery across a number of areas of the law; with an area of specialist interest concerning interim applications, particularly seeking or resisting the imposition of sanctions for non-compliance or obtaining relief from past sanctions; limitation challenges; and costs orders. He has significant experience in enforcing or resisting enforcement of judgments.

Notable recent examples illustrating the breadth of this experience include claims under s.423 Insolvency Act 1986; multi-party trust litigation involving an East London Mosque; and repossession of embassy properties by rogue members of diplomatic staff.

A number of Robert's instructions involve claims relating to probate and estates, including claims for provision for dependants under the Inheritance Act 1975 and applications relating to the removal of executors and obtaining estate accounts.

An important part of Robert's practice relates to making and resisting applications for civil contempt orders. He appeared for the plea in mitigation on behalf of the respondent party in the first known action for civil contempt ever brought by an NHS trust in English legal history.

That said, Robert takes the view that prevention is generally better than cure, and is frequently instructed to prepare non-contentious legal documents where litigation is not anticipated. This includes preparation of contracts, template terms and conditions, wills and trust deeds, and settlement agreements. Examples include agreements in respect of film rights; an indemnity complying with the SRA's requirements for a disposal of residual client account funds to charity; an agreement between agent and a racing driver; and terms of settlement between the trustees of the estate of a person convicted of murder and potential claimants for civil damages by the dependants of the victim.

Public Sector & Human Rights

Robert has a highly regarded and fairly prestigious immigration practice, having, in the past advised a range of high-profile clients, including diplomats, foreign governments, UK-based local authorities and a government department, an overseas football federation, high net worth foreign investors, heads of foreign corporations, large religious organisations, and on one occasion, a well-known Hollywood actor and comedian. He advises on both personal and regulatory immigration law.

In addition to more routine immigration work, Robert regularly advises on matters relating to asylum and deportation, including in cases with the most serious humanitarian considerations or criminal offending where media interest has been attracted. He claims (with varying degrees of justification) an encyclopaedic knowledge of socio-political circumstances in a wide range of jurisdictions. He is known for taking an extremely technical approach, identifying flaws and loopholes in complex legislative material.

Robert routinely appears in immigration tribunals in initial and onward appeals as well as judicial reviews, but also accepts instructions to appear in bail hearings and enjoys paper-based advice and drafting across a range of material including grounds of appeal or judicial review and initial applications. Robert has been granted permission to appeal to the Court of Appeal on a number of occasions on points of construction relating to immigration law and has appeared unled in the Court of Appeal.

Besides immigration, Robert also has been involved in a wide range of other public law claims in the recent past, including work relating to professional regulation; inquests; housing allocation; information rights; social security; professional regulation; criminal injury compensation; licencing; charity proceedings; diplomatic premises; and medical ethics.

Travel & Cross Border Claims

Robert has a rapidly developing travel and cross border practice, including claims under the Package Travel Regulations and involving accidents abroad; in jurisdictions as far flung as Mexico, Turkey, Malta, and the Maldives. In a recent example, Robert achieves a substantial order for damages against a Spanish insurer following a contested hearing relating to injuries caused by a poorly managed building site.

Education

- 2008-9 Bar Vocational Course ("BVC"), "Very Competent" Nottingham Law School ("NLS")
- 2007-8 Graduate Diploma in Law (GDL), Commendation Nottingham Law School ("NLS")
- 2004-7 MA (Oxon.) Modern History, II.1 Oxford University, Lady Margaret Hall ("LMH")
- 1999-2004 Royal Grammar School, Guildford (RGS)

Awards

- 2008 Lincoln's Inn Lord Denning BVC Scholarship
- 2008 Lincoln's Inn Hardwicke Entrance Scholarship
- 2007 Lincoln's Inn Haldane GDL/CPE Scholarship
- 2007 Jomati Foundation Scholarship (GDL Bursary)

Notable Cases

Pathania v Tashie-Lewis & Anor [2021] EWHC 526

Civil fraud proceedings under s.423 Insolvency Act 1986

Barclay-Watt & Ors v Alpha Panareti Public Ltd & Ors [2021] EWHC 1327

Junior disclosure counsel in group litigation involving mis-selling of holiday homes in Cyprus

Sherazi v General Medical Council [2021] EWHC 3628 (Admin)

Erasure of a doctor from the GMC register on competency grounds

SD v SSHD [2021] UKAITUR HU048502019

Immigration appeal involving exclusion on grounds of a criminal conviction.

Firdaws, R (On the Application Of) v First Tier Tribunal (IAC) & Anor [2019] EWCA Civ 1310

Construction of implementing provisions of changes to the immigration rules

ARN v OSD [2019] EWHC QB-2019-002470

Defending a claim for a “super-injunction”

Calderdale NHS Trust v Atwal [2018] EWHC 961

Acted for the Defendant in mitigation of the first committal for contempt action brought by an NHS trust.