

Nicholas Bacon QC

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Superlatives can't describe how good he is - he's brilliant and always willing to put in extra time.

- Chambers & Partners

Nicholas Bacon QC is recognised as a leading silk by the Legal Directories in his specialised fields of costs and regulatory work.

He has appeared in practically all of the most important costs and funding cases in recent years. His costs practice is well juxtaposed to his regulatory work with particular emphasis on all legal sector regulatory law and procedure, litigation funding and in more recent years the sports sector.

The Directories

Chambers and Partners 2019 says that *"Nick is one of the best advocates in the business and his knowledge of costs law is unparalleled; he is also very approachable and gives clear, concise and understandable advice."* *"He is a leading silk – if you want someone on side to get key points across to the judge you'd instruct Nick."*

2018 says that *"Nick is the best barrister in his field, end of. If you want to win, then you need him in your corner. Judges respect him and know he doesn't take bad points."* 2018: *Superlatives can't describe how good he is - he's brilliant and always willing to put in extra time.* *"The only QC to instruct on anything costs related. Hands on and user-friendly, he's an excellent advocate and the standout leader in his field."* Nicholas is *"simply the doyen of the legal costs world"* (Chambers and Partners 2016). *"If you want an absolute costs specialist silk then there's only Nick Bacon."* *"His strength above everything else, lies in his ability to identify what success means in a job and ensuring that he achieves it. He's very down to earth, extremely easy to work with and, for somebody who is a leader in the field, he's also very accessible."* (Chambers and Partners 2015). He has been described as, *"a guru on costs matters"*, *"top of the tree in this field"* and *"one of the go-to people"* at the Costs Bar . Praised for his *"huge knowledge of costs authorities"*, *"he can always arrest the attention of the judge."* Chambers and Partners 2014 comment *"He is definitely a leading silk in the field. To that end, you know when you hire him, you've got the guy."*

Legal 500 2019 describe Nick as a leading silk who *"always brings that little bit extra to every case."* *"Who plays hard and is respected by judges and opponents alike."* (2017)

His Costs Practice

The "enormously likeable" Nicholas Bacon QC continues to dominate the market in costs with a hugely impressive bank of leading cases to his name.

Nicholas Bacon is a leading silk in his specialised field of costs. He dominates this market with a hugely impressive bank of leading



cases to his name. 2015/2016 has been no exception with both Supreme Court (Denise Brewer v. NILGOSC and Dept of Environment NI [UK 2014-180] and Court of Appeal cases to his name: Sean Philips v. Carol Willis [2016] EWCA Civ 40; Qader v. Esure [2016] EWCA Civ 1109; Littlestone v. Macleish [2016] EWCA Civ 127, Essar Oilfields Services v. Norscott Rig Management [2016] EWHC 2361, retained by the claimants in respect of costs in Arcadia, Marks and Spencer, Tesco v. Visa Inc & Visa Europe multilateral interchange fees claims and for the claimants in the Kenyan Emergency Group Litigation continuing the 2014/2015 theme of a string of leading appeal cases to note including the Supreme Court: Coventry v. Lawrence (Bar Council) [2015] 1 WLR 3485; Wyatt v. Vince (costs) [2015] 1 WLR 1228; Marley v. Rawlings [2015] AC 157, [2014] UKSC 51 and other significant appeal cases including Ahmud & Co v. MacPherson [2015] EWHC 2240; O'Brien v. Michael Shorrock and MIB [2015] 4 Costs LO 439. In the Court of Appeal he appeared in Kanat Assaubayev v. Michael Wilson & Partners [2015] CP Rep 10; [2015] PNLR 8; News Group Newspapers in the seminal case of Mitchell v. NGN ("plebgate") 2013 CA; Brown Quinn v. Equity Management, 2013 CA; Heron v. MTG, 2013 CA.

High profile clients include Mr Berezovsky in respect of the multi million pound costs claim brought by Mr. Abromovic and Newsgroup Newspapers in respect of the Voicemail Interception litigation and Shell in Bodo Community v. Shell Petroleum Development Co (2014).

He was instructed to recover the costs in the failed Bernard Madoff Securities Int Ltd "Madoff" claim in 2014.

Nicholas heads up the hugely successful 4 New Square costs team who are the leaders in the market.

Nicholas was a member of the Civil Procedure Rules Committee and has been appointed as an Assessor to Lord Justice Jackson's Review of Fixed Costs. He has been a member of various Jackson Implementation Committees on various aspects of the current reforms.

"A deservedly popular choice of counsel," he is "a vigorous defender of his clients' interests." Famed for his encyclopaedic knowledge of costs law, he has "an impressive analytical eye, which he uses to great effect when on his feet." Clients particularly take a shine to his "bold and forceful advocacy style," as it "reassures them that he is always fighting their corner hard." (Chambers and Partners: 2008). "Hardworking, energetic and steeped in costs law, Nicholas Bacon has probably the biggest costs practice at the Bar and "solicitors like him enormously".

Privacy Policy

Click here for a [Privacy Policy](#) for Nicholas Bacon QC.

Areas of Expertise

Claims Management

Advised Claims Direct both before after it became a PLC as to regulatory requirements and the legality of business model. Advised as to the procurement of business including as to breach of referral fee codes of practice. Represented Claims Direct in High Court and Court of Appeal on legitimacy of the retainers it had with solicitors. Claims Direct Test Cases [2003] EWCA Civ 136, Claims Direct Test Cases [2003] Lloyd's Law Reports 677

Advised and represented The Accident Group – a claims management company specialising in procurement of personal injury cases. Assisted in the drafting of model agreements for use by panel firms. Represented TAG in successful appeal to the Court of Appeal on enforceability of its retainers with its panel members. Advised TAG over the recovery of ATE insurance premiums payable by customers of TAG and of the recovery of interest under support consumer credit loans taken out by customers of TAG. Accident Group Test Cases [2003] 1 All ER 353

Advised Accident Advice Helpline as to legitimacy of terms of conditional fee arrangements between panel and the CMC. Represented AAH in the recovery of AAH costs and ATE premiums taken out pursuant to the AAH scheme. Advised as to the issue of incorporating an "association" and the timing of the issuing of the AAH policy in CFA ATE cases.



NEW SQUARE

Advised Lawyers for You as to whether panel members obligations to contribute towards advertising expenses amounted to an unlawful referral fee. Advised as to whether a policy of insurance which provides for a deferred payment of the insurance premium could be considered to be a Consumer Credit Agreement.

Advised various CMC's on establishing consumer retainers and fee agreements in respect of endowment and Bank fees on overdraft and other consumer driven bank charges. Advised as to regulatory requirements of contracts inception at home (off business premises) whether by personal attendance or via telephone. Advised firms of solicitors (often as panel firms to the CMC) as to applicability of consumer protection legislation to not only their own business models but of their clients too including obligations akin to those arising under the Conduct of Authorised Person Rules 2007 and the distance selling regulations.

Advised CMC as to ABS (alternative business structures).

Member of the Civil Procedure Rules Committee. Currently working closely with the MOJ on substantial reforms to the legal sector including as to the introduction of contingency fee arrangements / no cure no pay agreements / referral fee ban under reforms proposed by Lord Justice Jackson / litigation funding generally.

Qualifications & Memberships

Law LLB(Hons) Essex

Appointments

Appointed as Recorder in 2018

Appointed to Disciplinary Tribunal of the Costs Lawyers Standards Board 2012

High Court Assessor on Costs Appeals Member of the Joint Tribunal (Bar Council/Law Society) on fee disputes Bar Council Remuneration Committee Bar Council CFA Panel Member of PNBA

Member of the Civil Procedure Rules Committee (2009-2015)

Non Executive Director of Pure Business Group commencing on 1st March 2018

Insights

Cook on Costs 2010

Contributing Editor

Butterworths Civil Court Precedents 2010

Contributing Editor

Butterworths Costs Service 2010

Contributing Editor

Green Book 2010

Contributing Editor

Halsbury's Laws of England (Costs)



Contributing Editor

Bar Handbook 2010

Contributing Editor

Costs budgeting insights: Recent case guidance (LexisNexis Dispute Resolution)

12 May 2015

Nicholas Bacon QC and George McDonald consider the much needed insight into costs budgeting in practice from four recent cases

Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013

11 June 2014

With over a decade of fairly fundamental regulatory challenges brought about by the Access to Justice Act 1999, s.58 Courts and Legal Services Act 1990 (Conditional Fee legislation) and more recently LASPO (Jackson and DBAs), not to mention the overhaul of the Solicitors Code of Conduct to its present guise of the Handbook in October 2011, one would be forgiven for thinking that the solicitors profession is already sufficiently regulated without yet more intricate legislation. However, it seems not. It is now necessary for the profession to get to grips with this latest round of regulation bestowed upon the profession. On 13 June 2014 the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 ("The CCR 2013") come into force.

Costs Newsletter: Six Months In

27 November 2013

We are now six months into the Jackson reforms. Most would agree that it is really too early to tell what impact the reforms have had; with many of the reforms being subject to transitional arrangements which necessarily means that it will be towards the beginning of 2014 before we start seeing measurable impacts of the Jackson reforms. That having been said, the reforms have already injected a good deal of challenging questions into civil procedure generally.

Costs Management- Solicitors Warned for the Pilot Schemes and the Future

31 May 2012

Article on Henry v News Group Newspapers Ltd

Costs Update by Nicholas Bacon QC, Roger Mallalieu and Daniel Saoul

13 December 2011

Costs Update by Nicholas Bacon QC, Roger Mallalieu and Daniel Saoul

Nicholas Bacon QC acts for Bar Council who intervened in the appeal case of LSC v. Henthorn in which Court of Appeal were asked to rule upon limitation for the purpose of LSC recoupment claims

30 November 2011

JUDGMENT

MGN LIMITED v. UNITED KINGDOM – JUDGMENT

18 January 2011

MGN LIMITED v. UNITED KINGDOM – JUDGMENT

Nicholas Bacon's powerpoint slides from his talk at the ALCD

19 March 2010

Costs Case Law Update 2010