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Frances Lawson

Call: 2013

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Area of expertise

Arbitration

Civil & Commercial

Criminal Law

Employment Law

Family Law

Planning & Environmental

Public Law

Regulatory & Competition

Profile

Education

Bar Professional Training Course, University of Law, London (Outstanding in International Commercial Practice and Professional Ethics)

Graduate Diploma in Law, University of Law, London (Distinctions in EU law and Contract law)

MA in Environmental Law and Sustainable Development, School of Oriental and African Studies, University of London (Distinction for all subjects)

BA Joint Honours French and Politics, University of Sheffield (First Class Honours in Politics)

Awards

Queen Mother Scholarships from Middle Temple for the BPTC and GDL

2012 UKELA Simon Ball Prize for Outstanding Student Achievement in Environmental Law

Finalist in the 2014 Lord Slynn Mooting Competition, judged by Lord Carnwath JSC. Fran was complimented on her "clear and well-presented" submissions.

Practice

"Frances epitomises the excellent standard that I have come to expect from Counsel at 6 Pump Court. I have always been extremely impressed by her professionalism, application, aptitude and expertise. Her knowledge of the law is excellent and I have never had cause to question the advice that she has given. She always adopts a very sensible and well-balanced approach to often difficult matters with some very trying clients. Furthermore Frances is a real pleasure to work with and my thoughts are mirrored by others in my department."

"I found that she went above and beyond what I had expected. This was all work that Frances was under no obligation to undertake but provided an example of how enthusiastic, passionate and eager to please she is. Frances is clearly committed to providing a high quality of representation and I have been pleased with the way she has negotiated excellent disposals in cases in which I have instructed her."

References for tenancy from Instructing Solicitors

Frances joined Chambers in October 2014 following the successful completion of her pupillage. She has a broad common law practice across all the main areas of Chambers' work.

Particular areas of interest and expertise are as follows:

ENVIRONMENTAL, PUBLIC AND PLANNING LAW

Frances has particular expertise and interest in environmental and planning law from her practice to date, her Masters studies and involvement in the UK Environmental Law Association (UKELA). She has considerable knowledge of environmental regulation and enforcement, having twice been

seconded to the Legal Team of the Environment Agency in 2018 and 2015. During her secondments, she dealt with cases concerning waste, water pollution and river navigation. She has also carried out work in defending environmental prosecutions.

Frances further advises environmental NGOs on key legal issues, provides pro bono advice through the Environmental Law Foundation (ELF) and has developed a specialism in international climate change law following a 3-month Pegasus scholarship in Paris in 2015 to work on COP21 and the UN negotiations. She is the creator and author of Chambers' international climate change blog, and an advisor to Developing Country Parties to the UNFCCC through the Legal Response Initiative. Between 2011 and 2016, Frances played an active role in UKELA as co-convenor of the UKELA Planning and Sustainable Development Working Party.

Frances is familiar with the Freedom of Information Act/Environmental Information Regulations, and has undertaken work on behalf of the Information Commissioner and others in respect of the FOIA 2000 and the Environmental Information Regulations 2010.

In terms of planning, Frances is regularly instructed to advise on a range of planning law matters by local authorities, and has assisted senior members of Chambers with cases concerning abandonment, renewable energy and a judicial review challenge of a major housing development. She has also been instructed by Croydon Borough Council to obtain a "stopping up" order of part of a public highway.

Frances also has experience of the following:

Environmental law

- Drafting a chronology, case analysis and information in an Environment Agency prosecution of a major water company for unauthorised sewage discharges into the sea;
- Advising on the merits of a judicial review claim against an enforcement notice issued by the Environment Agency in respect of a "green" waste management operation;
- Advising a high-profile client on their liability in nuisance for mineshaft-related subsidence on public land.

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Planning law

- Conducting a planning judicial review in the Administrative Court and preparing skeleton arguments;
- Appealing a costs decision from a planning inquiry;
- Drafting advices concerning gypsy and traveller sites;
- Advising on a change of use of a barn from agricultural to residential under the new GDPO provisions;
- Advising on tree preservation orders;
- Advising on works to a listed building;
- Producing a comprehensive update of Court of Appeal and High Court cases for external circulation;

- Writing speaker notes on the amended planning inquiry rules.

In addition, Frances has a strong interest in all areas of public law extending beyond the environmental and planning law arena. She specialised in judicial review on the BPTC and has a particular knowledge of this area of work from shadowing cases in the Administrative Court prior to pupillage.

CRIMINAL LAW

Frances is a CPS Level 2 Panel Advocate and is regularly instructed in the Crown and Magistrates Courts as both a Prosecution and Defence advocate, including in jury trials. Her work has encompassed a large number of trials in all areas of criminal law and she has secured a high proportion of acquittals when defending.

Frances has also conducted appeals against conviction and sentence in the Crown Court, prosecuted a double-handed fraud at sentencing for the CPS, made an appeal by way of case stated and drafted grounds of appeal to the Court of Appeal. She assisted Eleanor Laws QC by producing a schedule of expert evidence for an appeal against conviction in a historic murder case before the Court of Appeal which was relied upon by Lord Justice Treacy in his judgment, and assisted Simon Taylor in the successful prosecution of a historic child sex abuse case.

REGULATORY LAW

Frances has been involved in several consumer credit prosecutions, and successfully defended a client in a health and safety prosecution brought in respect of asbestos exposure. She has been instructed by Ipswich Borough Council on a licensing byelaw case and has undertaken work in education law by representing a client in relation to proposed children home closures by Ofsted.

Previously, she assisted Simon Taylor by drafting an advice which helped to persuade the Health & Safety Executive to take an exceptional course of issuing a caution to a building company that had breached health and safety regulations on a construction site. Frances also conducted legal research to assist Mark Watson with the prosecution of a company under food safety legislation for selling edible glitter containing plastic, and contributed to the development of the forthcoming food/health and safety sentencing guideline.

EMPLOYMENT, FAMILY AND CIVIL LAW

Frances has developed a vibrant employment practice and represents both claimants and respondents before the Employment Tribunal, including in discrimination cases. Between 2012-14, Frances conducted her own pro bono unfair dismissal case which she started as a volunteer at Colchester Citizens Advice. In June 2014, she successfully appealed the employment tribunal's

judgment to the Employment Appeal Tribunal before Mrs Justice Slade DBE.

In terms of family law, Frances has been instructed in several applications for non-molestation/prohibited steps orders, and has further dealt with an application for a child arrangements order. Frances grew up with a strong interest in, and awareness of, family law due to her mother's work as a self-employed Guardian Ad Litem. In pupillage, she assisted Caroline Topping with the drafting of a skeleton argument in a complex case concerning an application for parental responsibility by the biological mother of twin girls, whose gestational and legal parent was the applicant's former lesbian partner. During the BPTC, she volunteered with the National Centre for Domestic Violence and assisted with the making of applications for non-molestation orders.

As regards civil law work, Frances regularly represents clients in various contractual and other civil claims relating, for example, to leasehold covenants, debts and road traffic collisions.

In pupillage, she assisted Richard Banwell by drafting a complex advice on an exclusion of liability clause in a draft deed of grant of easement from the sewerage undertaker to the commercial owner of a large residential property. The deed was in respect of proposed building works over a storm sewer. Frances drafted an advice for Mark Watson in a high-stakes personal injury case whereby the client, a restaurant chain, was concerned about reputational damage should the claim succeed. Frances further drafted a Particulars of Claim in a misrepresentation case concerning a property conveyance, a Defence in a personal injury claim, and a Reply to Defence in a civil harassment case.

EU AND INTERNATIONAL LAW

Frances worked in the Directorate of Legislative Quality at the European Parliament in 2006/7 and as an MEP assistant at the European Parliament in 1999/2000. She has a particular interest in, and knowledge of, EU law as a result. In 2018, she advised on proposals for UK environmental regulation and enforcement post-Brexit, whilst in 2016, she advised a Swiss client on a potential challenge to the EU Tobacco Directive.

Frances studied international law as part of her Master's degree and has a thorough understanding of the international legal order and its founding principles. She studied WTO law and intellectual property as part of the same programme of study, and specialised in international commercial practice on the BPTC. In 2015, she was instructed in an international banking fraud case before the Chancery Division of the High Court in which she successfully obtained a freezing injunction and third party debt order to recover £750,000. Currently assigned to the ICC Taskforce on the Arbitration of Climate-Change related Disputes, she is the published author of journal article on an international arbitration dispute, and is keen to develop an international/cross-border dimension to her work.

Pro bono work

Frances worked for a number of NGOs prior to coming to the Bar, including the British Red Cross, Friends of the Earth, Shelter, Sheffield Wildlife Trust and the European Students' Union. She is committed to supporting the NGO sector and will consider requests for pro bono assistance in the

right circumstances.

Publications

“The EU’s Recommendation on Hydraulic Fracturing and its Implementation in the UK” (2015) *Environmental Law and Management*.

“Wood Review Final Report: a “MER” strategy for maximising petroleum production in the North Sea” (2014) 23 *Water Law* 200.

“Reviewing the nationally significant infrastructure regime” (2013) 25 *Environmental Law and Management* 1.

“EU law and sustainability – Will the Lisbon Treaty lead to “the sustainable development of Europe?” (2011) 23 *Environmental Law and Management* 284.

“Is it time for a crime of ecocide?” (2011) 23 *Environmental Law and Management* 102.

“The Localism Bill in England – Planning for or against sustainable development?” (2011) 23 *Environmental Law and Management* 70.

“*Biwater v Tanzania*: Do corporations have human rights and sustainable development obligations stemming from their involvement in natural resource provision?” (2010) 2 *Environmental Liability* 58.

Direct Access

Authorised to accept Public Access work

Languages

French (fluent)