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## Robert Golin

Called in 2011 +44 (0)20 7583 9241

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Robert Golin's practice focuses on personal injury, employment, commercial and insurance, and general common law. He is in court on a daily basis, acting for both claimants and defendants, in trials, interim applications and costs related hearings.

In terms of paperwork Robert advises regularly on liability, evidence and quantum, and drafts pleadings and other court documents.

Prior to pupillage, Robert worked on death row appeal cases in New Orleans, Louisiana. He received the Andrew Lee Jones Award from charity Amicus. He also gained wide experience of local government and public law as a legal assistant to the Local Government Ombudsman.

At university Robert read Theology. He was awarded a first class BA and completed his MA with Distinction. His specialism was Dante and philosophical theology.

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## Commercial

Robert's commercial practice includes claims relating to the sale of goods and the supply of services. He is happy to draft statements of case and advise on liability/tactics/quantum. He also has experience of landlord and tenant matters, with an emphasis on claims arising from disrepair and covenants to repair.

Robert's recent cases include: a successful claim in a fast-track product liability dispute when flooring tiles fell onto the claimant's foot from a poorly designed box (2015); the defence of a bicycle company following an RTA when a bicycle's handlebars snapped (2014).

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### Location

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## Costs

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Robert deals with costs arguments on a daily basis. He regularly attends CCMCs in multi-track matters and has experience of the costs arguments relating to QOCS, fundamental dishonesty and abuse of process.

## Credit Hire

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Robert acts for claimants and defendants in credit hire cases. He is happy to draft statements of case and advise on liability/prospects of success. He is well versed in all arguments surrounding enforceability, need, period, impecuniosity and rate.

He recently advised on the prospects of appeal when the trial judge introduced the rarely used principle of “non est factum” to find that a credit hire agreement was unenforceable.

Further, he recently acted for the claimant in a case that included a challenge to the enforceability of a credit hire agreement on the grounds that it had been entered as a result of misrepresentation. He argued, successfully, that a finding of misrepresentation renders a contract voidable, not void, and that the claimant had affirmed the contract by, inter alia, bringing proceedings.

## Employment

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Robert has experience of multi-day trials in connection with: unfair dismissal; whistle-blowing; discrimination because of disability, sex and race; harassment; unlawful deduction of wages; and wrongful dismissal.

He also acts in pre-trial hearings such as applications for interim relief and case management hearings.

Robert has given talks about: applications for interim relief under Section 128 of the ERA 1996; and TUPE 2006.

He has written articles about: the defence of “lock-out” and “strike action”; paid leave for parents in surrogacy arrangements; and the Simmons v Castle uplift in the context of the employment tribunal.

## Fraud

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Robert has experience of dealing with suspected fraudulent claims, exaggerated claims, and low-velocity impact claims.

He co-authored an article on exemplary damages (claimed by defendants against fraudulent claimants) with Howard Cohen and is well versed in the costs arguments relating to QOCS, fundamental dishonesty and abuse of process.

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# General Common Law

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Robert acts in a variety of common law matters, including: landlord and tenant issues, claims under the Animals Act, contractual disputes e.g. the sale of goods and provision of services.

## Inquests

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Robert has experience of inquests and preliminary hearings. His recent cases have included the issue as to whether or not the coroner should hold an Article 2 inquest.

## Insurance

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Robert's insurance practice is varied. He represents insurers in matters related to: personal injury; RTA insurer, Article 75 and MIB issues.

His recent cases have focussed on claims made under the Road Traffic Act 1988 and the European Communities (Rights Against Insurers) Regulations 2002. For example, he is involved in an ongoing dispute between contractual and statutory insurers as to their liability to meet an unsatisfied judgment against a negligent driver.

## Personal Injury

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Robert's practice encompasses the full spectrum of personal injury work, with a particular focus on road traffic accident, workplace accidents and occupiers liability claims.

He acts for both claimants and defendants in trials, CCMCs and interim applications. He has an active paperwork practice and is happy to draft statements of case, and advise on liability, quantum, and tactics.

## Notable Cases

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### CPA Consulting Ltd v SV Croydon Ltd (2019)

In the Insolvency and Companies Court, Robert successfully resisted SVC's application to restrain CPA from petitioning for a winding-up order against SVC. The key issue was whether part of the sum claimed in CPA's statutory demand was admitted, and therefore whether SVC was "deemed" unable to pay its debts under Section 123(1)(a) of the Insolvency Act 1986.

### Samuel v SCF (2019, ongoing)

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Acted for the Respondent (SCF) in a 6-day hearing. SCF, a charity which provided residential care to vulnerable young people, defended claims of unfair dismissal, victimisation and discrimination because of race. Involved an interesting issue as to whether a post-dismissal reference was an act of victimisation as it referred to the reason C left as being dismissal on disciplinary grounds.

#### Re Reeves (ongoing)

Acting for a passenger in a claim against the car driver. The driver was nearly three times over the drink-drive limit when he crashed into a lamppost. Very sadly the driver suffered fatal injuries. The passenger suffered a traumatic brain injury.

#### Re Newman (ongoing)

Acting for the passengers in a car which spun off the motorway in bad weather and following a collision with another car. Proceedings issued against multiple drivers and the Highways Agency on the basis that hazardous levels of standing water had accumulated on the motorway due to insufficient drainage.

#### Re F (2018)

Advised on quantum in a Data Protection case.

#### Re ZL (2018)

Acted for the Claimant in the Employment Tribunal to successfully resist an application to strike out the claim / impose a deposit order.

#### Re Branson (2018)

Advised an interested party in a contentious probate matter. The key issue was whether an alleged testamentary document had impliedly revoked a previous Will.

#### Appeal related to costs budgeting order – Stonehaven v St John (2017)

Robert acted for the Defendant (“D”) in appeal proceedings before HHJ Harris in Oxford County Court. The main issue was costs. The district judge at the CCMC had found that D’s costs were not limited to fixed costs as the claim started in the MOJ Portal but had subsequently been allocated to the multi-track. As this was inconsistent with HHJ Grant’s judgment in *Qader v Esure*, D filed a Respondent’s Notice which did not oppose C’s appeal of the costs budgeting order. Before the hearing to determine the costs of the appeal, Robert advised D to apply to amend its Respondent’s Notice as the Court of Appeal (in [2016] EWCA Civ 1109) had overturned HHJ Grant’s decision in *Qader v Esure*. The Court of Appeal handed down judgment two days before the hearing to assess costs. The judge accepted Robert’s submission that there should be no order as to costs in relation to C’s appeal and D’s application to amend its Respondent’s Notice.

#### Success for Defendant local authority when broadband cables damaged (2017)

Robert acted for the Defendant, a local authority, when its contractor severed fibre-optic broadband cables when undertaking works. The contractor denied that it was liable to the owner of the cables because the local authority had been asked for, and had failed to provide, maps of underground utilities cables before the works started. Following receipt of Robert’s Defence the contractor performed a u-turn and agreed to indemnify the local authority against all damages and costs.

#### Turner v (1) Alno (UK) Ltd (2) SJM Kitchens (2016)

Robert acted for the Claimant (“C”) in ET and EAT proceedings (UKEAT/0349/15/DA). The case concerned whether or not C’s employment had TUPE-transferred from R2 to R1. R1 appealed the judge’s decision at a preliminary hearing that there had been a TUPE transfer to R1. In the EAT proceedings HHJ Richardson praised the “excellent, focussed oral submissions...” of Counsel.

#### N’Jie & N’Jie v Harwood (2016)

Robert succeeded in obtaining a freezing injunction for the Applicants at the without notice and on-notice hearings. The background was that the Applicants had settled a claim against Mr Harwood for £25,000 plus costs to be assessed. Detailed assessment proceedings were commenced and a sum of over £180,000 was sought from Mr Harwood. The Applicant’s solicitors then discovered that Mr Harwood had applied to the Land Registry to transfer ownership of his property to his partner. The injunction sought to prevent dissipation of assets.

If you would like to instruct Robert Golin or would like help or advice in doing so, please call and talk to our excellent clerking team, led by senior clerk Alan Kilbey MBE. Our phone number is +44 (0)20 7583 9241. Alternatively, please email us at [chambers@farrarsbuilding.co.uk](mailto:chambers@farrarsbuilding.co.uk)

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For more information about our clerking team, please [click here](#) for the clerks page.

## Appointments & Memberships

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- Eastham Pupillage Award (Lincoln's Inn)
- Lord Denning Scholarship (Lincoln's Inn)
- Lord Haldane Scholarship (Lincoln's Inn)
- Hardwicke Scholarship (Lincoln's Inn)
- William Frend Prize in Theology (University of Nottingham)
- Andrew Lee Jones Award (Amicus)

## Education & Qualifications

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- BPTC, Kaplan Law School (Very Competent) (2011)
- GDL, Kaplan Law School (Commendation) (2009)
- MA, University of Nottingham (Distinction) (2008)
- BA, University of Nottingham (First Class, 1st place in year) (2007)

## Personal Interests

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Outside work, Robert enjoys cooking (followed by eating it), good food and drink, golf, jogging, and an eclectic range of music.

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