



New Park Court

Nicoleta Alistari

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# Nicoleta Alistari

Year of call 2009

For enquiries please call +44 (0)113 243 3277 or email

Nicoleta has a common law practice, with emphasis on crime. She prosecutes and defends in a wide range of cases, including those involving scientific evidence, sensitive disclosure issues and vulnerable witnesses. She is a Grade 3 CPS panel advocate.

In her civil practice, she acts for both claimants and defendants in personal injury litigation and is often instructed by local authorities. She has considerable experience of dealing with cases involving allegations of fraud.

## Crime

Nicoleta's criminal practice consists of both defence and prosecution work in the Magistrates' and the Crown Court. She has experience of appeals against and sentence in the Crown Court and the Court of Appeal.

## Relevant Experience

- Successfully defending a case involving allegations of assault on a police officer.
- Successfully defending against allegations of harassment and opposed the Crown's application for a restraining order upon acquittal.
- Prosecuting appeals against conviction and sentence in the Crown Court.
- Prosecuting in cases involving complex disclosure issues including public interest immunity matters.
- Appearing in a case involving allegations of assault, which required the examination of child witnesses.
- Securing an acquittal in a case involving allegations of conspiracy to pervert the course of justice.

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# Employment

Before coming to the Bar, Nicoleta gained experience in the employment field by working in a solicitors' firm. She represents both employers and employees and has a particular interest in discrimination law. Nicoleta has been instructed to appear in the Employment Appeal Tribunal. Her experience covers many areas of employment law including:

- Discrimination Law – Nicoleta has successfully represented claimants in cases involving allegations of direct sex and disability discrimination. She successfully defended claims of failure to make reasonable adjustments for employees on long-term sick leave.
- Unfair & Wrongful Dismissal – Nicoleta regularly has appeared for both claimants and respondents in cases raising misconduct and capability issues. She has successfully defended allegations of constructive dismissal.
- TUPE – Nicoleta has recently advised in cases involving the transfer of undertakings where the transferor was subject to administration proceedings at the time of the transfer.
- Whistleblowing & Victimisation – She has been instructed in cases involving protected disclosures made by employees working the care industry.

# Personal Injury

Nicoleta appears for both claimants and defendants. Her PI practice comprises of small and fast track RTA claims including credit hire cases, claims involving allegations of fraud. She has also been instructed to act in appeals to the county court. Nicoleta undertakes written advisory work on liability and quantum and drafts pleadings.

# Relevant Experience

- Successfully appeared on behalf of a claimant in a road traffic accident in which the defendant had raised allegations of fraud.
- Succeeded in arguing that a hire agreement was unenforceable due to the failure by the hire company to serve a cancellation notice within the meaning of the Cancellation of Contracts Made in a Consumer's Home or Place of Work etc Regulations 2008.
- Succeeded in an application to set aside a default judgment a year after it had been entered.

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# Housing

Nicoleta has experience in repossession work, mainly for landlords where the tenancies are assured or assured short hold tenancies. She has also dealt with possession orders and the setting aside of warrants of possession on the grounds of abuse of process. She has acted for landlords and tenants in contested possession claims. She has also represented landlords in commercial lettings disputes.

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# Appointments & Memberships

CPS Level 3 Panel Advocate

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