EXCHANGE CHAMBERS

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Nia Marshall

Call 2021

Clerks

Ian Spencer
0113 203 1971

Ellie Sibley
0113 203 1970

Education

2020-2021
The University of Law, LLM in Bar Practice Course, Distinction
Bar Practice Course, Very Competent

2017-2020
University of Newcastle Upon Tyne, Bachelors of Law (LLB), 2:1

December 2017
University of Newcastle Upon Tyne, Undergraduate International LLB Scholarship

August 2017
Barbados Academic Scholarship

April 2014
Optimist International Scholarship

Employment

Nia regularly acts for Claimants and Respondents at the Employment Tribunal. She specialises in employment law including employment status, discrimination and Equality Act claims, unfair dismissal, constructive dismissal, wrongful dismissal, restrictive covenants and pay related claims. Nia values the importance of conducting client conferences prior to the hearing in order to prepare the witnesses for the realities of a preliminary and or final hearing. She always keeps an open line of communication with her instructing solicitors to discuss case strategy and any other matters which may arise. Her affable personality and pragmatic approach contributes to the development of excellent professional relationships with her instructing solicitors. Nia's practice is rapidly developing due to repeat instructions.

Employment Cases

- Instructed to represent a Claimant in a 10-day final hearing which encompassed a range of Equality Act claims against a prominent university. This claim was pleaded beyond £140,000. It encompassed direct discrimination, discrimination arising from disability, failure to make reasonable adjustments, victimisation and harassment. On the day before the hearing, successful negotiations were concluded which provided the Claimant with a sizeable settlement commensurate with the evaluation of the Claimant's case.
- Represented the Claimant in a preliminary hearing in a harassment and victimisation claim against one of the world's leading car manufacturers.
- Represented the Claimant in an unfair and wrongful dismissal case. When Nia received the papers and assessed the factual matrix, she identified that the Claimant had a better chance of succeeding in a wrongful dismissal case. This was not pleaded as

the Claimant was initially a litigant in person when the ET1 was produced. Through Nia's use of her skeleton argument, her knowledge of relevant case law and her persuasive advocacy skills, Nia successfully amended the ET1 on the day of the final hearing to include wrongful dismissal.

- Represented a Claimant who brought claims for constructive dismissal (including constructive unfair dismissal) and wrongful dismissal against a major multinational retailer. The Claimant had an unblemished record of over 20 years of service with the Respondent. It was found that the Respondent committed a repudiatory breach of the employment contract which was the cause of the Claimant's resignation.
- Represented the Respondent at a preliminary hearing against a class action which brought claims harassment on the grounds of race, Harassment on the grounds of religion, victimisation, direct discrimination and personal Injury
- Represented the Respondent in a four day final hearing – The Claimant brought claims for discrimination arising from disability (section 15 of the Equality Act 2010) and failure to make reasonable adjustments (sections 20 and 21 of the Equality Act 2010). Both of the Claimant's claims were significantly out of time and the tribunal found that it was not just and equitable to extend time. The claims were dismissed.
- Represented the Respondent in a 4-day final hearing which encompassed claims for holiday pay, breach of contract and constructive dismissal. While the Claimant was successful in their claim for constructive dismissal, the Tribunal considered it just and equitable to reduce her award by 30% because it was found that she would have resigned in any event.
- Prepared a Court-ordered position statement on behalf of the Second Respondent on employment status and jurisdiction in a complex matter. In this case the First and Third Respondent entered into an agreement for the provision of consultancy, outsourced services and various Work Orders. The Claimant alleged that he was employed by the First and Third Respondents. This was disputed by both Respondents

Recommendations

"Nia was impressive both in the conference and at the hearing itself – where she kept a very cool head. I'd have no hesitation in instructing her again. Very good with the clients too. Helped put them at ease." – Employment solicitor

"Brilliant! If you carry on performing in the way you do you will have a bright future ahead of you" – Judge

"The committee has asked me to write to you to express our sincere thanks for all the skill and effort you put into the Tribunal. We have very much appreciated your efforts and found you a joy to work with. We are sure we wouldn't have had nearly as good a result as we did without your expert help." – Lay client

"Thank you for everything yesterday, I know the client was in safe hands. I look forward to working with you in the future." – Personal injury solicitor

"Many thanks for your efforts on this matter. Great outcome!" – Personal injury solicitor

"Thanks again for this, great result. Our client has said she is very pleased and Nia was absolutely fantastic too!" – Personal injury solicitor

Publications

Pupillage special: Making the most of your whirlwind first six: https://www.counselmagazine.co.uk/articles/making-the-most-of-your-whirlwind-first-six

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Beyond the Bar

As an avid debater and public speaker, Nia has won several competitions. She won the Caribbean District Optimist International Oratorical competition in 2014. As a result she was awarded a scholarship. Nia was also selected to be a member of the Barbadian national debating team in the Worlds School Debating Championship in 2016 and 2017.

Nia is passionate about equality and diversity at the Bar. She uses her YouTube Channel 'Life Law Bim' and International [Future] Barrister Mentorship (IFBM) to support aspiring barristers, especially international applicants.

Nia also loves to participate in Caribbean carnivals and j'ouverts.