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Timothy Otty KC

"Timothy Otty is one of the most impressive lawyers I ever met. He's exceptionally intelligent and insightful."

— CHAMBERS AND PARTNERS, 2025



Year of call:	**1990**
Appointed to silk:	**2006**
Degree:	**MA, Trinity College, Cambridge, 1989**

Tim Otty KC is widely recognised as a leading practitioner in public and private international law, state and diplomatic immunity, sanctions law, EU and Competition law, public law and civil liberties and human rights law. He also has extensive experience of commercial disputes particularly with an international dimension and sits as an arbitrator in investment treaty disputes. In November 2025 he was appointed to the Attorney General's Senior Treasury Counsel Group.

In addition to his work at the Bar Tim is currently the United Kingdom's representative on the Council of Europe's European Commission for Democracy through Law, the Venice Commission. In December 2025 he was appointed Vice President of the Venice Commission. Tim is a visiting Professor at King's College London and Notre Dame University in the United States having previously been a Visiting Fellow at Oxford University. He took silk in 2006 as the youngest in his year, and has, since then enjoyed wide experience as Leading Counsel at all levels of United Kingdom courts, other Commonwealth domestic courts, and a range of international courts and tribunals. He has been Counsel to major constitutional inquiries relating to judicial misconduct in both the Cayman Islands and Gibraltar. He has appeared in more than 60 cases before the European Court of Human Rights and he has acted in an advisory capacity to United Nations office holders.Among his most significant constitutional cases are successful challenges to the death penalty in Turkey, to the denial of habeas corpus rights for detainees at Guantanamo Bay, and to the criminalisation of consensual homosexual conduct in multiple Commonwealth jurisdictions. He has appeared in the leading cases at the European Court of Human Rights relating to discrimination (Carson and Others v UK) and the inter-relationship between humanitarian law and human rights law (Hassan v UK) as well as before the Inter American Commission of Human Rights in the leading case in that forum on LGBT rights (Henry and Edwards v Jamaica).On the international plane he is currently Lead Counsel for the Government of Ukraine in its inter-state case before the European Court against the Russian Federation and relating to Russia's 2022 invasion of Ukraine. The Grand Chamber judgment of 9 July 2025 on admissibility and merits held Russia accountable for widespread and flagrant abuses of fundamental rights. The judgment revisited the issue of jurisdiction under the Convention so as to find systemic violations across Ukraine including indiscriminate military attacks, summary execution of civilians, torture including the use of rape as a weapon of war, arbitrary detentions and property damage on a massive scale.

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In 2025 he has also appeared before the ECHR for Google against Russia in respect of freedom of speech and fair trial issues (Google LLC v Russia, 8 July 2025), for World Athletics in relation to sports arbitrations and DSD Regulations (Semenya v Switzerland, 10 July 2025) and for the High Representative for Bosnia and Herzegovina in relation to voting arrangements in the country (Kovacevic v Bosnia and Herzegovina, 25 June 2025).

In 2019 and 2020 he appeared for Iceland before the Grand Chamber in a case relating to judicial independence and appointments as well as for Applicants in a number of cases against Turkey relating to the 2016 state of emergency there. In 2022 and 2023 he acted for the former Prime Minister of Kazakhstan in proceedings before the UN Working Group on Arbitrary Detention. In 2022 and 2023 he was also part of the Claimant's team of Counsel in the Supreme Court of Mauritius in a case ultimately striking down colonial era legislation targeting LGBT persons. In October 2024 he appeared successfully as Lead Counsel in three appeals relating to LGBT rights before the Hong Kong Court of Final Appeal.

Away from the human rights context Tim has been involved in a number of multi-billion dollar investment treaty arbitrations raising important issues of public international law, jurisdiction, illegality and unclean hands and denial of benefits under the Energy Charter Treaty and a series of bilateral investment treaty disputes relating to the gambling industry and the energy sector, as well as in proceedings in the United Kingdom and the BVI relating to the enforcement of arbitral awards against States.

At the domestic level in 2023 and 2024 Tim acted for both Apple and Mastercard in separate proceedings before the Competition Appeal Tribunal and the Court of Appeal and for the Foreign Secretary in relation to UK sanctions challenges relating to the Russia sanctions regime. He is also currently involved in a series of proceedings before the High Court relating to international arbitration. In 2022 he acted for the former King of Spain in the Court of Appeal in what is now a leading case on state immunity of former Heads of State. In 2022 and again in 2024 he appeared for the successful Defendants in Commercial Court proceedings concerning state immunity and allegations of state sponsorship of terrorism involving Qatar. In 2022 he also appeared for the successful appellant in Supreme Court proceedings establishing that diplomats who held employees in conditions amounting to forced servitude enjoyed no immunity from suit. This followed his earlier involvement in earlier leading Supreme Court cases relating to state and diplomatic immunity (Benkharbouche v Sudan; Reyes v Al-Malki).Between 2019 and 2022 he acted for HRH Princess Haya of Jordan in the Family Division of the High Court, the Court of Appeal and the Supreme Court in proceedings against Sheikh Mohammed of Dubai. The resulting first instance and Court of Appeal decisions are now among the leading judgments on foreign act of state, Head of Government immunity at customary international law, and procedural fairness requirements in the Family Division.

In 2019 and 2020 he also appeared in the Commercial Court and the Court of Appeal for the Libyan Government of National Accord in a dispute relating to the Libyan Investment Authority and the true identity of the Government of Libya, and for the Government of India in the long running litigation concerning the wealth of the Nizam of Hyderabad. In 2021 he was Lead Counsel for the successful "Guaido Board" in proceedings in the Supreme Court against the "Maduro Board" relating to the recognition of President Guaido of Venezuela, and the control over c. $2 billion of gold reserves at the Bank of England.

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He has appeared in three of the most significant sanctions cases to be heard before UK Courts up to and including the Supreme Court (Bank Mellat v HM Treasury; Bredenkamp v Secretary of State for Foreign and Commonwealth Affairs and Youssef v Secretary of State for Foreign and Commonwealth Affairs). He was also instrumental in the drafting of the United Kingdom's own Magnitsky legislation.In the human rights tort and group litigation arena Tim has been Lead Counsel for Claimants in major multi-party proceedings involving allegations of grave human rights abuses in Tanzania and Mozambique and he has previously acted for and against a range of multinationals involved in the mining industry in similar claims. In 2019 and 2021 he appeared for the International Commission of Jurists as an intervener in the leading Supreme Court cases relating to jurisdiction over multinational companies in relation to subsidiary liability for human rights and environmental claims (Vedanta and Okpabi).Tim has been cited in the independent legal directories as a leader in Public International Law, Civil Liberties & Human Rights law, Public and Administrative law and Sanctions law for a number of years and is one of only a handful of UK silks at the Bar ranked in Chambers Global in Public International Law. Tim was named Barrister of the Year at The Lawyer Awards, 2023 for “…his work on cases for a selection of royals, presidents, prime ministers, the Ukrainian government and the Human Dignity Trust.” .

Key recent quotes include:

- "Timothy Otty is one of the most impressive lawyers I ever met. He's exceptionally intelligent and insightful." - Chambers UK, 2025
- "One of the strongest public international barristers in the country, and one of the few who can traverse different areas of the field with equal facility, experience and ease." - Legal 500, 2025
- "A silk with a brain the size of a planet, with charm and humour to match."- Legal 500, 2024
- "Tim is undoubtedly one of the leading barristers for complex public international cases. He is the complete package – super bright, with a calm, measured style of advocacy, uncommonly client friendly, and a superlative team player."- Legal 500, 2024

Previous quotes include:

- "A brilliant barrister. His expertise in the field of human rights, coupled with his impeccable sense of how to strategise cases and handle very complex and high-level matters, is highly regarded."- Chambers UK, 2023
- "It's a huge pleasure to work with him; he's a brilliant advocate with an enormous wealth of knowledge."- Chambers UK, 2023
- "Extremely intelligent and committed. Focused and effective analysis. Very calm and authoritative advocate. Very perceptive and adaptable to judicial insight and to developments during advocacy."- Legal 500
- "The most impressive advocate, and without doubt the finest barrister practising public international law, state and diplomatic immunity."- Legal 500
- "He is considered to be one of the icons in sanctions work."- Chambers UK

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EXPERIENCE

Public International Law

In recent years Tim's public international law work has had a particular focus on investor state arbitration, economic sanctions and all aspects of state immunity. He has acted as Counsel in a number of multi-billion dollar State arbitration claims relating to the energy and mining sectors and accepts arbitral appointments. He also has particular and long-established expertise in state and diplomatic immunity human rights, humanitarian law and constitutional law.Between 2013 and 2024 Tim has acted in sanctions disputes relating to Egypt, Iran, Russia, Syria, and Zimbabwe (as well as the Al Qaeda sanctions regimes) before both the domestic and European Courts, and in the same period he has appeared in cases raising issues of state and diplomatic immunity concerning Bahrain, India, Kuwait, Libya, Lithuania, Nigeroa, Pakistan, Qatar, Spain Saudi Arabia, Sudan, Syria, Turkey and the UAE.Tim has also acted as an adviser to a number of overseas territories and state entities in the Caribbean and the Middle East as well as to United Nations office holders. In 2013, 2014, 2018 and 2022-23 he was involved in major constitutional challenges in Belize, Kenya, Mauritius and Singapore and in 2008 and 2009 he was Counsel to the Tribunal in Constitutional Tribunals of Inquiry held in both Gibraltar and the Cayman Islands. He then appeared successfully in references in relation to both inquiries before Judicial Committee of the Privy Council.Since 1996 Tim has appeared in more than 60 cases before the European Court of Human Rights and three cases before the US Supreme Court. He has particular experience of cases concerned with internal conflict and claims to secession having acted in cases concerned with the Kurdish conflict in South East Turkey, the Chechen conflict in the Russian Federation, and the Russian incursion into South Ossetia. He is currently lead Counsel for Ukraine in Ukraine v Russia, the ECHR inter-state proceedings relating to Russia's 2022 invasion of Ukraine.Tim is an acknowledged expert in the law of armed conflict and between 2006 and 2014 taught at the London School of Economics on the highly acclaimed post-graduate course "Law, War and Human Rights". He has also provided judicial training in international law for the International Bar Association and the Foreign and Commonwealth Office in Croatia, Hungary, the Palestine territories, Turkey and Serbia and has taught at the Georgetown University human rights law summer school. Tim was a visiting fellow at Oxford University in the year 2009/2010 and has taught on the BCL course there. He is currently a Visiting Professor at Kings' College London.Between 2014 and 2016 Tim acted as an international trial observer in proceedings in Serbia and Georgia. Previous trial observation / human rights fact – finding work has embraced Northern Ireland, Greece and Turkey.Tim is ranked in all leading directories as a leading practitioner in Public International Law.

"Timothy Otty KC is one of the leading silks in the intersection between public law and PIL."

— CHAMBERS AND PARTNERS, 2025

Cases

Housing Authority v Infinger & Li

[2024] HKCFA 29

The Hong Kong Court of Final Appeal handed down judgment in two major constitutional appeals concerning the exclusion of same-sex couples from access to public rental housing (PRH) units and the Home Ownership Scheme (HOS).

Ukraine v Russia ECt HR

(Grand Chamber 14 June 2024)

Inter-state case relating to Russian invasion of Ukraine alleging multiple Convention violations and seeking compensation. Lead Counsel for Ukraine.

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Corinna Zu Zayn-Wittgenstein-Sayn v His Majesty Juan Carlos Alfonso Victor Maria de Borbon

[2023] 1 WLR 1162

Application of State Immunity Act 1978 to alleged acts of harassment involving Spanish Security Services. Counsel for former King of Spain.

Wong v Basfar

[2022] UKSC 20 [2023] AC 33

Supreme Court decision relating to scope of commercial activity exception under Vienna Convention on Diplomatic Relations. Counsel for successful Appellant establishing subjection to forced servitude and human trafficking fell within exception to diplomatic immunity.

Maduro Board v Guaido Board

[2023] AC 156

Supreme Court decision relating to Presidency of Venezuela, “one-voice” doctrine and control over Venezuelan gold reserves held at Bank of England. Counsel for successful Guaido Board.

Gareth Henry and Simone Edwards v Jamaica

IACHR 400/20

Acted for the successful petitioners in this precedent setting case that saw the Inter-American Commission on Human Rights find the Jamaican government responsible for violating multiple rights of a gay man and a lesbian and urge an immediate repeal of the country’s homophobic laws.

A v B Government

Acting for foreign Government investment authority in multi-million dollar bilateral investment treaty arbitration dispute.

High Commissioner for Pakistan v Prince Muffakham Jah and Others

Acting for India in High Court proceedings relating to ownership of monies in National Westminster Bank Account since partition era.

X v Y Government

Acting for foreign Government in multi-billion dollar Energy Charter Treaty arbitration dispute.

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Mahmoud v Breish and Hussein

[2020] EWCA Civ 637

Court of Appeal ruling relating to Libyan Investment Authority, control of sovereign wealth of Libya and identity of Government of Libya. Tim appeared for Dr Mahmoud the successful Respondent and Chair of the Libyan Investment Authority.

Re Al M

[2020] EWHC 67 (Fam)

International law; diplomatic assurances; state immunity; Article 3 and Article 5; human rights, rendition and torture

Re Al M

[2019] EWHC 3415 (Fam)

Fact-finding judgment raising issues of human rights and international law

Re Al M

[2020] EWHC 122 (Fam)

Article 8 and Article 10 Publication Judgment; international law and human rights

Vedanta Resources plc & another v Lungowe & others

[2019] UKSC 20

High-profile Supreme Court appeal which raised important issues regarding jurisdiction and the potential liability of parent companies in respect of damage caused by their subsidiaries. The appeal concerned claims brought by 1,826 Zambian citizens who allege that they have suffered damage as a result of toxic discharges from one of the world's largest copper mines. The mine is owned and operated by the second defendant, Konkola Copper Mines plc ("KCM"), a Zambian company. The first defendant is KCM's ultimate parent company, Vedanta Resources plc ("Vedanta"), which is domiciled in England. The claimants allege that both Vedanta and KCM are liable under Zambian law for negligence and breach of statutory duty, Vedanta's alleged negligence being based on an alleged failure to exercise reasonable care in monitoring and controlling KCM.

Click here for more information and the full judgment.

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Dr Ali Mahmoud Hassan Mohamed v Mr Abdulmagid Breish and Others

[2019] EWHC 306 (Comm)

By judgment given on 14 February 2019 Mr Justice Andrew Baker held that the Government of Libya was represented by the Government of National Accord and the Presidency Council and that had been the case since at least April 2017, as contended by the Applicant Dr Ali Mahmoud Hassan Mohamed ("Dr Mahmoud"). The Court held that this conclusion followed from the application of the "one voice" principle articulated by Lord Atkin in The Arantzazu Mendi [1939] AC 256. The ruling was given in the context of an ongoing dispute as to the Chairmanship of the Libyan Investment Authority between, inter alia, Dr Mahmoud and Mr Abdulmagid Breish, and previously considered by Mr Justice Blair in Bouhadi v Breish [2016] EWHC 602 (Comm). Tim appeared for Dr Mahmoud

Certain Underwriters at Lloyds and Others v Syria and Others

[2018] EWHC 385 (Comm)

State Immunity Act 1978; Enforcement of US50 million United States judgment in relation to destruction of aircraft; submission to the jurisdiction.

Benkharbouche v Embassy of the Republic of Sudan; Janah v Libya

(2015) (Court of Appeal) (2017) (Supreme Court)

Employment proceedings and disapplication of State Immunity Act 1978 pursuant to Charter of Fundamental Rights of European Union. State Immunity Act declared to be incompatible with the European Convention on Human Rights and disapplied pursuant to EU Charter of Fundamental Rights.

Reyes v Al-Malki

(2015) (Court of Appeal) (2017) (Supreme Court)

Employment proceedings and meaning and effect of "commercial activity" exception as applied to employment relationships alleged to amount to human trafficking.

High Commissioner for Pakistan v National Westminster Bank Plc

(2015-2016) (Chancery Division)

Acting for India and the President of India in relation to proceedings brought by Pakistan in connection with the funds the subject of Rahimtoola v Nizam of Hyderabad. Issues of waiver of immunity and irrevocable submission to the jurisdiction [1958] AC 379.

Bank Mellat v Her Majesty's Treasury

(Administrative Court, Commercial Court, Court of Appeal, Supreme Court (2014-2018)

Judicial review of HMT decision to impose sanctions on Bank Mellat and damages claim for US$4 billion in relation to breaches of Article 1 of First Protocol to European Convention on Human Rights.

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Hassan v United Kingdom

European Court of Human Rights, Grand Chamber (2014)

Application to European Court of Human Rights concerning alleged failure to investigate unlawful detention and killing in Iraq. This case is now the leading case on the extra-territorial jurisdiction of the European Convention and on the inter-relationship between the European Convention and the Geneva Conventions.

Ocalan v Turkey, European Court of Human Rights

(2014)

European Court proceedings concerning PKK leader Abdullah Ocalan. Complaints of inhuman and degrading treatment contrary to Article 3 of European Convention upheld in respect of both conditions of detention and mandatory life imprisonment without parole.

J1 v Secretary of State for the Home Department

(2014) (Court of Appeal)

The Court of Appeal held that the Special Immigration Appeals Commission had erred in upholding a decision to deport an Ethiopian national to Ethiopia on the basis that certain issues concerning his rights under the European Convention on Human Rights 1950 art.3 had been left for determination by the Secretary of State at a later date. It had been entitled to take account of any undertaking or assurance given by the Secretary of State, but had erred in allowing such an undertaking to cut down the legal protection to which the claimant was entitled.

Apex Global Management Ltd v (1) HRH Prince Abdulaziz Bin Mishal Bin Abdulaziz Al Saud (2) HRH Prince Mishal Bin Aboul Aziz Saud and ors.

[2013] EWHC 587 (Ch)

Acting for the Defendant Princes in litigation over the State Immunity Act 1978 s.20(1) and the Diplomatic Privileges Act 1964 Sch.1 art.31.1(c). Companies Act 'unfair prejudice' litigation and the meaning of 'royal household' and 'commercial activity' under the 1978 and 1964 Acts.

Youssef v Secretary of State for Foreign and Commonwealth Affairs

(Divisional Court & Court of Appeal) (2012 & 2013) (Supreme Court 2016)

Judicial Review of lawfulness of United Kingdom conduct before United Nations Security Council – provision of consent to listing of individuals under Al Qaeda / Taliban asset freezing measures.

XX v Secretary of State for the Home Department

(Court of Appeal) (2012)

Lawfulness of deportation. Whether evidence obtained as a result of Security Service attendance at secret detention facilities overseas admissible. Whether arbitrary detention at such facilities breaches jus cogens norm of international law.

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Orozco v Attorney General of Belize

(2012-2013) Belize High Court

Constitutional challenge to criminalisation of homosexuality. Counsel for Commonwealth Lawyers Association, Human Dignity Trust and International Commission of Jurists.

Civil Liberties & Human Rights

Tim has appeared before domestic and international courts in some of the most high profile civil liberties and human rights cases of recent times.Between 2004 and 2008 he acted for amicus curiae in three cases relating to the Guantanamo Bay detentions before the United States Supreme Court. In 2019 he appeared as amicus curiae in the US Court of Appeals in further proceedings against Donald J Trump.Between 2005 and 2009 he appeared before the House of Lords in a series of cases relating to admissibility of evidence obtained by torture and the impact of Article 6 of the European Convention on anti-terrorist legislation and the control order system introduced under the Prevention of Terrorism Act 2005.Since 1996 he has appeared in over sixty cases before the European Court of Human Rights and in 2009 and 2010 he appeared before the Privy Council in two cases relating to judicial misconduct in Gibraltar and in the Cayman Islands. Tim's Strasbourg cases include the leading Grand Chamber decisions on the death penalty (Ocalan v Turkey), discrimination (Carson v UK) and he inter-relationship between humanitarian law and human rights law (Hassan v UK). He is currently Lead Counsel for Ukraine in the inter-state case against Russia relating to the 2022 invasion of Ukraine. This is the largest case brought before the Court in its 70 year history.Between 2008 and the settlement of the claims in 2010 he acted as Lead Counsel in damages claims brought by former Guantanamo detainees against the United Kingdom's Security Services for complicity in torture. Between 2010 and 2015 he acted in further proceedings seeking to secure the release of the remaining former UK resident detainee, Shaker Aamer until his release in 2015.In 2012 Tim appeared in the first case concerning the replacement for control orders, TPIMs and between 2013 and 2016 he acted as an international trial observer in proceedings in Serbia and Georgia.Between 2014 and 2021 he appeared before the Court of Appeal and Supreme Court acting for domestic employees of foreign embassies based in the United Kingdom in successful challenges to the State Immunity Act based on the European Convention on Human Rights and the EU Charter of Fundamental Rights and Freedoms. Over the same period he has been involved in further challenges to diplomatic immunity in the context of human trafficking. The Supreme Court handed down landmark judgments restricting immunity in each case in October 2017 and October 2021. Between 2013 and 2024 he has supported a series of constitutional challenges to the criminalisation of consensual homosexual conduct in Belize, Kenya, Singapore and Mauritius. He is involved in providing advisory work and support in a range of other Commonwealth jurisdictions on similar issues.

> ***"Tim's advocacy was nothing short of masterful. He is an exceptional advocate and is passionate about the subject matter."***
>
> — CHAMBERS AND PARTNERS, 2025

Cases

Housing Authority v Infinger & Li

[2024] HKCFA 29

The Hong Kong Court of Final Appeal handed down judgment in two major constitutional appeals concerning the exclusion of same-sex couples from access to public rental housing (PRH) units and the Home Ownership Scheme (HOS).

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Abdul Ridwan Ah Seek v State of Mauritius

(Supreme Court of Mauritius, 4 October 2023

Constitutional challenge to criminalisation of homosexual conduct. Challenge upheld and criminalising provisions struck down on grounds of discrimination. Counsel for successful Claimant.

Wong v Basfar

[2022] UKSC 20 [2023] AC 33

Supreme Court decision relating to scope of commercial activity exception under Vienna Convention on Diplomatic Relations. Counsel for successful Appellant establishing subjection to forced servitude and human trafficking fell within exception to diplomatic immunity.

Gareth Henry and Simone Edwards v Jamaica

IACHR 400/20

Acted for the successful petitioners in this precedent setting case that saw the Inter-American Commission on Human Rights find the Jamaican government responsible for violating multiple rights of a gay man and a lesbian and urge an immediate repeal of the country's homophobic laws.

P v J (Payne Hicks Beach)

Acting for wife on human rights issues relating to family dispute.

XXX v Gemfields Plc (Leigh Day)

Acting for numerous individual claimants in multi-party international tort / human rights claim.

Re Al M

[2020] EWHC 67 (Fam)

International law; diplomatic assurances; state immunity; Article 3 and Article 5; human rights, rendition and torture

Re Al M

[2019] EWHC 3415 (Fam)

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Article 8 and Article 10 Publication Judgment; international law and human rights

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Vedanta Resources plc & another v Lungowe & others

[2019] UKSC 20

High-profile Supreme Court appeal which raised important issues regarding jurisdiction and the potential liability of parent companies in respect of damage caused by their subsidiaries. The appeal concerned claims brought by 1,826 Zambian citizens who allege that they have suffered damage as a result of toxic discharges from one of the world's largest copper mines. The mine is owned and operated by the second defendant, Konkola Copper Mines plc ("KCM"), a Zambian company. The first defendant is KCM's ultimate parent company, Vedanta Resources plc ("Vedanta"), which is domiciled in England. The claimants allege that both Vedanta and KCM are liable under Zambian law for negligence and breach of statutory duty, Vedanta's alleged negligence being based on an alleged failure to exercise reasonable care in monitoring and controlling KCM.

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Certain Underwriters at Lloyds and Others v Syria and Others

[2018] EWHC 385 (Comm)

State Immunity Act 1978; Enforcement of US50 million United States judgment in relation to destruction of aircraft; submission to the jurisdiction.

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Reyes v Al-Malki

(2015) (Court of Appeal) (2017) (Supreme Court)

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Hassan v United Kingdom

European Court of Human Rights, Grand Chamber (2014)

Application to European Court of Human Rights concerning alleged failure to investigate unlawful detention and killing in Iraq. This case is now the leading case on the extra-territorial jurisdiction of the European Convention and on the inter-relationship between the European Convention and the Geneva Conventions.

Mohammed and CF v Secretary of State for the Home Department

(2014) (Court of Appeal) (2016) (Supreme Court)

Compatibility of Secretary of State's NCND policy with Article 6 of European Convention on Human Rights. Obligations of full and frank disclosure in the public law context. Inadequacy of reasons contained in closed judgment to sustain dismissal of allegations of rendition and torture.

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Ocalan v Turkey, European Court of Human Rights

(2014)

European Court proceedings concerning PKK leader Abdullah Ocalan. Complaints of inhuman and degrading treatment contrary to Article 3 of European Convention upheld in respect of both conditions of detention and mandatory life imprisonment without parole.

J1 v Secretary of State for the Home Department

(2014) (Court of Appeal)

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XX v Secretary of State for the Home Department

(Court of Appeal) (2012)

Lawfulness of deportation. Whether evidence obtained as a result of Security Service attendance at secret detention facilities overseas admissible. Whether arbitrary detention at such facilities breaches jus cogens norm of international law.

Irfan v Secretary of State for the Home Department

(2012) (Divisional Court & Court of Appeal)

Lawfulness of notification requirements imposed in relation to terrorist offenders following release from prison and conclusion of parole period.

R (Evans No. 3) v Secretary of State for Foreign and Commonwealth Affairs

(2012) (Admin Court)

Judicial review of detainee transfers in Afghanistan and legality of information sharing with Afghan authorities.

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Sanctions

Since 2010 Tim has been involved in a series of challenges to economic sanctions at both the domestic and European level. He has acted in cases arising out of each of the Al Qaeda, Egypt, Iran, Russia, Syria and Zimbabwe regimes and appeared for the Claimant in the first decisions to recognise the jurisdiction of the English Courts to review the UK's conduct in proposing individuals for sanctions at the European level and United Nations level. He has also acted in an advisory capacity in relation to commercial transactions potentially impacted by sanctions regimes. He is currently instructed by private individuals and financial institutions in a series of separate judicial reviews relating to UN, UK or EU asset freezing regimes as well as in proceedings before the Court of Justice in Luxembourg. He has also provided advice as to the impact of the Sanctions and Money Laundering Act 2018 and United States sanctions regimes. In 2023 and 2024 he has acted for the UK Government in relation not challenges brought under the Russia sanctions regime following the invasion of Ukraine.Much of Tim's work in this area remains confidential but his most prominent cases include, Youssef v Secretary of State for Foreign and Commonwealth Affairs (Divisional Court & Court of Appeal) (2012 & 2013) (Supreme Court 2016), Bank Mellat v Her Majesty's Treasury (Court of Appeal, Administrative Court, and Commercial Court (2014-2018), and John Bredenkamp v Secretary of State for Foreign and Commonwealth Affairs (2012-2015) (Administrative Court) which are all detailed below.

"If you want significant intellectual firepower, Tim is one of the people to choose. He's a real thinker and an excellent, measured advocate."

— CHAMBERS AND PARTNERS, 2025

Cases

Youssef v Secretary of State for Foreign and Commonwealth Affairs

(Divisional Court & Court of Appeal) (2012 & 2013) (Supreme Court 2016)

Judicial Review of lawfulness of United Kingdom conduct before United Nations Security Council – provision of consent to listing of individuals under Al Qaeda / Taliban asset freezing measures.

Bank Mellat v Her Majesty's Treasury

(Administrative Court, Commercial Court, Court of Appeal, Supreme Court (2014-2018)

Judicial review of HMT decision to impose sanctions on Bank Mellat and damages claim for US$4 billion in relation to breaches of Article 1 of First Protocol to European Convention on Human Rights.

X & Y v Secretary of State for Foreign and Commonwealth Affairs

(Admin Court) (2012)

Judicial review of lawfulness of United Kingdom's conduct in proposing Iranian bankers for European Union asset freezing measures.

John Bredenkamp v Secretary of State for Foreign and Commonwealth Affairs

(2012) (Admin Court)

Judicial review of United Kingdom's conduct in nominating Claimant for asset freezing listing by European Union.

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Commercial

Tim has substantial experience of major commercial litigation before both the Commercial Court, overseas domestic courts and international arbitral tribunals. In recent times his commercial work has involved a particular focus on cases involving issues of private international law and public international law and he is currently sitting as an arbitrator in a number of substantial international arbitrations. He has been involved in a series of cases involving allegations of large scale fraud both in this jurisdiction and internationally and spanning the insurance and reinsurance industry, financial services, commodities transactions and oil supply contracts. He has acted for major accountancy firms in claims relating to allegedly negligent share valuations and has a particular expertise in private international law and all aspects of media related commercial litigation including ownership disputes over valuable paintings and manuscripts, contractual distributorship and licensing disputes, and the pursuit of injunctive relief relating to Article 8 privacy rights. His experience of international human rights law has also led to his involvement in asset freezing cases relating to UN Security Council resolutions and European Union Regulations.Tim has acted for a number of multi-national companies facing trans-national tort and proprietary claims raising important jurisdictional questions and the foreign act of state principle and issues of proper law. Tim has also acted for Claimant groups in a number of similar claims. These claims also involve consideration of the significance for private law claims of the UN Guiding Principles on business and human rights - the Ruggie Principles.

Cases

Credit Suisse Life (Bermuda) Limited v Ivanishvili and Others

[2024] CA (Bda) 2 Civ

Conditions of appeal to Privy Council; real risk of non-enforcement; extent of capacity of party to influence judiciary.

Maduro Board v Guaido Board

[2023] AC 156

Supreme Court decision relating to Presidency of Venezuela, “one-voice” doctrine and control over Venezuelan gold reserves held at Bank of England. Counsel for successful Guaido Board.

Mahmoud v Breish and Hussein

[2020] EWCA Civ 637

Court of Appeal ruling relating to Libyan Investment Authority, control of sovereign wealth of Libya and identity of Government of Libya. Tim appeared for Dr Mahmoud the successful Respondent and Chair of the Libyan Investment Authority.

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Vedanta Resources plc & another v Lungowe & others

[2019] UKSC 20

High-profile Supreme Court appeal which raised important issues regarding jurisdiction and the potential liability of parent companies in respect of damage caused by their subsidiaries. The appeal concerned claims brought by 1,826 Zambian citizens who allege that they have suffered damage as a result of toxic discharges from one of the world's largest copper mines. The mine is owned and operated by the second defendant, Konkola Copper Mines plc ("KCM"), a Zambian company. The first defendant is KCM's ultimate parent company, Vedanta Resources plc ("Vedanta"), which is domiciled in England. The claimants allege that both Vedanta and KCM are liable under Zambian law for negligence and breach of statutory duty, Vedanta's alleged negligence being based on an alleged failure to exercise reasonable care in monitoring and controlling KCM.

Click here for more information and the full judgment.

Dr Ali Mahmoud Hassan Mohamed v Mr Abdulmagid Breish and Others

[2019] EWHC 306 (Comm)

By judgment given on 14 February 2019 Mr Justice Andrew Baker held that the Government of Libya was represented by the Government of National Accord and the Presidency Council and that had been the case since at least April 2017, as contended by the Applicant Dr Ali Mahmoud Hassan Mohamed ("Dr Mahmoud"). The Court held that this conclusion followed from the application of the "one voice" principle articulated by Lord Atkin in The Arantzazu Mendi [1939] AC 256. The ruling was given in the context of an ongoing dispute as to the Chairmanship of the Libyan Investment Authority between, inter alia, Dr Mahmoud and Mr Abdulmagid Breish, and previously considered by Mr Justice Blair in Bouhadi v Breish [2016] EWHC 602 (Comm). Tim appeared for Dr Mahmoud

Certain Underwriters at Lloyds and Others v Syria and Others

[2018] EWHC 385 (Comm)

State Immunity Act 1978; Enforcement of US50 million United States judgment in relation to destruction of aircraft; submission to the jurisdiction.

High Commissioner for Pakistan v National Westminster Bank Plc

(2015-2016) (Chancery Division)

Acting for India and the President of India in relation to proceedings brought by Pakistan in connection with the funds the subject of Rahimtoola v Nizam of Hyderabad. Issues of waiver of immunity and irrevocable submission to the jurisdiction [1958] AC 379.

Benkharbouche v Embassy of the Republic of Sudan; Janah v Libya

(2015) (Court of Appeal) (2017) (Supreme Court)

Employment proceedings and disapplication of State Immunity Act 1978 pursuant to Charter of Fundamental Rights of European Union. State Immunity Act declared to be incompatible with the European Convention on Human Rights and disapplied pursuant to EU Charter of Fundamental Rights.

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Reyes v Al-Malki

(2015) (Court of Appeal) (2017) (Supreme Court)

Employment proceedings and meaning and effect of "commercial activity" exception as applied to employment relationships alleged to amount to human trafficking.

Bank Mellat v Her Majesty's Treasury

(Administrative Court, Commercial Court, Court of Appeal, Supreme Court (2014-2018)

Judicial review of HMT decision to impose sanctions on Bank Mellat and damages claim for US$4 billion in relation to breaches of Article 1 of First Protocol to European Convention on Human Rights.

Kalma v African Mining Limited

(Queen's Bench Division) (2014-2016)

Acting for Defendant in trans-national tort claim arising out of alleged policing misconduct in Sierra Leone.

Vilca v Xstrata Glencore

(Queen's Bench Division) (2014-2016)

Acting for Defendant in trans-national tort claim arising out of alleged policing misconduct in Peru.

Apex Global Management Ltd v (1) HRH Prince Abdulaziz Bin Mishal Bin Abdulaziz Al Saud (2) HRH Prince Mishal Bin Aboul Aziz Saud and ors.

[2013] EWHC 587 (Ch)

Acting for the Defendant Princes in litigation over the State Immunity Act 1978 s.20(1) and the Diplomatic Privileges Act 1964 Sch.1 art.31.1(c). Companies Act 'unfair prejudice' litigation and the meaning of 'royal household' and 'commercial activity' under the 1978 and 1964 Acts.

X & Y v Secretary of State for Foreign and Commonwealth Affairs

(Admin Court) (2012)

Judicial review of lawfulness of United Kingdom's conduct in proposing Iranian bankers for European Union asset freezing measures.

Swift Trade & Peter Beck v Financial Services Authority

(2012) (Upper Tribunal) (2013) (Court of Appeal)

Market abuse proceedings relating to alleged "layering" practices in relation to Contracts for Difference & pursuant to s. 118 Financial Services and Markets Act 2000.

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John Bredenkamp v Secretary of State for Foreign and Commonwealth Affairs

(2012) (Admin Court)

Judicial review of United Kingdom's conduct in nominating Claimant for asset freezing listing by European Union.

Public & Regulatory

Tim has extensive experience of regulatory disputes across a wide range of professional disciplines. He was Leading Counsel to the Levers Inquiry in the Cayman Islands and Leading Counsel to the Schofield Inquiry in Gibraltar, and appeared in both cases before the Privy Council. Both decisions are now among the leading authorities on questions of judicial misconduct and apparent bias. He has acted for the Financial Conduct Authority in the Upper Tribunal, and the Court of Appeal, as well as in an advisory capacity in a range of matters raising public law and human rights issues. He has acted in an advisory capacity for HM Inspectorate of the Constabulary, and for a number of United Nations agencies and office holders. He is an accredited RICS Expert and in 2016 acted as Chair in a dispute concerning RICS Governing Council conduct and membership. He has appeared as Counsel for the Nursing and Midwifery Council before the Court of Appeal. He has also acted as both arbitrator and Counsel in sports related matters.Cases include:

"Exceptional."
— LEGAL 500, 2019

Re Chief Justice of Gibraltar [2009] UKPC 43

Re Levers (Judge of Grand Court of the Cayman Islands) [2010] UKPC 24

Adesina v Nursing and Midwifery Council [2013] 1 WLR 3156

7722656 Canada Inc (formerly Swift Trade Inc) v Financial Services Authority [2014] Lloyds Rep FC 207

Cases

Radiocentre v BBC

[2023] EWHC 1977 (Admin)

Judicial review challenge to Ofcom regulation of launch of Radio 1 Dance. Counsel to Radiocentre.

Swift Trade & Peter Beck v Financial Services Authority

(2012) (Upper Tribunal) (2013) (Court of Appeal)

Market abuse proceedings relating to alleged "layering" practices in relation to Contracts for Difference & pursuant to s. 118 Financial Services and Markets Act 2000.

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Mahmoud v Breish and Hussein

[2020] EWCA Civ 637

Court of Appeal ruling relating to Libyan Investment Authority, control of sovereign wealth of Libya and identity of Government of Libya. Tim appeared for Dr Mahmoud the successful Respondent and Chair of the Libyan Investment Authority.

R (Evans No. 3) v Secretary of State for Foreign and Commonwealth Affairs

(2012) (Admin Court)

Judicial review of detainee transfers in Afghanistan and legality of information sharing with Afghan authorities.

Rule of Law

Tim has over 30 years' experience of rule of law work dating back to his time at the European Commission of Human Rights. Between 2010 and 2015 he served on the Human Rights Advisory Council of the then Foreign Secretary, the Rt Hon William Hague. In 2017 he was appointed a Professor at Kings College London and in 2018 he was appointed to the Steering Board of the United Kingdom's National Contact Point relating to the OECD's Business and Good Governance Guidelines. He has acted as an advisor to United Nations office holders and has acted as Counsel or advisor to a range of sovereign States. He has acted as Counsel to Inquiries relating to judicial misconduct in two separate overseas territories. He has also conducted judicial training programmes for the International Bar Association, the Council of Europe and others in a number of different jurisdictions. His experience as an advocate or advisor has embraced work in relation to the constitutional and legal systems of Bahrain, Belize, Brazil, the British Virgin Islands, the Cayman Islands, Croatia, Ethiopia, Georgia, Gibraltar, Iran, Iraq, Kenya, Kuwait, Macedonia, Mozambique, Northern Ireland, Palestine, Peru, Russia, Saudi Arabia, Serbia, Singapore, Syria, Zimbabwe, Turkey, the United Kingdom and the United States of America. He has also acted as an international trial observer in cases raising due process and human rights issues in Brazil, Georgia, Greece, Northern Ireland, Serbia and Turkey and has represented individuals seeking to challenge Interpol's maintenance of Red Notices and data before the Interpol Commission for the Control of Files.

Arbitration

In recent years Tim has worked extensively in investor-state treaty arbitration. Although much of this work is, by necessity, not in the public domain his cases have included the high profile dispute of Littop and Others v Ukraine in which he acted for Ukraine and where a Tribunal comprising Julian Lew QC, Yves Fortier QC and Rodrigo Oreamuno became the first major Energy Charter Tribunal to recognise and apply a clean hands doctrine and the Article 17 denial of benefits provision so as to bar a US$ 5 billion claim. In addition Tim has worked on major investor - state arbitrations concerning media outlets and freedom of expression, the regulation of the gambling industry and allegations of expropriation in the mining industry.

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EU & Competition

Tim is a Member of the Irish Bar and so has retained his rights of audience before the Court of Justice of the European Union where he has appeared regularly in sanctions related matters. He also appears regularly before the Competition Appeal Tribunal and Court of Appeal in the United Kingdom including in relation to competition law matters, particularly those raising public law issues and international law issues.Recent cases include Apple Inc and Others v Competition and Markets Authority [2023] CAT 21 and [2023] EWCA Civ 1445 (appearing for Apple Inc) and Umbrella Interchange Fee Claimants v Mastercard Incorporated and Others [2023] CAT 49 and Merricks v Mastercard Incorporated and Others [2024] CAT 41 (appearing for Mastercard).

ACHIEVEMENTS

Appointments

- Admission to the Bar of the British Indian Ocean Territory (2025)
- Admission to the Bar of Hong Kong (Ad hoc) (2024)
- Lawyer Magazine Barrister of the Year (2023)
- Re-appointed for a second term as UK representative to Council of Europe Commission for Democracy through Law, the Venice Commission (2023)
- Call to the Bar of Mauritius (Ad hoc) (2022)
- Appointed Bencher of Lincoln's Inn (2021)
- Appointed as UK representative to Council of Europe Commission for Democracy through Law, the Venice Commission (2019)
- Appointed to the Advisory Board of Clooney Foundation TrialWatch (2019)
- Call to the Bar of Belize (2018)
- Call to the Bar of Gibraltar (Ad hoc) (2018)
- Appointed to UK Steering Board for National Contact Point relating to OECD Guidelines (2018-)
- Call to the Bar of the Republic of Ireland (2017)
- Visiting Professor Kings College London (2017-)
- Arbitrator member London Chamber of Arbitration (2017-)
- Accredited Appointments Expert, RICS (2016-)
- Associate Chartered Institute of Arbitrators (2016-)
- Visiting Fellow specialising in Public International law, Kings College London (2016-)
- Barrister of the Eastern Caribbean Supreme Court in the Territory of the British Virgin Islands (2014-)
- Trustee British Institute of International and Comparative Law (2011-2013)
- Appointed to the Sports Advocacy Section of the London 2012 Olympic and Paralympic Pro Bono Legal Advice and Representation Service
- Founder and Chair of Trustees Human Dignity Trust (2011-2016)

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- Member of the Foreign Secretary's Human Rights Advisory Group (2010-2015)
- Member UNHCR Pro Bono Panel (2010-)
- Appointed Queen's Counsel
- Visiting Fellow Mansfield College Oxford (2009-2010)
- Editorial Board European Human Rights Law Review (2009-)
- Executive Committee Human Rights Lawyers Association (2009-2016)
- Treasury Counsel ''A Panel'' (2003-2006)
- Vice Chair Bar of England and Wales Human Rights Committee (2006-2010)
- Council and Executive Committee Member Commonwealth Lawyers Association (2004-2012, 2017-)
- Stagiaire European Commission of Human Rights (1993)
- Call to the Bar of England and Wales (1990)

Awards

- Liberty & Justice Human Rights Lawyer of the Year (2008)
- Judges' commendation Bar Council Pro Bono Awards (2007)
- Chambers and Partners Pro Bono Award (2006)
- European Bursary Award, Lincoln's Inn (1993)
- Tancred Scholar, Lincoln's Inn (1990)
- Exhibitioner, Trinity College Cambridge (1986)

Memberships

- Administrative Law Bar Association
- British Association of Sports Law
- British Institute International and Comparative Law
- Commonwealth Lawyers Association
- Human Rights Lawyers Association
- COMBAR

Selected earlier reported cases

Public International Law

- Al Ribiai v Government of Kuwait (2010) (QBD)
- Tribunal of Inquiry re Madam Justice Levers (2009)
- Tribunal of Inquiry re Chief Justice of Gibraltar (2008)
- Boumediene and Others v George W Bush and Others (US Supreme Court) (2008)
- Hamdan v Rumsfeld (US Supreme Court) (2006) - application of Geneva Conventions to Guantanamo Bay detentions.
- Ocalan v Turkey (2005) - death penalty held to have no place in modern democratic society and to breach Articles 3 and 6 of European Convention.
- Rasul v Bush (US Supreme Court) (2004) - availability of statutory right to habeas corpus at Guantanamo Bay.

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Civil Liberties & Human Rights

- Secretary of State for the Home Department v CC and CF (2011) (Admin Court)
- CC v Commissioner of Police (2011) (Admin Court)
- R (Evans) v The Lord Chancellor & Anor (2011) Divisional Court
- M1 v Secretary of State for the Home Department (2011) (SIAC)
- JI v Secretary of State for the Home Department (2011) SIAC
- XY v International Paralympic Committee (Court of Arbitration for Sport) (2011)
- Re Madam Justice Levers (Privy Council) (2010)
- Dudko v Government of the Russian Federation (Divisional Court) (2010)
- Carson and Others v UK (Grand Chamber European Court of Human Rights) (2010)
- Secretary of State for the Home Department v AF & AE (Admin Court and Court of Appeal) (2010)
- Secretary of State for the Home Department v Al Saadi (Admin Court) (2009)
- Al Rawi and Others v Security Services and Others (QBD) (2009)
- Re Chief Justice of Gibraltar (Privy Council) (2009)
- Secretary of State for the Home Department v AF (House of Lords) (2009)

Commercial

- Nautilus Fiduciary Services Limited v Marquess of Milford Haven (2011) (Ch D)
- Newell v US Risk (UK) Limited (2011) (Chancery Division)
- XY v International Paralympic Committee (2011) (CAS)
- Al Ribiai v Government of Kuwait (2010) (QBD)
- Provision of expert opinions on enforcement of foreign judgments for use in international proceedings (2010).
- X v HM Treasury (2010) (Administrative Court)
- Hainzl Industrie GmbH v Channel Tunnel Group Limited (TCC) (2008)
- Dixon Stores Group v Orange Plc (Commercial Court) (2008)
- X v Y (Arbitration) (2007)
- Elkin and Others v Price Waterhouse Coopers (QBD) (Birmingham District Registry) (2007)
- X v Y (Commercial Court & Arbitration 2004-2006) fraudulent misrepresentation claims relating to oil supply contracts
- Rachmaninoff and Others v Sotheby's (QBD) (2004 - 2005) ownership dispute relating to musical manuscript
- Bradford & Bingley v Markel Syndicate (Commercial Court) (2004-2005) endowment mis-selling claims
- A v B (Arbitration) (2004-2005) Multi-million pound PFI contract rectification dispute
- Madam Tussauds New York Inc v Ace Insurance S.A. NV (Commercial Court) (2003) business interruption insurance dispute re 9/11 terrorist attacks
- XL Re v Sony Pictures Entertainment and Others (Commercial Court 2002-2004) film finance fraudulent misrepresentation claims
- Huyton v Dipasa (Commercial Court & Court of Appeal 2002 & 2003) commodities fraud claims

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- ABCI v Banque Franco-Tunisienne and Others (Court of Appeal) (2003) jurisdiction dispute relating to fraud and forgery
- Montenegrobanka v Bishopscourt Limited (Court of Appeal) (2002) jurisdiction dispute relating to banking claims
- Knauf UK GmbH v British Gypsum and Another (No.1) (2002) (Court of Appeal)
- Matter v Judah (QBD) (2000) ownership dispute relating to Jackson Pollock painting
- Shering v Halcyon Galleries and Others (QBD - 2000) ownership dispute relating to Sir William Russell Flint painting

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