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Tom Coates



"Tom is very clever. He has impeccable judgement, is totally unflappable and is a joy to work with."

– CHAMBERS AND PARTNERS, 2026

Year of call:	**2013**
Degree:	**Classics (BA Hons, Oxon): First Class**
Languages:	**French (working knowledge)**

Tom's practice focuses on competition, public and regulatory, and commercial law. He acts for clients across a range of sectors, including aviation, energy and telecommunications and technology. He has extensive experience of complex and high-value litigation and has been involved in many leading cases in his practice areas, including in the Court of Justice of the European Union, Supreme Court, Court of Appeal, High Court and Competition Appeal Tribunal. Notable recent cases include:

- The Merchant Interchange Fee Umbrella Litigation in the Competition Appeal Tribunal.
- The Trucks follow-on damages litigation in the Competition Appeal Tribunal.
- Gormsen v Meta - collective proceedings in the Competition Appeal Tribunal alleging an abuse of dominance by Meta in relation to the collection of "off-Facebook" data.
- Shotbolt v Valve - proposed collective proceedings in the Competition Appeal Tribunal alleging abuse of dominance by the owner of the Steam gaming platform through imposition of price parity obligations and unfair prices.
- Spottiswoode v Motorola - collective proceedings in the Competition Appeal Tribunal alleging unfair pricing in connection with the Airwave Network used by the emergency services.
- British Airway's appeal to the CJEU resulting from the Commission's Air Cargo cartel decision.
- Major private High Court commercial and competition litigation in eircom v BT, Stonegate Farmers v Noble Food Group, PACE Rights Management v PRS and On The Beach v Ryanair.
- In the energy sector, the RIIO ED2 and RIIO 2 appeals price control appeals brought by electricity and gas transmission and distribution companies.
- In the aviation sector, Bott & Co Solicitors v Ryanair DAC [2022] UKSC 8 (a leading judgment defining in a modern context the scope of the solicitor's equitable lien).

Tom is recognised by both of the independent legal directories, Chambers & Partners and Legal 500, as a leading junior in five practice areas. He was Legal 500 Competition Junior of the year in 2025. Recent quotes include:

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- "Tom is very clever. He has impeccable judgement, is totally unflappable and is a joy to work with."- Chambers UK, 2026
- 'Tom is ferociously intelligent and consistently excellent. Tom always delivers. He is thorough, pragmatic, logical and conscientious in his written and oral advice.' - Legal 500, 2026
- "He is a brilliant junior [and] provides extremely sound advice" - Chambers UK, 2025
- "Tom is an incredibly thoughtful barrister."- Legal 500, 2025
- "A real rising star, Tom combines intellectual brilliance, crisp advocacy, and strategic and tactical awareness beyond his year of call."- Legal 500, 2024
- "He has excellent commercial awareness and a fantastic ability to get up to speed quickly, and he offers a very high level of service."- Chambers UK, 2024
- "Tom Coates is incredibly responsive. He can see the issue very quickly. He is very willing to get involved with the hard work."- Chambers UK, 2023
- "Tom is simply excellent – extremely thorough in his advice, full of practical solutions and a talented advocate."- Legal 500, 2023

Tom is a member of the Competition and Market Authority's panel of standing counsel and the Attorney General's B panel of counsel. He has also been called to the Irish Bar and is a member of the Law Library, and so is able to accept instructions to appear before EU Courts.

EXPERIENCE

Competition

Tom was Legal 500 Competition Junior of the year in 2025.

He is a member of the CMA's panel of standing counsel and has been involved in a wide range of leading competition cases in the High Court, CAT and CJEU.

Tom has recently been or currently is instructed in standalone and follow-on damages actions in the High Court and CAT (including Interchange, Trucks and Air Cargo), abuse of dominance proceedings in the High Court (eircom v BT, PACE Rights Management v PRS and On The Beach v Ryanair), appeals against infringement decisions in the CJEU and CAT, private High Court claims alleging breach of merger undertakings (Stonegate v Noble) and public law cases involving unlawful subsidy and Francovich issues.

Tom has been involved extensively in collective proceedings in the CAT. He is currently acting or has acted for the defendants in Spottiswoode v Motorola and Shotbolt v Valve and for the class representatives in Gormsen v Meta, Hunter v Amazon and Riefa v Apple and Amazon.

Tom also has experience in price control matters, appearing in the RIIO ED1, RIIO 2 and RIIO ED2 energy price control appeals before the CMA.

Tom has advised a wide range of sports bodies on competition law issues.

Tom was called to the Bar of Ireland in 2020 and is a member of the Law Library (and so is able to accept instructions to appear before EU Courts).

"He's user-friendly, his written work is of very high quality and his analytical skills are good."

— CHAMBERS AND PARTNERS, 2026

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Cases

Spottiswoode v Airwave Solutions Ltd

Instructed as junior counsel for the defendant (led by Brian Kennelly KC and Tony Singla KC) in proposed collective proceedings brought on behalf of a class of government departments and public authorities alleging unfair pricing in connection with the Airwave Network (a radio network primarily used by the emergency services).

Shotbolt v Valve Corporation

Instructed as junior counsel (led by Brian Kennelly KC) for the defendant in proposed collective proceedings brought on behalf of a class of PC game purchasers concerning alleged price parity obligations and unfair pricing imposed by the major PC gaming platform, Steam.

Merchant Interchange Fee Umbrella Proceedings

Instructed as junior counsel for Primark in its damages claims against Visa and Mastercard for breach of Article 101 TFEU / the Chapter I prohibition for the seven-week trial of pass-on issues in November 2024.

Gormsen v Meta Platforms Inc

Instructed as junior counsel for the proposed class representative in her renewed application to commence collective proceedings in the Competition Appeal Tribunal alleging an abuse of dominance by Meta in connection with its collection of "off-Facebook" data from users (led by Robert O'Donoghue KC).

Hunter v Amazon.com Inc

Instructed as junior counsel for the proposed class representative in an application to commence collective proceedings in the Competition Appeal Tribunal alleging an abuse of dominance by Amazon in connection with the operation of its "buy box" (led by Marie Demetriou KC and Robert O'Donoghue KC).

British Airways Plc v European Commission

Case 378/22 P

Instructed for British Airways Plc in its appeal to the CJEU against a judgment of the General Court dismissing its application to annul the Commission's Air Cargo competition infringement decision (led by Robert O'Donoghue KC).

Riefa v Apple Inc and Amazon.com Inc

Instructed as junior counsel for the proposed class representative in an application to commence collective proceedings in the Competition Appeal Tribunal alleging an anti-competitive agreement between Apple and Amazon in connection with the sale of Apple products on the Amazon platform (led by Tom De La Mare KC).

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Trucks damages litigation

Instructed for the DawsonGroup claimants in the Trucks follow on damages litigation for the four-month trial listed in spring 2023 (led by Hanif Mussa KC).

Stonegate Farmers and others v Noble Foods and others (BPC)

Instructed as junior counsel (led by Tom De La Mare KC) for Stonegate Farmers in substantial commercial / competition proceedings in the High Court (Competition List) in which the defendants are alleged to have circumvented undertakings given to the Competition and Markets Authority in the context of a merger investigation.

eircom (UK) Ltd v British Telecommunications plc

Instructed as junior counsel (led by Robert O'Donogue KC) for eircom in proceedings involving a claim for damages under the Communications Act 2003 in respect of BT's breach of SMP conditions and a stand-alone claim for breach of the Chapter II prohibition. A five week trial was heard in summer 2025.

PACE Rights Management and others v Performing Rights Society

Instructed as junior counsel for the claimants (led by Tom Weisselberg KC) in High Court proceedings alleging breach of statutory duty and abuse of dominance by PRS in connection with various rules or practices it has adopted with respect to writer members.

On The Beach v Ryanair DAC

[2022] EWHC 861 (Ch)

Instructed as junior counsel for Ryanair (led by Brian Kennelly KC and Sarah Abram KC) in proceedings brought by an online travel agent alleging that Ryanair has abused its dominant position by inhibiting third party access to flight information and booking services.

R (Motor Insurance Bureau) v Secretary of State for Transport

Instructed as junior counsel (led by Brian Kennelly QC) for the Secretary of State in a major judicial review concerning the Secretary of State's alleged failure to implement a decision of the CJEU concerning the proper interpretation of the Motor Insurance Directive. The case raised issues concerning the UK's exit from the EU, including breach of property rights, unlawful State aid, and Francovich damages.

Sepura competition proceedings

Instructed as junior counsel for a telecommunications company (led by Tom de la Mare KC) in the first competition proceedings brought by Ofcom for infringement of the Chapter I prohibition.

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Chapman v Clarence Court Ltd

[2021] EWHC 2743 (Ch), [2022] EWCA Civ 1681

Instructed as counsel for the defendant in a case concerning the alleged infringement of undertakings offered to the CMA in the context of a merger investigation and in particular whether an option over land held by the claimant infringes those undertakings and the defendant is entitled to damages under s. 74 of the Enterprise Act 2002 as a result.

Public & Regulatory

Tom has a general public law practice, appearing for both claimants and defendants in judicial review and other administrative proceedings. He is a member of the Attorney General's B panel of counsel. He is also a member of the CMA's panel of standing counsel.

He has particular experience of regulatory issues in various sectors (including energy, telecommunications, aviation and higher education).

In the energy context, he has advised or represented regulators (including Ofgem and the North Sea Transition Authority) and businesses in relation to high-profile energy issues such as the RIIO ED2, T2 and GD2 price controls, the domestic energy price cap, the offshore transmission regime, smart-metering, and fracking.

In the higher education context, Tom has appeared for the Office for Students in the first challenges brought against its new regulatory regime under the Higher Education and Research Act 2017 in the High Court and Court of Appeal. Tom continues to advise frequently on regulatory issues affecting the higher education sector.

In the telecommunications context, Tom has advised or represented both Ofcom and businesses in relation to competition proceedings, consumer enforcement matters, spectrum award issues, consumer protection enforcement proceedings and annual licence fees.

As part of his aviation practice, Tom has further represented airlines in regulatory proceedings involving the Civil Aviation Authority and CMA.

> *"Tom is ferociously intelligent and consistently excellent. Tom always delivers. He is thorough, pragmatic, logical and conscientious in his written and oral advice."*
>
> — LEGAL 500, 2026

Cases

R (Revolut Bank UAB) v Payment Systems Regulator

Instructed as junior counsel (led by Brian Kennelly KC) for the claimant in judicial review proceedings challenging a decision by the Payment Systems Regulator to cap outbound interchange fees.

Northern Powergrid v Gas and Electricity Markets Authority

Instructed as junior counsel for Ofgem (led by Daniel Beard KC) in an appeal to the Competition and Markets Authority brought by Northern Powergrid against Ofgem's RIIO-ED2 price control decision.

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Investigation into alleged market manipulation

Acting for an energy company (led by Javan Herberg KC) in connection with an investigation into alleged market manipulation.

Investigation relating to sewage discharges

Instructed as junior counsel (led by Monica Carss-Frisk KC) for a water company in the context of Ofwat's investigation into its alleged excessive discharge of sewage into waterways.

Cityfibre Ltd v Ofcom

[2022] CAT 33

Instructed as junior counsel for Ofcom (led by Monica Carss-Frisk QC) in a challenge to its decision to take no regulatory action in respect of Openreach's "Equinox" offer for fibre-to-the-premises.

LME Nickel

Instructed as junior counsel (led by Javan Herberg QC and Shaheed Fatima QC) advising a major global bank in relation to regulatory issues caused by the recent shutdown of the nickel market operated by the London Metal Exchange following Russia's invasion of Ukraine.

R (Motor Insurance Bureau) v Secretary of State for Transport

Instructed as junior counsel (led by Brian Kennelly QC) for the Secretary of State in a major judicial review concerning the Secretary of State's alleged failure to implement a decision of the CJEU concerning the proper interpretation of the Motor Insurance Directive. The case raised issues concerning the UK's exit from the EU, including breach of property rights, unlawful State aid, and Francovich damages.

R (Stagecoach Manchester and Rotala Plc) v Greater Manchester Combined Authority

[2022] EWHC 506 (Admin)

Instructed as junior counsel for the defendant in two related judicial reviews brought by bus operators against Greater Manchester's decision to introduce bus franchising to Manchester under the Transport Act 2000 (a system similar to that used in London).

RIIO 2 price control appeals

Instructed as junior counsel for Ofgem in eight major appeals brought by electricity and gas transmission and gas distribution companies against Ofgem's price control decision, which set the prices to be recovered from consumers between 2021 and 2026.

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Sepura competition proceedings

Instructed as junior counsel for a telecommunications company (led by Tom de la Mare KC) in the first competition proceedings brought by Ofcom for infringement of the Chapter I prohibition.

Civil Aviation Authority v Ryanair

[2021] EWHC 1476 (Ch), [2022] EWCA Civ 76

Instructed as junior counsel for Ryanair (led by Brian Kennelly QC) in enforcement proceedings brought by the Civil Aviation Authority under the Enterprise Act 2002 in connection with Ryanair's failure to pay compensation to passengers whose flights were affected by union-led strikes in 2018.

R (Bloomsbury Institute Ltd) v Office for Students

[2020] EWHC 580 (Admin), [2020] EWCA Civ 1074

Instructed as junior counsel (led by Monica Carss-Frisk QC and Tristan Jones) in judicial review proceedings brought by a higher education provider in relation to the OfS's refusal to register it under the new regulatory regime under the Higher Education and Research Act 2017.

R (Thornton) v Oil and Gas Authority

[2020] EWHC 2615 (Admin)

Instructed as junior counsel (led by Kate Gallafent QC) for the Oil and Gas Authority (as it was) in a judicial review brought by an environmental campaigner challenging the Oil and Gas Authority's actions in respect of the assignment of fracking licences.

R (Barking and Dagenham College) v Office for Students

[2019] EWHC 2667 (Admin)

Instructed as junior counsel (led by Monica Carss-Frisk QC) for the OfS in a challenge to a decision refusing to register the claimant as a higher education provider. The claimant's application for an injunction restraining the OfS's publication of its adverse decision failed.

R (Langton) v Secretary of State for Food, Environment and Rural Affairs

[2019] EWCA Civ 1562, [2021] EWHC 2199 (Admin)

Instructed as junior counsel for the Secretary of State (with Hanif Mussa) in a series of judicial reviews concerning the lawfulness of the Secretary of State's policy of badger culling as part of the strategy to eradicate bovine tuberculosis. The claimants claims were all dismissed in the High Court and Court of Appeal.

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Virgin Media v Ofcom

[2020] CAT 5

Instructed as junior counsel (led by Javan Herberg QC) in an appeal by Virgin Media against an enforcement decision concerning the early termination charges paid by Virgin Media's customers. The case raised issues concerning the lawfulness of Ofcom's approach to setting penalties "in the round". The CAT dismissed Virgin Media's appeal.

R (British Gas Trading Limited) v Ofgem

[2019] EWHC 3048 (Admin)

Instructed as junior counsel to Ofgem (led by Alan Maclean QC and Jessica Boyd) in British Gas's judicial review of Ofgem's domestic retail energy price cap.

Offshore wind regulatory matters

Tom is frequently instructed to advise windfarm operators in relation to issues concerning the regulatory regime for offshore wind operated by Ofgem. Tom has advised on issues regarding the lawfulness of Ofgem's decisions and possible claims for damages under the Human Rights Act 1998 for infringement of A1P1.

R (ICAEW) v Lord Chancellor

[2019] EWHC 461 (Admin)

Instructed as junior counsel (led by Natalie Lieven QC) in a judicial review brought by the ICAEW against the Lord Chancellor's refusal to approve its application to become an approved regulator in respect of legal services.

R (Hutchison 3G UK Ltd) v Ofcom

[2017] EWHC 3376

Instructed as junior counsel (led by Dinah Rose QC) for Ofcom in two expedited judicial review claims brought by Hutchison 3G and BT/EE with respect to Ofcom's award of the 2.3 and 3.4 GHz spectrum. Ofcom was successful at first instance and successfully resisted permission to appeal at a rolled-up hearing before the Court of Appeal.

R (UK Power Networks) v Gas and Electricity Markets Authority

[2017] EWHC 3543 (Admin)

Instructed as junior counsel (led by Javan Herberg QC) for Ofgem in a judicial review claim brought by an electricity distributor challenging Ofgem's decision of a connections dispute referred to it under section 23 of the Electricity Act 1989.

R (Everything Everywhere Limited) v Ofcom

[2016] EWHC 2134 (Admin)

Instructed as junior counsel (led by Michael Fordham QC) for Vodafone as an interested party to EE's challenge to Ofcom's decision to revise annual license fees payable by the MNOs for their use of radio spectrum.

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R (M) v Human Embryology and Fertilisation Authority

[2015] EWHC 1706 (Admin)

Acting for the Human Embryology and Fertilisation Authority in a claim which concerned whether or not the Authority had lawfully decided not to release the eggs of a deceased woman to her claimant mother for use in IVF treatment.

R (Ryanair DAC) v Civil Aviation Authority

Instructed as junior counsel (led by Brian Kennelly QC) in judicial review proceedings challenging a decision of the Civil Aviation Authority which sought to limit the terms of which Ryanair could contract with alternative dispute resolution providers.

ICAEW v White

Instructed as sole counsel for the Institute of Chartered Accountants in a 7-day disciplinary hearing against a QC relating to the former accountant for the Sugababes, charged with failing to deal in a timely manner with certain aspects of the band's affairs and those of the former member, Amelle Berrabah. The charges were found proved at first instance and Mr White's appeal against the findings was dismissed following a further 3-day hearing.

R (Allam Marine) v Secretary of State for International Trade

Instructed as junior counsel (with Naina Patel and Ben Jaffey) in a judicial review claim brought by an exporter of diesel generators challenging an export licence refusal decision by the Export Control Office.

British Gas Trading Limited v Gas and Electricity Markets Authority

Instructed as junior counsel (led by Pushpinder Saini QC) for Ofgem in the appeal brought by British Gas against Ofgem’s RIIO-ED1 price control decision for the electricity distribution sector. This was the first appeal to be brought under section 11 of the Electricity Act 1989 and was successfully defended by Ofgem.

R (The Hepatitis C Trust) v National Health Service Commissioning Board

Instructed as junior counsel (led by Alan Maclean QC) for the Hepatitis C Trust in its challenge to a decision by the NHS limiting the availability of new treatments for Hepatitis C to NHS patients.

EU Law

Tom has been involved in a wide range of important EU cases before the CJEU and domestic courts.

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In addition to his competition experience (see above), as part of his aviation practice, Tom has been instructed in several preliminary references to the CJEU concerning aspects of EU aviation law, including flight delay compensation and optional price supplements. He is also currently representing British Airways in its appeal against the Commission's cartel infringement decision in Air Cargo.

Recently, Tom has advised in relation to EU and UK sanctions imposed on Russia following the outbreak of war in Ukraine.

Tom was called to the Bar of Ireland in 2020 and is a member of the Law Library (and so is able to accept instructions to appear before EU Courts).

Cases

British Airways Plc v European Commission

Case 378/22 P

Instructed for British Airways Plc in its appeal to the CJEU against a judgment of the General Court dismissing its application to annul the Commission's Air Cargo competition infringement decision (led by Robert O'Donoghue KC).

Hunter v Amazon.com Inc

Instructed as junior counsel for the proposed class representative in an application to commence collective proceedings in the Competition Appeal Tribunal alleging an abuse of dominance by Amazon in connection with the operation of its "buy box" (led by Marie Demetriou KC and Robert O'Donoghue KC).

Riefa v Apple Inc and Amazon.com Inc

Instructed as junior counsel for the proposed class representative in an application to commence collective proceedings in the Competition Appeal Tribunal alleging an anti-competitive agreement between Apple and Amazon in connection with the sale of Apple products on the Amazon platform (led by Tom De La Mare KC).

Trucks damages litigation

Instructed for the DawsonGroup claimants in the Trucks follow on damages litigation for the four-month trial listed in spring 2023 (led by Hanif Mussa KC).

Smyth v British Airways Plc

[2024] EWHC 2173 (KB)

Instructed as junior counsel for British Airways (led by Brian Kennelly KC) in major class proceedings in the High Court in which the claimant seeks to claim on behalf of millions of passengers for flight delay compensation payments using the representative procedure under CPR 19.6. British Airways successfully applied to strike out the action in July 2024.

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eircom (UK) Ltd v British Telecommunications plc

Instructed as junior counsel (led by Robert O'Donogue KC) for eircom in proceedings involving a claim for damages under the Communications Act 2003 in respect of BT's breach of SMP conditions and a stand-alone claim for breach of the Chapter II prohibition. A five week trial was heard in summer 2025.

PACE Rights Management and others v Performing Rights Society

Instructed as junior counsel for the claimants (led by Tom Weisselberg KC) in High Court proceedings alleging breach of statutory duty and abuse of dominance by PRS in connection with various rules or practices it has adopted with respect to writer members.

On The Beach v Ryanair DAC

[2022] EWHC 861 (Ch)

Instructed as junior counsel for Ryanair (led by Brian Kennelly KC and Sarah Abram KC) in proceedings brought by an online travel agent alleging that Ryanair has abused its dominant position by inhibiting third party access to flight information and booking services.

Civil Aviation Authority v Ryanair

[2021] EWHC 1476 (Ch), [2022] EWCA Civ 76

Instructed as junior counsel for Ryanair (led by Brian Kennelly QC) in enforcement proceedings brought by the Civil Aviation Authority under the Enterprise Act 2002 in connection with Ryanair's failure to pay compensation to passengers whose flights were affected by union-led strikes in 2018.

R (Motor Insurance Bureau) v Secretary of State for Transport

Instructed as junior counsel (led by Brian Kennelly QC) for the Secretary of State in a major judicial review concerning the Secretary of State's alleged failure to implement a decision of the CJEU concerning the proper interpretation of the Motor Insurance Directive. The case raised issues concerning the UK's exit from the EU, including breach of property rights, unlawful State aid, and Francovich damages.

Airhelp Limited v Laudamotion GmbH

Case C-263/20 (CJEU)

Instructed as counsel for Laudamotion in a preliminary reference concerning the interpretation of Regulation (EC) 261/2004 and in particular whether passengers are entitled to compensation where their flight is brought forward rather than delayed and whether notice to an online travel agent is an effective defence under the Regulation.

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EL and CP v Ryanair

Case C-287/20 (CJEU)

Instructed as counsel for Ryanair in a preliminary reference from German proceedings concerning whether union-led strikes amount to extraordinary circumstances for the purposes of Regulation (EC) 261/2004 (on compensation for denied boarding and cancellations) and the interaction between the Regulation and fundamental EU rights of collective bargaining.

Autorità Garante della Concorrenza e del Mercato v Ryanair

Case C-28/19 (CJEU)

Instructed as junior counsel for Ryanair (led by Brian Kennelly QC) in a preliminary reference to the CJEU from proceedings brought by the Italian Competition Authority concerning the compatibility of Ryanair's optional price supplements (such as credit card and check-in fees) with Regulation No 1008/2008.

DATA and others v Ryanair

Case C-827/19 (CJEU)

Instructed as junior counsel for Ryanair (led by Brian Kennelly QC) in a preliminary reference to the CJEU from underlying Spanish proceedings concerning the interpretation of the "extraordinary circumstances" defence under Regulation (EC) 261/2004 on compensation for passengers in the event of flight disruption.

Rodrigues v Ryanair (Court of Appeal)

Instructed as sole counsel for Ryanair in Court of Appeal proceedings concerning the proper interpretation of Regulation (EC) 261/2004 and whether union-led strikes affecting Ryanair's operations amount to "extraordinary circumstances". The case raises issues concerning the effect of Brexit on retained EU law and caselaw.

Bott & Co Solicitors Ltd v Ryanair DAC

[2018] EWHC 534 (Ch), [2019] EWCA Civ 143, [2022] UKSC 8

Instructed as junior counsel (with Brian Kennelly QC) for Ryanair in a claim brought by a firm of solicitors concerning Ryanair's handling of flight disruption compensation claims under EU Regulation 261/2004 and the alleged entitlement to protection of solicitors' liens. Ryanair successfully defended the claim at first instance and the claimant's appeal to the Court of Appeal was dismissed. The Supreme Court allowed the claimant's appeal by a 3-2 majority in an important judgment which defines the scope of the equitable lien in a modern context.

Oro Agri International Ltd v Vivagro SARL (Commercial Court)

Instructed as junior counsel (led by James Segan QC) for the defendant in a multi-million Euro claim for breach of distribution agreements governing the parties' supply and sale of pesticide products in Europe. The case raised issues of breach of confidence and EU intellectual property law.

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R (Everything Everywhere Limited) v Ofcom

[2016] EWHC 2134 (Admin)

Instructed as junior counsel (led by Michael Fordham QC) for Vodafone as an interested party to EE's challenge to Ofcom's decision to revise annual license fees payable by the MNOs for their use of radio spectrum.

Commercial

Tom has been involved in a wide range of commercial cases in the Commercial Court, Chancery Division and arbitration proceedings. In addition to his particular experience of complex and heavyweight competition litigation (see above), he has experience in areas such as fraud, asset recovery, and injunctive relief. He is instructed both as sole counsel and as part of a wider team. Tom further has experience of group and managed litigation, including major representative proceedings in the High Court against BA and easyJet in respect of the millions of flight compensation claims, the mobile telephone voicemail interception litigation (the "phone-hacking" litigation) and the construction industry vetting information litigation.

"Tom is very good on paper. He delivers great, to-the-point advice, that is easily understandable to the client."

— CHAMBERS AND PARTNERS, 2023

Cases

Smyth v British Airways Plc

[2024] EWHC 2173 (KB)

Instructed as junior counsel for British Airways (led by Brian Kennelly KC) in major class proceedings in the High Court in which the claimant seeks to claim on behalf of millions of passengers for flight delay compensation payments using the representative procedure under CPR 19.6. British Airways successfully applied to strike out the action in July 2024.

Stonegate Farmers and others v Noble Foods and others (BPC)

Instructed as junior counsel (led by Tom De La Mare KC) for Stonegate Farmers in substantial commercial / competition proceedings in the High Court (Competition List) in which the defendants are alleged to have circumvented undertakings given to the Competition and Markets Authority in the context of a merger investigation.

British Airways Plc v European Commission

Case 378/22 P

Instructed for British Airways Plc in its appeal to the CJEU against a judgment of the General Court dismissing its application to annul the Commission's Air Cargo competition infringement decision (led by Robert O'Donoghue KC).

Trucks damages litigation

Instructed for the DawsonGroup claimants in the Trucks follow on damages litigation for the four-month trial listed in spring 2023 (led by Hanif Mussa KC).

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Bott & Co Solicitors Ltd v Ryanair DAC

[2018] EWHC 534 (Ch), [2019] EWCA Civ 143, [2022] UKSC 8

Instructed as junior counsel (with Brian Kennelly QC) for Ryanair in a claim brought by a firm of solicitors concerning Ryanair's handling of flight disruption compensation claims under EU Regulation 261/2004 and the alleged entitlement to protection of solicitors' liens. Ryanair successfully defended the claim at first instance and the claimant's appeal to the Court of Appeal was dismissed. The Supreme Court allowed the claimant's appeal by a 3-2 majority in an important judgment which defines the scope of the equitable lien in a modern context.

Kinsella and McNeal v Emasan and another (BPC)

[2019] EWHC 3196 (Ch)

Instructed as junior counsel (with Victoria Windle) for the claimants, two management consultants and turnaround experts, in their claim for an equity stake in an international telecommunications business. The claimants successfully resisted combined applications for summary judgment and orders declaring that the English court had no jurisdiction to hear the claims. A three-week trial commenced in late 2021 but the dispute settled.

Mobile Telephone Voicemail Interception Litigation (BPC)

Instructed as junior counsel in a large team of counsel representing News International in ongoing managed litigation brought by celebrities and other prominent individuals alleging breach of privacy rights by "phone hacking".

Chapman v Clarence Court Ltd

[2021] EWHC 2743 (Ch), [2022] EWCA Civ 1681

Instructed as counsel for the defendant in a case concerning the alleged infringement of undertakings offered to the CMA in the context of a merger investigation and in particular whether an option over land held by the claimant infringes those undertakings and the defendant is entitled to damages under s. 74 of the Enterprise Act 2002 as a result.

Borro Group Claimants v Aitken

[2021] EWHC 1902 (Ch)

Instructed as counsel for the claimants (which operate a luxury asset pawning business) in proceedings brought against its former CEO for breach of directorial duties. The case raises issues of the provenance and authenticity of artworks alleged to be by Turner and Degas (on which loans from the claimants were secured).

Nazarbayeva v Ishmuratov and Korotkov-Koganovich

Instructed as junior counsel (with Andrew Hunter QC, Adam Baradon and Harry Adamson) for the defendants to a US$200m fraud claim. The case involved an application to discharge a US$160m freezing injunction inter alia on the basis of material non-disclosures and several ancillary applications.

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Oro Agri International Ltd v Vivagro SARL (Commercial Court)

Instructed as junior counsel (led by James Segan QC) for the defendant in a multi-million Euro claim for breach of distribution agreements governing the parties' supply and sale of pesticide products in Europe. The case raised issues of breach of confidence and EU intellectual property law.

Construction Industry Vetting Information Group Litigation

Instructed as junior counsel (led by Michael Bloch QC) for the Lend Lease defendants in the group litigation brought by various former construction workers who alleged that they had been "blacklisted" by a consortium of construction companies during a period from 1970 to 2010.

Energy

Tom has significant experience in the field of energy regulation. Since being seconded to Ofgem in 2015, Tom has been involved in many of the leading cases in the area. These include the RIIO ED1 and RIIO GD2, T2 and ED2 price controls, in which he successfully represented Ofgem, enforcement proceedings against energy suppliers in respect of smart metering obligations, major judicial review proceedings brought by British Gas against the domestic energy price cap, and proceedings against the Oil and Gas Authority (as it was) relating to the decommissioning of fracking assets.

Tom frequently advises both Ofgem and regulated companies on various aspects of the UK energy regulatory scheme. Recently, he has advised extensively in relation to capacity market auctions and the offshore wind regime. He has also advised clients in relation to matters such as smart metering, regulated governance issues, renewables incentives and the connections scheme.

"I am consistently impressed by the ease with which Tom gets up to speed and advises on complex issues. He always provides client-focused advice that gets to the root of the issue."

— CHAMBERS AND PARTNERS, 2026

Cases

Northern Powergrid v Gas and Electricity Markets Authority

Instructed as junior counsel for Ofgem (led by Daniel Beard KC) in an appeal to the Competition and Markets Authority brought by Northern Powergrid against Ofgem's RIIO-ED2 price control decision.

Investigation into alleged market manipulation

Acting for an energy company (led by Javan Herberg KC) in connection with an investigation into alleged market manipulation.

RIIO 2 price control appeals

Instructed as junior counsel for Ofgem in eight major appeals brought by electricity and gas transmission and gas distribution companies against Ofgem's price control decision, which set the prices to be recovered from consumers between 2021 and 2026.

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R (British Gas Trading Limited) v Ofgem

[2019] EWHC 3048 (Admin)

Instructed as junior counsel to Ofgem (led by Alan Maclean QC and Jessica Boyd) in British Gas's judicial review of Ofgem's domestic retail energy price cap.

R (Thornton) v Oil and Gas Authority

[2020] EWHC 2615 (Admin)

Instructed as junior counsel (led by Kate Gallafent QC) for the Oil and Gas Authority (as it was) in a judicial review brought by an environmental campaigner challenging the Oil and Gas Authority's actions in respect of the assignment of fracking licences.

R (UK Power Networks) v Gas and Electricity Markets Authority

[2017] EWHC 3543 (Admin)

Instructed as junior counsel (led by Javan Herberg QC) for Ofgem in a judicial review claim brought by an electricity distributor challenging Ofgem's decision of a connections dispute referred to it under section 23 of the Electricity Act 1989.

Offshore wind regulatory matters

Tom is frequently instructed to advise windfarm operators in relation to issues concerning the regulatory regime for offshore wind operated by Ofgem. Tom has advised on issues regarding the lawfulness of Ofgem's decisions and possible claims for damages under the Human Rights Act 1998 for infringement of A1P1.

British Gas Trading Limited v Gas and Electricity Markets Authority

Instructed as junior counsel (led by Pushpinder Saini QC) for Ofgem in the appeal brought by British Gas against Ofgem’s RIIO-ED1 price control decision for the electricity distribution sector. This was the first appeal to be brought under section 11 of the Electricity Act 1989 and was successfully defended by Ofgem.

Telecommunications

Tom has been involved in a range of telecommunications cases, advising and representing MNOs and other entities in the sector on regulatory and other matters. He is currently acting or has recently acted in regulatory appeals concerning Openreach's SMP conditions, a private law competition and Communications Act 2003 claim brought by eircom against BT, and a Chapter I infringement investigation brought by Ofcom. He has also represented Ofcom in the Competition Appeal Tribunal in consumer protection enforcement proceedings and in the High Court and Court of Appeal in relation to the auction of radio spectrum.

“Tom is exceptionally clever. He is the barrister for when you have a really complex issue of law; you can trust him to give you the right answer in the clearest of terms. He's reliable and practical.”

— CHAMBERS AND PARTNERS, 2026

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Cases

eircom (UK) Ltd v British Telecommunications plc

Instructed as junior counsel (led by Robert O'Donogue KC) for eircom in proceedings involving a claim for damages under the Communications Act 2003 in respect of BT's breach of SMP conditions and a stand-alone claim for breach of the Chapter II prohibition. A five week trial was heard in summer 2025.

Cityfibre Ltd v Ofcom

[2022] CAT 33

Instructed as junior counsel for Ofcom (led by Monica Carss-Frisk QC) in a challenge to its decision to take no regulatory action in respect of Openreach's "Equinox" offer for fibre-to-the-premises.

Sepura competition proceedings

Instructed as junior counsel for a telecommunications company (led by Tom de la Mare KC) in the first competition proceedings brought by Ofcom for infringement of the Chapter I prohibition.

Virgin Media v Ofcom

[2020] CAT 5

Instructed as junior counsel (led by Javan Herberg QC) in an appeal by Virgin Media against an enforcement decision concerning the early termination charges paid by Virgin Media's customers. The case raised issues concerning the lawfulness of Ofcom's approach to setting penalties "in the round". The CAT dismissed Virgin Media's appeal.

R (Hutchison 3G UK Ltd) v Ofcom

[2017] EWHC 3376

Instructed as junior counsel (led by Dinah Rose QC) for Ofcom in two expedited judicial review claims brought by Hutchison 3G and BT/EE with respect to Ofcom's award of the 2.3 and 3.4 GHz spectrum. Ofcom was successful at first instance and successfully resisted permission to appeal at a rolled-up hearing before the Court of Appeal.

R (Everything Everywhere Limited) v Ofcom

[2016] EWHC 2134 (Admin)

Instructed as junior counsel (led by Michael Fordham QC) for Vodafone as an interested party to EE's challenge to Ofcom's decision to revise annual license fees payable by the MNOs for their use of radio spectrum.

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Sport

Tom has gained a wide experience of sports cases before a variety of tribunals. He has been involved in disputes between sports clubs and owners, before sports disciplinary panels, and between clubs or individuals and regulators. He recently appeared in the Court of Arbitration for Sport for the International Association of Athletics Federations in a disciplinary case concerning the corruption of officials of a member federation. Tom has particular experience of and interest in advising sports governing bodies on competition law issues (for example regarding match allocations and broadcasting rights).

Cases

IAAF v Okeyo and Kinyua (Court of Arbitration for Sport)

Instructed as junior counsel (led by Kate Gallafent QC) for the IAAF in two conjoined appeals arising out of disciplinary proceedings brought by the IAAF against two senior officials at Athletics Kenya on corruption charges. The main appellant's appeal against findings of corruption was dismissed by the Court of Arbitration for Sport.

UK Anti-Doping v Thomas Minns

Instructed as sole counsel for Thomas Minns, a rugby league player, defending doping charges brought by UK Anti-Doping.

Cardiff City FC v Segal and others (Mercantile Court)

Instructed as junior counsel (led by Ian Mill QC) for the defendant football agent to a claim by a football club for fraudulent misappropriation of agency fees. Tom successfully represented the defendant in an application under section 9(4) of the Arbitration Act 1996 for a stay of proceedings in favour of arbitration.

Re Gambling Commission licensing decision

Instructed as junior counsel (led by Charles Flint QC) to advise a racecourse on a potential challenge to an adverse licensing decision by the Gambling Commission.

ACHIEVEMENTS

Education

Classics (BA Hons, Oxon): First Class (fifth in year); Graduate Diploma in Law (City): Distinction; BPTC (Kaplan): Outstanding.

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Prizes & Scholarships

- Prince of Wales Scholarship (Gray's Inn)
- The Times Law Prize (Second Place) (The Times/One Essex Court)
- David Karmel Award (Gray's Inn)
- Henry Wilde Prize (for the top mark in philosophy papers in Finals across all Honours Schools including philosophy) (University of Oxford)
- Invitation to sit the All Souls Prize Fellowship Exams (University of Oxford)
- Comparative Philology Prize (University of Oxford)
- Scholar of New College (University of Oxford)

Prior to joining Chambers, Tom worked in the office of capital defence attorney in Houston, Texas, assisting clients facing the death penalty. While in Texas, Tom observed and participated in a full capital murder trial, in which his client escaped the death penalty.

Before coming to the Bar, Tom worked as a Classics teacher of students aged thirteen to eighteen at Westminster School.

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