clerks@blackstonechambers.com
+44 (0)20 7583 1770

Tom Hickman KC

"Amazingly bright."
– CHAMBERS AND PARTNERS, 2025



Year of call: **2003**
Appointed to silk: **2019**
Degree: **MA (Cambridge), First Class; LLM Hons (Toronto); PhD (Cambridge)**

Tom Hickman KC is a leading practitioner in public and constitutional law, regulatory law, energy, telecommunications, commercial law, national security, international law (including diplomatic and state immunity issues), media, broadcasting, entertainment and sports law. Tom is highly regarded for both his advocacy and his advisory work and is regularly instructed for appellate proceedings in the Court of Appeal, Supreme Court and Privy Council.

Comments in the legal directories include: "Amazingly bright." (Chambers UK, 2025); "unflappable advocate on his feet, even in situations when others might crumble." (Chambers UK, 2024); "A gifted and creative legal thinker." (Legal 500, 2025).

Tom was awarded Public Law and Human Rights KC of the Year at the Chambers and Partners Bar Awards 2025 and previously won the award in 2020. He has been included in the country's "Hot 100" lawyers.

Tom regularly advises and conducts litigation on behalf of Governments and public authorities, including regulatory bodies. Prior to taking silk, Tom was on the "A Panel" of Government Counsel and he continues to advise and conduct litigation for the UK Government in silk. Tom also advises and acts for other Governments, including the Scottish Government and the Governments of the Republic of Cyprus, the Bahamas, Gibraltar, the Cayman Islands and the BVI. He regularly acts for regulatory bodies and public authorities both in the UK and in overseas territories.

Tom also acts for private clients both in challenges to acts of regulatory bodies and governments and in private commercial, media, entertainment and sports disputes. His background in commercial as well as public and international law means that he regularly acts in complex commercial matters with a public or international law component. He has worked in a wide range of courts and tribunals, including the Chancery Division and Commercial Court and arbitral tribunals. He has litigated cases before the European Court of Human Rights and the CJEU. He has coordinated international litigation strategies and has experience of working with local lawyers on cases in countries as diverse as Norway, Cyprus, USA, Bahamas, Germany and Uganda.

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Tom has acted in many leading cases, including the Prorogation Case and the Article 50 Brexit Case (in both of which he acted for the claimant, Gina Miller), the Advocate General's reference to the Supreme Court on the competence of the Scottish Parliament to hold an independence referendum, AF (No 3), Basfar v Wong and R (Begum) v SIAC.

He acted for the World Anti-Doping Agency (WADA) in the arbitration proceedings, WADA v Russian Anti-Doping Agency, which determined the ban imposed on Russian participation in international sporting events; for asylum-seekers at Napier military barracks in a succesful challenge to the use of the barracks for housing asylum-seekers during the coronavirus pandemic and for Reclaim These Streets in a successful challenge to the police decision to prevent a vigil on clapham common from being organised during the pandemic. He acted for WASPI in succesful legal action concerning government maladministration failing to inform women of raises to their state pension age and he acted for GB News in a succesful judicial review of finding that it had breached the Broadcasting Code.

In November 2025, Tom appeared in the Supreme Court in Shehabi v Kingdom of Bahrain, which will decide the application of the State Immunity Act 1978 transnational tort claims.

Tom has given evidence on English law to foreign courts, such as on assignments of copyrights in German legal proceedings and, in January 2020, Tom was the first person to give oral evidence to the Bundesverfassungsgericht (the German Constitutional Court), in the landmark BND Act case concerning communications surveillance by the German foreign intelligence agency (his evidence was on interception of communication laws and oversight) (1 BvR 2835/17).

Tom is a full Professor at the Law Faculty at University College London. He regularly publishes articles, blogs and tweets on legal issues.

Tom has been invited to give evidence to Parliament on a number of occasions. His evidence has been relied upon in many committee reports, such as the House of Lords Constitution Committee's report on the use of emergency powers during Covid-19 pandemic and the June 2022 Privileges Committee report on Select Committee's powers and the International Agreements Committee's report into the UK-Rwanda Agreement.

A recent blog on the misuse of guidance in response to the Covid-19 pandemic is available here. A blog on the Judicial Review and Courts Act here and a blog on disclosure in judicial review here.

EXPERIENCE

Civil Liberties & Human Rights

Tom has extensive experience of human rights claims in domestic and international courts and tribunals.

Tom was awarded Human Rights and Public Law Silk of the Year at the Chambers and Partners UK Bar Awards 2020.

> *"Tom combines his practice with being an academic, which enriches his advocacy and gives him a wider perspective."*
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> — CHAMBERS AND PARTNERS, 2025

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In 2021 Tom led a team that successfully challenged the housing of asylum-seekers at Napier Barracks. In 2022 he led a team that successfully challenged the police's refusal to permit a vigil on Clapham Common during the Covid pandemic and he also acted in a successful challenge to a Home Office policy of seizing the mobile phones of asylum seekers and exploiting the data on the phones.

Tom has acted in a number of applications to the ECtHR, such as Hassan v UK (Grand Chamber), Big Brother Watch v UK (Chamber), Topa v Molda (Chamber) and Cyprus v Turkey (remedies, Grand Chamber). The last of these cases required the Turkish Government to pay the largest ever just satisfaction award for the damage suffered by the enclaved residents of the Karpas peninsula arising out of the military activities northern Cyprus in 1974 and territorial division of the country. The litigation was described by two of the Judges "as the most important contribution to peace in Europe in the history of the Court of Human Rights".

Tom has a particular expertise in the area of national security law. He has acted in numerous leading cases in the context of terrorism and torture, including for Binyam Mohamed in Binyam Mohamed v SSFCA [2010] EWCA Civ 65 & 158, [2010] QB 218, for AF in AF (No 3) v SSHD [2009] UKHL 28, [2010] 2 AC 269 in Al-Jedda v Home Secretary [2013] UKSC 62, [2014] AC 253 and Watson v Secretary of State (CA and CJEU). Tom has extensive experience in asset freezing, TPIM and control order proceedings and surveillance and interception matters.

Tom has also acted in a number of international human rights claims, e.g. in Guerrero & 30 Ors, v Monterrico Metals Plc [2010] EWHC 3228 (QB), Tom represented thirty-one Peruvian campesinos who claimed to have been unlawfully detained and seriously abused during a protest against one of the world’s largest mining concessions in Peru owned by a UK multinational.

Tom is co-author of leading texts on human rights (Beatson, Grosz, Hickman, Singh, Human Rights: Judicial Protection in the UK (Sweet & Mazwell 2008) and Hickman, Public Law After the Human Rights Act (Hart 2010)) and regularly publishes blogs and articles on the topic.

Cases

U3 v Secretary of State for the Home Department

[2025] UKSC 19

Tom acted in this challenge to a decision to deprive a woman of her British citizenship. It concerns the scope of SIAC's powers on a deprivation appeal. The claim was heard by the Supreme Court in 2025 which refused the appeal and gave guidance on the scope of SIAC's powers on appeals from deprivation decisions.

Buray v Immigration Appeals Tribunal

[2025] UKPC 22

Tom represented the Government of the Cayman Islands in this appeal to the Privy Council from a declaration of incompatibility granted by the Court of Appeal of the Cayman Islands which found that s.37 of the Immigration Transition Act, which provides for a points system for granting permanent residence conflicted with the Cayman Islands Bill of Rights.

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R (FDA) v Minister of the Cabinet Office

[2024] EWHC 1729 (Admin), [2025] 2 WLR 107

Challenge by a civil service union concerning the circumstances in which they can be asked to breach international law in removing persons to Rwanda and the effect of the Civil Service Code.

Anglin v The Governor of the Cayman Islands

[2025] UKPC 30

This case, in which Tom acted in the Grand Court of the Cayman Islands, the Court of Appeal and the Privy Council, was a constitutional challenge to the Civil Partnership Act 2020. The Governor of the Cayman Islands in enacting and assenting to the CPA, was found to have acted within the scope of his reserved powers under section 81 of the Cayman Islands Constitution. The case concerned the nature of the executive power to legislate for "external relations".

Basfar v Wong

[2022] UKSC 20, [2022] 3 WLR 208

This was a ground-breaking case on the application of the "commercial exception" to the Vienna Convention on Diplomatic Relations 1961, holding it applicable to persons subjected by diplomatic agents to conditions of servitude and modern slavery. Tom acted for the intervening party Kalayaan, a charity that works to protect victims of modern slavery. The charity intervened in both the Court of Appeal and the Supreme Court.

Privacy International v Secretary of State for Foreign Affairs

[2021] UKIPTrib IPT_17_86_CH

Tom represented the Investigatory Powers Commission at a hearing concerned with the scope of the Commission's duty to assist the Investigatory Powers Tribunal.

R (HM, KH and MA) v Secretary of State for the Home Department

[2022] EWHC 695 and 2729 (Admin)

Successful challenge before the Divisional Court to the legality of the Government's policy to search, seize and retain data from the mobile phones of migrants arriving by small boat. The Court unusually gave a second, important, judgment on failings in the duty of candour, particularly at the pre-permission stage.

Tom acted for MA and KH.

FF v Secretary of State for the Home Department

[2021] EWHC 2566 (Admin), [2022] 1 WLR 2411

A claim brought by FF, a Bahraini refugee and torture survivor, who had compiled a dossier of evidence allegedly implicating Prince Nasser of Bahrain in torture during Bahrain's 2011 pro-democracy uprising. Tom acted for the Claimant (with Isabel Buchanan).

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R (FDA) v Prime Minister

[2021] EWHC 3279 (Admin), [2022] 4 WLR 5

Tom acted for the FDA civil service union in challenging the Prime Minister's decision that there was no breach of the Ministerial Code by the Home Secretary concerning allegations of bullying. The Court agreed with the FDA (contrary to the Government's case) that the Ministerial Code was justiciable and that bullying had to be understood objectively and not subjectively, in line with civil services policies. The Court dismissed the claim on the facts.

Domi v Public Prosecutor, Italy

[2021] EWHC 923

Tom acted for the subject of an extradition request, concerning the meaning and effect of section 20 of the Extradition Act 2003 and the continuing effect of the Framework Decision on extradition on the application of that Act post Brexit.

R (NB & Ors) v Home Secretary

[2021] EWHC 1489 (Admin), [2021] 4 WLR 92

This case was brought by a number of asylum seekers, challenging their accommodation at a Napier army barracks. The court upheld the challenge, finding that the accommodation was unsafe and unsuitable for housing asylum seekers and that for periods the claimants had been falsly imprisoned there.

R (Begum) v Special Immigration Appeals Commission

[2021] UKSC 7, [2021] AC 765

This was a high profile challenge to the deprivation of citizenship of Shamima Begum. The key issue was whether the appellant could have a fair hearing and the consequences if she could not. Tom acted in this stage of the proceedings, which went to the Supreme Court.

R (Leigh) v Metropolitan Police

[2022] EWHC 527 (Admin), [2022] 1 WLR 3141

Tom appeared for the Claimants in this successful judicial review of the planned vigil on Clapham Common in memory of Sarah Everard. Tom also acted in an application for an interim declaration in the same case (reported at [2021] EWHC 661 (Admin)

FF, R. (On the Application of) v Director of Legal Aid Casework

[2020] EWHC 95 (Admin)

Tom acted in this leading case on when a claimant is likely to obtain a benefit from a judicial review such as to bring him or her within the scope of the legal aid regime.

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Bashir & Ors v SSHD & Sovereign Base Area Authority

[2018] UKSC 43, [2019] AC 484

This case concerned the fate of several refugee families who were shipwrecked in the British Sovereign Base Areas in Cyprus in 1999. In 2018 the Supreme Court Ruled in favour of the Refugees that the Refugee Convention remained extended to the territory following Cypriot independence. The UK Government subsequently granted Tom's clients indefinite leave to remain in the UK. See: https://www.channel4.com/news/exclusive-refugees-marooned-for-20-years-can-finally-settle-in-uk

Watson v SSHD and Tele2 Sverige AB v Postoch Telestyrelse

C-203/15 and C-698/15

Tom acted in this high profile case on the scope of the Data Protection and ePrivacy Directives and their application to Member States' data retention regimes. The case was heard by a Grand Chamber of the Court of Justice on 12 May 2016, Tom appeared for the Law Society.

LG & Ors v Secretary of State for the Home Department

[2017] EWHC 1529 (Admin)

Tom acted for LG in this challenge to several Terrorism Prevention and Investigation Measures. Tom represented LG as lead appellant throughout the proceedings, including in respect of a challenge to a relocation measure and at trial in 2017.

Mutu v Switzerland (Chelsea FC intervening) (2018)

App. No. 40575/10

Tom acted for Chelsea FC in this claim by Adrian Mutu in the European Court of Human Rights. It is the first case in which the ECtHR has considered the CAS system and its compliance with human rights standards. Judgment was delivered in 2018.

Wamala v Tascor Services Ltd

[2017] EWHC 1461 (QB); [2017] 4 WLR 155

Tom acted for the claimant in this substantial case challenging the use of force by private immigration escorts.

Big Brother Watch & ors v United Kingdom

(App. No. 58170/13) September 2018

Tom acted for Big Brother Watch in an application at the European Court of Human Rights challenging the UK's legislation governing the surveillance of communications and the implications of the Edward Snowdon disclosures about the use of TEMPORA and PRISM data.

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R (Reilly No 2 & Hewstone) v Secretary of State for the Home Department

[2016] EWCA Civ 413; [2017] QB 657

The Court of Appeal held that the Jobseekers (Back to Work Schemes) Act 2013 is incompatible with Article 6(1) of the European Convention of Human Rights, in that it had interfered with ongoing legal proceedings challenging benefits sanctions by retrospectively validating those sanctions. The Court of Appeal and Supreme Court had previously ruled that regulations introducing several 'back to work' schemes had been ultra vires the Jobseeker's Act 1995 (claims in which Tom also acted for the Claimants).

R (Gedi) v SSHD

[2016] 4 WLR 93

The Court of Appeal in Gedi held that the Secretary of State has no power to impose a curfew on immigration detainees. The case, in which Tom acted for the Claimant, has led to a change of Government policy and has major implications across immigration law.

Hassan v United Kingdom

29750/09 (2019)

Tom acted for the applicant in what is now the leading case on the extraterritoriality of the European Convention on Human Rights, its application to armed conflict and the relationship between the Convention and International Humanitarian Law.

SSHD v CC & CF

[2014] 1 WLR 4240 (ongoing)

Tom acts for CF in these proceedings concerning the abuse of process in proceedings under the Terrorism Prevention and Investigations Act 2011 and the scope of the minimum disclosure requirement.

Al-Jedda v Home Secretary

[2014] AC 253

Tom acted for Mr Al Jedda in this case in which the Supreme Court upheld an order quashing the deprivation of his British citizenship.

R (Omar) v Secretary of State for Foreign Affairs

[2014] QB 112

Tom acted for the claimant in this application for disclosure of documents to support his criminal defence in criminal proceedings against him in Uganda for alleged involvement in the 2010 bombings in Kampala.

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R (WL Congo / Lumba) v Secretary of State for the Home Department

[2011] UKSC 12, [2012] 1 AC 245

The Supreme Court upheld a claim for false imprisonment of two foreign national prisoners pending their deportation, for applying an unlawful and secret policy that differed from her published policy. The court also considered and rejected the availibiity of vindicatory damages in tort. Tom acted for the cliamants.

R (Kambadzi) v Secretary of State for the Home Department

[2011] UKSC 23, [2012] 1 AC 1299

The Supreme Court found that detention of a foreign national prisoner was unlawful where the Secretary of State had failed to carry out reviews as required by the Secretary of State's published policy. The detainee was entitled to damages for false imprisonment. Tom acted in the Supreme Court for the claimant.

Binyam Mohamed v SSFCA

[2010] QB 218

Tom represented Binyam Mohamed in the Court of Appeal where Mr Mohamed successfully obtained disclosure of information relating to his mistreatment and torture over which public interest immunity was claimed on national security grounds.

AF (No 3) v SSHD

[2010] 2 AC 269

Tom represented AF in the leading case on control orders and Article 6 of the ECHR which led to the quashing of the control order imposed on AF. The case has given rise to other important judgments on the control order regime and subsequent TPIM regime.

A v B (Investigatory Powers Tribunal: Jurisdiction)

[2009] UKSC 12, [2009] 2 AC 1

The Supeme Court considered the jurisdiction of the Investigatory Powers Tribunal to determine complaints under the HRA 1998 and whether the jurisdiction was exclusive. A former member of the Security Service challenging the refusal of the Director of Establishments of the Security Service to consent to the publication of material about the Security Service. By reason of the Regulation of Investigatory Powers Act 2000 s.65(2)(a), the court held that the tribunal had exclusive jurisdiction.

JJ v Secretary of State for the Home Department

[2007] UKHL 45, [2008] 1 AC 385

The Appellate Committee of the House of Lords held that a non-derogating control orders which, among other things, imposed 18-hour curfews and prohibited social contact with anybody who was not authorised by the Home Office, amounted to a deprivation of liberty.

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MB v Secretary of State for the Home Department

[2007] UKHL 46, [2008] 1 AC 440

The case concerned the compatibilty of terrorism control orders with Article 6, ECHR. Important rulings were given at first instance, where the regime was declared incompatible with Article 6, in the Court of Appeal and ultimately in the House of Lords. Tom acted at each stage in the proceedings.

Commercial

Tom is regularly instructed in commercial matters and brings a strong commercially-minded approach to litigation strategy. Having litigated commercial disputes for over two decades, Tom has extensive and varied experience of commercial litigation, including in seeking commercial injunctions. In his current practice, Tom tends to act in commercial disputes in the media and entertainment or sports context or in complex commercial cases that have a regulatory, international law or public law angle. He has acted in numerous disputes concerning broadcasting and television rights, copyright disputes, royalties, sponsorship and advertising.

In 2024, Tom acted in disputes concerning the Leadmill music and entertainment venue in Sheffield and in a dispute between a multinational events company and PRS. He regularly acts for and advises gaming companies in commercial disputes which counterparties or licensing matters involving the Gambling Commission.

Tom also acted in a substantial joint venture dispute between an international sports body and its commercial partner, the International Olympic Committee, concerning sponsorship and other rights to the Paralympics.

Tom has acted in many passing-off and related matters. He acted for Glaxo in a long-running passing off claim in the pharmaceuticals sector concerning asthma inhalers, which generated multiple judgments of the Chancery Division and addressed issued such as the use of disclosed documents in parallel foreign court proceedings. Tom acted at several stages of the leading trade marks case of Sky v SkyKick , including in a reference to the CJEU which concerned (amongst other things) the scope of the bad faith defence in trade mark law.

Other examples of Tom's commercial practice include acting for HMRC in commercial court proceedings brought by Bernie Ecclestone following the recission by HMRC of its settlement agreement with Mr Ecclestone. Tom acted in a dispute over the sale of Nottingham Forest FC, successfully defending the claim at trial and in the Court of Appeal.

Cases

Clifford v Millicom Services UK Ltd

[2023] EWCA Civ 50, [2023] ICR 663

The case concerned the circumstances in which courts can limit the principle of open justice to allow evidence to be adduced in private. Tom acted for Millicom Services UK Ltd in in a successful challenge to a refusal to permit it to restrict public dissemination of evidence that could expose individuals to a serious harm.

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World Academy of Sport v Internatioanal Paralympic Committee

Joint venture commercial dispute in the commercial court brought by the World Academy of Sport against the IPC for breaching a joint venture agreement for the provision of services to Olympic Games organising committees and national sporting associations. The claim settled before trial in 2024.

Glaxo UK Ltd & Glaxo Group plc v Sandoz UK Ltd & Ors

[2019] EWHC 2545 (Ch)

Multi-jurisdictional passing off / trade mark litigation concerning the fourth most successful pharmaceutical product in the world, the Seretide asthma inhalers. The case concerned the colour and shape of Glaxo's seretide inhalers and their alleged distinctiveness and whether a rival product was misleading to consumers and industry participants.

Glaxo Welcome v Sandoz Ltd

[2018] EWHC 3610 (Ch), [2018] EWHC 3229 (Ch)

The judgments concerned an application to use documents disclosed and used in preliminary hearings in UK proceedings in parrallel trade mark proceedings in Germany.

Glaxo Welcome v Sandoz Ltd

[2019] EWHC 1528 (Pat)

Concerned the admissibility of opinion evidence from trade witnesses going beyond factual evidence based on their own personal knowledge and experience, and statements from the claimants' employees amounting to expert opinion or statements of fact of which they had no personal knowledge.

Glaxo Welcome v Sandoz Ltd

[2019] EWHC 1679 (Pat)

Applications to amend counterclaims and for an adjournment of trial.

Glaxo Welcome v Sandoz Ltd

[2019] EWHC 1680 (Pat)

Tom acted in this contested application for an expedited trial of an alleged EU and UK trade mark and passing off dispute.

Glaxo Welcome v Sandoz Ltd

[2018] EWHC 3610 (Ch), [2018] EWHC 3229 (Ch)

The judgments concerned an application to use documents disclosed and used in preliminary hearings in UK proceedings in parrallel trade mark proceedings in Germany.

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CTMH Holdings Ltd v The Government of the Cayman Islands

Causes No. G55 and G150 of 2021 (19 August 2022)

Tom acted for the Government of the Cayman Islands in a challenge to the issue of import tax waivers and agreements to waive importation duties in the context of medical equipment. The challenge also related to the scheme for registering foreign medical doctors in the Cayman Islands.

WADA v RUSADA

CAS 2020/O/6689

Tom represented the World Anti-Doping Agency (WADA) in this landmark arbitration concerning relating to the identification of centralised doping and anti-detection systems adopted by Russia between 2011 and 2015. The arbitration concerned whether the failure of Russia to comply with reinstatement conditions could and should result in restrictions on Russian participation in international competitions. The Court of Arbitration for Sport imposed a two year prohibition on such participation.

Bernard Ecclestone v HM Revenue and Customs

This commercial court case challenged the the rescission of a settlement agreement between Bernard Ecclestone and HM Revenue and Customs relating to the settlement of the investigation into the sale of the rights to F1 Racing. The issues include misrepresentation and fraud. Tom represented HMRC.

ED&F Mann Sugar v Tate & Lyle Sugar

Tom acted for Tate & Lyle Sugar concerning the allegedly wrongful diversion of a sugar cargo. The claim involved allegations of conversion, procuring breach of contract, deceit and conspiracy. This substantial commercial case settled before trial.

Kryvenko v Renault Sport Racing Ltd (formerly Lotus)

(2017) [settled]

Tom is acting for Renault Formula 1 Team in a sponsorship dispute over the use of the YotaPhone brand. The claim is proceeding in the commercial court.

Stretchline Intellectual Property Ltd v H&M Hennes & Mauritz (UK) Ltd

[2016] EWHC 162 (Pat) (Ch)

Tom acted for the high street retailer H&M, in successfully resisting an EU-wide injunction against the company for selling infringing brassieres contrary to a settlement agreement. Distinguishing Experience Hendrix, the court also refused to grant an account of profits.

Hewlett Packard Ltd v D&P Data Systems

[2016] settled

Acted for HP Ltd in a trade mark infringement and conspiracy claim concerning the acquisition and sale of computer servers.

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World Ventures Marketing Inc.

Tom acted for a global multi-level marketing company concerning the scope of Directive 2005/29/EC and the prohibition on pyramid selling schemes. Tom is involved at an advisory and strategic level, including helping to co-ordinate legal teams in several jurisdictions.

Sky plc v SkyKick

[2018] EWHC 155 (Ch) and C-3718 (2020)

Tom acted for the defendant, a US data migration company, in long-running trade mark proceedings. The case has generated a number of important judgments and was the subject of a reference to the CJEU on the issue of the bad faith defence and the scope of the CJEU's ruling in IP Translator. An application for a reference on the compatibility of the "own name defence" with the EU Charter of Fundamental Rights was refused. Additional reported judgments include: [2017] EWHC 1769 (Ch), [2018] EWHC 155 (Ch) 3 (Ch), [2018] EWCA Civ 2004

NF Football Investments v Nottingham Forest FC

[2019] EWCA Civ 2242

Tom acted successfully for Fawaz Al-Hasawi in this £5m dispute over the sale of Nottingham Forest Football Club. A judgment reached in Mr Al-Hasawi's favour was upheld on appeal.

Icon Hotel Holdings Ltd v FYR Services

[2015] settled

Claim by owner of hotel chain against an operating company for delivery-up of database information and documents and for breach of fiduciary duty.

Gillingham FC v Centerplate

[2017] EWHC 2978 (QB)

Tom acted for Gillingham FC in substantial contractual dispute concerning hospitality at the Club’s ground and hospitality facilities. The Club was awarded £1.4m in damages and costs in this contested high court action.

Rick Wakeman v Imagem Songs & BMG

[2014]

Tom acted for the celebrated progressive rock and classical musician Rick Wakeman in a dispute over the validity of contract for copyright assignment.

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Snoras Bank v Antonov

[2013] EWHC 131 (Comm Ct)

Substantial civil fraud claim against Vladimir Antonov, the former owner of a Lithuanian Bank. The judgment of Gloster J relates to various interlocutory issues, including confidentiality rings, the relationship between freezing orders in different jurisdictions, criminal proceedings and extradition proceedings, and the right against self-incrimination.

Crosstown v Rive Droit Music Ltd & Taylor

[2012] Ch. 68

Tom acted for the publishing company Rive Droit Music Ltd which was involved in earlier stages of this high profile litigation.

Public & Regulatory

Tom regularly appears in the Administrative Court and appeal courts in the most difficult and high public law cases, including both Miller cases, in which he represented Gina Miller. He has been invited to give evidence to a number of Select Committees as an expert on constitutional and public law.

Tom acted for the Lord Advocate in the Lord Advocate's Reference to the Supreme Court concerning whether the Scottish Parliament has the power to hold a referendum on Scottish independence. Tom has acted for the Governments of the Cayman Islands, Gibraltar, Bahamas, and the BVI.

Tom has huge experience in regulatory disputes, including acting both for and against regulators and similar bodies such as Ofgem, CMA, Ofcom, the Advertising Standards Authority and the Gambling Commission. He also has experience in vehicle emissions regulation, food standards, medicines regulation, and many other areas.

Tom is author of a leading book on public law (Public Law After the Human Rights Act (Hart 2010)) and has written extensively on and blogs journals in the UK and abroad on public law. He teaches and examines public law at UCL. In 2020 he was awarded Public Law and Human Rights Silk of the year.

Tom has been standing Counsel to the Investigatory Powers Commissioner since 2017. In 2020, Tom was the first person to give oral testimony to the Constitutional Court of Germany in a two day hearing before that Court, as an expert witness giving evidence on the subject of the regulation of external interception of communications and intelligence service oversight.

> *"Tom is an excellent technical public lawyer, who is a go-to individual for complex commercial public law cases."*
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Cases

R (Miller) v Secretary of State for Exiting the European Union

[2017] UKSC 5, [2018] AC 61

This was a challenge to the Prime Minister's ability to issue a declaration triggering the UK's withdrawal from the EU without authorisation from an Act of Parliament. This case was heard by a panel of 11 members of the Supreme Court, the first of two occassions the court has sat with a panel of 11. Tom acted as junior counsel to Gina Miller in a team led by Lord Pannick QC.

R (Miller) v Prime Minister

[2019] UKSC 41, [2020] AC 373

Challenge to the Prime Minister's decision to prorogue Parliament in the lead-up to the UK's then scheduled exit from the EU. Tom acted with Lord Pannick QC for Gina Miller and succeded by a margin of 11-0 in the Supreme Court in having the Order in Council that directed the prorogation quashed. It is one of only two cases in which the Supreme Court has sat with a panel of 11 judges (the other being R (Miller) v Secretary of State for Exiting the EU).

R (Siderise Insulation Ltd) v Royal Borough of Kensington and Chelsea

[2025] EWHC 1178 (Admin)

The claim concerned the compatibility of a decision to impose award criteria and conditions in public procurements that prohibited the use of the claimant's products. The issue concerned the compatibility of that decision with the Procurement Act 2023 and the Public Contract Regulations 2015 as well as with public law principles.

R (GB News) v OFCOM

[2025] EWHC 460 (Admin)

Tom acted for GB News in this succesful challenge to two Ofcom decisions applying section 5 of the Broadcasting Code on due impartiality in the presentation of news. The Court found that Ofcom had misinterpretted sections 5.1 and 5.3 in finding that a politican was not entitled to read any item of news during a current affairs or other non-news programme without exceptional editorial justificstion. The Court also found that Ofcom's interpretation of the Code was not reasonably foreseeable and thus was not prescribed by law for the purposes of Article 10, ECHR. The High Court quashed both decisions.

R (British Gas Trading Ltd) v Secretary of State for Energy and Net Zero

[2025] EWCA Civ 209

This was a major subsidy control challenge concerning the decision to support to the collapsed energy company Bulb, to allow it to be transferred to Octopus Energy, with a potential cost of several billion pounds. The Court of Appeal upheld the Divisional Court in holding that the Secretary of State's decision to approve a sale to Octopus together with support for Bulb's unhedged position on the wholesale energy market were lawful decisions both applying public law principles and subsidy control rules. The M&A process conducted by the special energy administrators, which was the focus of the challenge, was found to have been adequate and fair. Tom acted for Bulb and the special energy administrators.

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R (The National Conservation Council) v The Central Planning Authority

[2025] CIGC (civ) 6

Cayman Islands judicial review of decisions of the Central Planning Authority concerning a development over land populated by the protected blue iguana. The case concerned issues of planning law and the relationship between the Cayman Islands' environmental statutes and the central planning system.

R (L1T FM Holdings UK Ltd) v Cabinet Office

[2024] EWHC 2963 (Admin)

The first judicial review under the National Security and Investment Act 2021. The case concerned a decision of the Secretary of State requiring the claimant to divest itself of its ownership in a telecommunications company without compensation due to a risk associated with the Russian origins of the ultimate beneficial owners. The claim raised issues as to the process to be conducted under the act, to proportionality and as to compensation for dispossession.

R (FDA) v Minister of the Cabinet Office

[2024] EWHC 1729 (Admin), [2025] 2 WLR 107

Challenge by a civil service union concerning the circumstances in which they can be asked to breach international law in removing persons to Rwanda and the effect of the Civil Service Code.

R (British Generic Manufacturers Association Ltd) v Secretary of State for Health and Social Care

[2023] EWHC 1725 (Admin)

The BGMA challenged the refusal to allow them to participate in agreeing the voluntary agreement for pricing of pharmaceutical products.

Canal and River Trust v Information Commissioner

[2023] UKUT 92 (AAC)

Tom acted for the Canal and River Trust in this successful appeal which established that the charity is not subject to the Freedom of Information Act 2000.

R (Kerman) v Charity Commission for England and Wales

[2024] EWHC 2637 (Admin)

Concerned substitution of a claimant in judicial review proceedings

clerks@blackstonechambers.com
+44 (0)20 7583 1770

R (BT Pension Scheme Trustees) v HM Treasury and UK Statistics Authority

[2022] EWHC 2265 (Admin), [2023] Pens. LR 1

Tom represented HM Treasury in a challenge by UK gilts holders to align the RPI index of consumer priced with CPIH. The decision affected all persons with pensions or legal instruments linked to RPI. The Claimants estimated the effect on their gilts would be around £100billion. Tom acted for HM Treasury and UK Statistics Authority in successfully defending the judicial review proceedings.

R (Begum) v Special Immigration Appeals Commission

[2021] UKSC 7, [2021] AC 765

This was a high profile challenge to the deprivation of citizenship of Shamima Begum. The key issue was whether the appellant could have a fair hearing and the consequences if she could not. Tom acted in this stage of the proceedings, which went to the Supreme Court.

R (Kellogg Marketing and Sales Co (UK) Ltd v Secretary of State for Health [2022] EWHC 1710 (Admin)

Tom acted for Kellogg in a challenge to regulations that restrict the sale, placement and promotion of food and drink in supermarkets and on websites. The challenge related to the vires of aspects of the regulations and to distinction between breakfast cereals and other dehydrated foodstuffs, which requires the nutrient profile of breakfast cereals to be assessed on their dry qualities rather than as they are commonly eaten, with milk.

Anglin v The Governor of the Cayman Islands

[2025] UKPC 30

This case, in which Tom acted in the Grand Court of the Cayman Islands, the Court of Appeal and the Privy Council, was a constitutional challenge to the Civil Partnership Act 2020. The Governor of the Cayman Islands in enacting and assenting to the CPA, was found to have acted within the scope of his reserved powers under section 81 of the Cayman Islands Constitution. The case concerned the nature of the executive power to legislate for "external relations".

Privacy International v Secretary of State for Foreign Affairs

[2021] UKIPTrib IPT_17_86_CH

Tom represented the Investigatory Powers Commission at a hearing concerned with the scope of the Commission's duty to assist the Investigatory Powers Tribunal.

CTMH Holdings Ltd v The Government of the Cayman Islands

Causes No. G55 and G150 of 2021 (19 August 2022)

Tom acted for the Government of the Cayman Islands in a challenge to the issue of import tax waivers and agreements to waive importation duties in the context of medical equipment. The challenge also related to the scheme for registering foreign medical doctors in the Cayman Islands.

clerks@blackstonechambers.com
+44 (0)20 7583 1770

Scottish independence referendum (Lord Advocate's reference)

[2022] UKSC 31, [2022] 1 WLR 5435

Tom represented the Lord Advocate in a reference to the Supreme Court under the Scotland Act 1998 on the question of whether holding an advisory referendum in Scotland on independence relates is within the competence of the Scottish Parliament. In a landmark ruling, the Supreme Court held that the Scottish Parliament has no competence to hold such a referendum.

R (HM, KH and MA) v Secretary of State for the Home Department

[2022] EWHC 695 and 2729 (Admin)

Successful challenge before the Divisional Court to the legality of the Government's policy to search, seize and retain data from the mobile phones of migrants arriving by small boat. The Court unusually gave a second, important, judgment on failings in the duty of candour, particularly at the pre-permission stage.

Tom acted for MA and KH.

R (FDA) v Prime Minister

[2021] EWHC 3279 (Admin), [2022] 4 WLR 5

Tom acted for the FDA civil service union in challenging the Prime Minister's decision that there was no breach of the Ministerial Code by the Home Secretary concerning allegations of bullying. The Court agreed with the FDA (contrary to the Government's case) that the Ministerial Code was justiciable and that bullying had to be understood objectively and not subjectively, in line with civil services policies. The Court dismissed the claim on the facts.

R (Manchester Airport Holdings Ltd) v Secretary of State for Health

[2021] EWHC 2030 Admin

Challenge to the traffic light system for categorising countries for the purposes of the Covid-19 travel restrictions. The challenge sought the publication of information that explained the basis for categorising countries as green, amber and red.

R (NB & Ors) v Home Secretary

[2021] EWHC 1489 (Admin), [2021] 4 WLR 92

This case was brought by a number of asylum seekers, challenging their accommodation at a Napier army barracks. The court upheld the challenge, finding that the accommodation was unsafe and unsuitable for housing asylum seekers and that for periods the claimants had been falsly imprisoned there.

R (Leigh) v Metropolitan Police

[2022] EWHC 527 (Admin), [2022] 1 WLR 3141

Tom appeared for the Claimants in this successful judicial review of the planned vigil on Clapham Common in memory of Sarah Everard. Tom also acted in an application for an interim declaration in the same case (reported at [2021] EWHC 661 (Admin)

clerks@blackstonechambers.com
+44 (0)20 7583 1770

Aspers v Gambling Commission

[2020] unreported

Challenge to decisions of the Gambling Commission in relation to fairness and due process. Permission was granted at a hearing after which the case settled.

R (Support Services) v Advertising Standards Agency

[2016] (settled)

Judicial review of decision by the ASA that a 'lookalike' passport website is misleading. Tom acted for the Advertising Standards Agency.

Cheshire & Other Local Authorities v Minister for Local Government

Tom acted for the Government in successfully defending this challenge to the 2015 Local Government Settlement and the structure of the Local Government Grant, issues of major significance and sensitivity.

Provo Air Centre v Turks and Caicos Islands Airports Authority

[2015] unreported

Tom acted in this challenge to the decision of the Turks and Caicos Island Airports Authority to grant permission for the development of a second Fixed Based Operation at the airport. Tom argued the case before the Chief Justice.

Bawa-Garba v GMC

[2015] EWHC 1277 (QB)

Acted for the General Medical Council in proceedings concerning the suspension of a doctor pending a criminal prosecution. The judgment was a significant development of the law on interim suspensions.

R (Sainsbury's Supermarket) v Advertising Standards Agency and Independent Reviewer (Tesco Supermarket Intervening)

[2014] EWHC 3680, [2015] ACD 23

This was a judicial review of an ASA decision and that of the Independent Reviewer upholding the lawfulness of Tesco's Price Promise scheme, on domestic and EU law grounds. Tom successfully defended the claim. COncerned the interpretation of Directives 2005/29/EC and 2006/114/EC (consumer protection and advertising).

R (D & S) v Manchester City Council

[2012] EWHC 17 (Admin)

Tom successfully defended Manchester City Council from this challenge to the Council's budget for allegedly failing to comply with procedural requirements including the public sector equality duty.

clerks@blackstonechambers.com
+44 (0)20 7583 1770

R (Global Knafaim Leasing) v BAA & CAA & Eurocontrol

[2011] 1 Lloyd's Rep. 324

Acted for aircraft leasing company in this challenge to the detention of an aircraft at Glasgow airport under the Fleet Lien power.

Freedom and Justice Party v Foreign Secretary

[2018] EWCA Civ 1719, [2019] QB 1075

This was a challenge to the recognition by international law and the common law of special mission immunity. It is a leading case on reception of customary international law into domestic law.

R (Heathrow Airport Ltd) v Office of Road and Rail

[2017] EWHC 1290 (Admin)

Tom acted for the Secretary of State for Transport in successfully defending this judicial review challenge to the charging regime for the Heathrow Spur as part of the Crossrail project.

R (News Media Association) v Press Recognition Panel and IMPRESS

[2017] EWHC 2527 (Admin)

This was a challenge to the new press regulatory regime under the Royal Charter on the Regulation of the Press. Tom acted for the independent press regulator IMPRESS.

LG & Ors v Secretary of State for the Home Department

[2017] EWHC 1529 (Admin)

Tom acted for LG in this challenge to several Terrorism Prevention and Investigation Measures. Tom represented LG as lead appellant throughout the proceedings, including in respect of a challenge to a relocation measure and at trial in 2017.

Wamala v Tascor Services Ltd

[2017] EWHC 1461 (QB); [2017] 4 WLR 155

Tom acted for the claimant in this substantial case challenging the use of force by private immigration escorts.

Media & Entertainment

Tom represents clients in particular in commercial disputes, royalty, copyright, trade mark and passing off disputes and has acted in a number of trials and mediations in the media and entertainment sector. He has been acting in such cases since he started practice: his first case was for the writers of the original Thomas the Tank Engine theme music (Campbell v HIT) in an historic royalties dispute.

"He is incredibly creative; he comes up with arguments no one else thinks of and couples that with incredible technical ability."

— CHAMBERS AND PARTNERS, 2025

clerks@blackstonechambers.com
+44 (0)20 7583 1770

Tom often advises broadcasters such as the BBC, ITV and Channel 4 on copyright and contractual matters, including disputes with presenters, copyright issues and broadcasting rights. He has advised in numerous international commercial rights disputes where contracts are subject to English law. He has given evidence on English copyright law in foreign court proceedings.

Tom acted for Rive Droit Music in the well-known copyright dispute culminating in Crosstown v Rive Droit Music Ltd [2012] Ch. 68 and for the former manager of the Bay City Rollers in a major royalties dispute (Wainman v Arista Records).

He later acted for the prog-Rock and classical musician Rick Wakeman in a claim to rescind a contract of copyright assignment (Wakeman v Imagem Songs & BMG) and for MC Harvey in a breach of privacy claim brought by Cheryl Cole (Cole v IPC Media & MC Harvey).

Tom acted for Ali Campbell, "Mickey" and "Astro", in a long-running band dispute over the name UB40 (Campbell v Campbell).

In 2024 Tom acted for a multi-national events company in a dispute with PRS and for Au/Ra in a claim to terminate a management contract (the claim settled). He advised on publishing and development contracts concerning a long-running and well-known children's television series.

Other clients have included: Paul McCartney's publishing company (copyright dispute), Status Quo (passing-off dispute), INXS (publishing dispute), Oxford University Press (journal ownership dispute), Sony (copyright), Mark Morrison (police harassment), Knife Party/Pendulum (copyright), Jamiroquai (royalties), Penguin books (various).

Cases

UB40 Case (Campbell v Campbell)

[2016] EWHC 765 (Ch)

Tom acted for Ali Campbell, Astro and Mickey in this passing off and band dispute between two competing versions of UB40.

Nick Martin v Julia Kogan

Tom acted for the writer of the screenplay, Florence Foster Jenkins, in a copyright dispute over a claim of joint authorship.

NF Football Investments v Nottingham Forest FC

[2019] EWCA Civ 2242

Tom acted successfully for Fawaz Al-Hasawi in this £5m dispute over the sale of Nottingham Forest Football Club. A judgment reached in Mr Al-Hasawi's favour was upheld on appeal.

British Racing and Sports Car Club Ltd v T

Tom acted in a dispute over the rights to a Mini racing championship. The claim settled before trial (2016).

clerks@blackstonechambers.com
+44 (0)20 7583 1770

Rick Wakeman v Imagem Songs & BMG

[2014]

Tom acted for the celebrated progressive rock and classical musician Rick Wakeman in a dispute over the validity of contract for copyright assignment.

Cheryl Cole v IPC Media & MC Harvey

[2013] unreported

Tom acted for MC Harvey in a claim brought by Cheryl Cole in breach of privacy and defamation iconcerning an interview given by MC Harvey in 2011 in which he discussed a relationship with Cheryl Cole. The claim was pursued in the Chancery Division. It settled in 2013 following a preliminary hearing.

Crosstown v Rive Droit Music Ltd & Taylor

[2012] Ch. 68

Tom acted for the publishing company Rive Droit Music Ltd which was involved in earlier stages of this high profile litigation.

EU Law

Tom has a varied experience of representing clients in disputes concerning EU law and acted in many cases involving EU law both before UK courts and the CJEU. As a member of the A Panel Tom frequently advised the UK Government on the application of EU laws.

Since Brexit, Tom has acted and advised in a number of matters concerning the continuing effect of EU law and the application of the Withdrawal Agreement and Trade and Cooperation Agreements (eg in the context of state aids/subsidy control, extradition and asylum, sale of goods etc).

Tom was counsel for Gina Miller in the case of R (Miller) v Secretary of State for Exiting the European Union, concerning Article 50 of the TEU. He represented the Law Society in the Grand Chamber of the CJEU in the Joined Cases Tele 2, and Watson v Secretary of State, concerning bulk communications data acquisition and the scope of the E-Privacy Directive.

Tom acted for SkyKick in the CJEU in a long-running case concerning the bad faith defence under the EU Trade Mark Regulations (SkyKick v Sky).

Cases

Domi v Public Prosecutor, Italy

[2021] EWHC 923

Tom acted for the subject of an extradition request, concerning the meaning and effect of section 20 of the Extradition Act 2003 and the continuing effect of the Framework Decision on extradition on the application of that Act post Brexit.

clerks@blackstonechambers.com
+44 (0)20 7583 1770

Watson v SSHD and Tele2 Sverige AB v Postoch Telestyrelse

C-203/15 and C-698/15

Tom acted in this high profile case on the scope of the Data Protection and ePrivacy Directives and their application to Member States' data retention regimes. The case was heard by a Grand Chamber of the Court of Justice on 12 May 2016, Tom appeared for the Law Society.

R (MR) v Home Secretary

[2016] EWHC 1622 (Admin)

Tom acted for the claimant in a challenge to the regime for removal of passports, based on Directive 2004/38/EC (free movement). A preliminary judgment established the applicability of EU law to the removal of passports.

World Ventures Marketing Inc.

Tom acted for a global multi-level marketing company concerning the scope of Directive 2005/29/EC and the prohibition on pyramid selling schemes. Tom is involved at an advisory and strategic level, including helping to co-ordinate legal teams in several jurisdictions.

A Global Oil Company v Secretary of State for Business, Innovation and Skills

[2015] unreported

Acted for a multinational company in this challenge (which ultimately settled before a reference was made to the CJEU) to the interpretation and vires of an EU Directive.

Bredenkamp v Foreign Office

[2013] EWHC 2480 (Admin)

Tom acted in various stages of this challenge to EU Zimbabwe sanctions including in relation to a damages claim.

Sky plc v SkyKick

[2018] EWHC 155 (Ch) and C-3718 (2020)

Tom acted for the defendant, a US data migration company, in long-running trade mark proceedings. The case has generated a number of important judgments and was the subject of a reference to the CJEU on the issue of the bad faith defence and the scope of the CJEU's ruling in IP Translator. An application for a reference on the compatibility of the "own name defence" with the EU Charter of Fundamental Rights was refused. Additional reported judgments include: [2017] EWHC 1769 (Ch), [2018] EWHC 155 (Ch) 3 (Ch), [2018] EWCA Civ 2004

clerks@blackstonechambers.com
+44 (0)20 7583 1770

Sport

Tom's sports law practice complements his work in the media and entertainment field and he often acts in commercial contract matters and intellectual property rights disputes.In his very first case in the area, Tom acted for Liverpool FC in a shirt sponsorship dispute with Reebok in the Commercial Court. He has since acted for many Clubs, sports bodies and professional athletes.

Tom acted in one of the most significant anti-doping cases, WADA v RUSADA in which the CAS imposed a two year ban on Russian participation in major competitions, exercising its new jurisdiction under the WADA Code. He has engaged in separate advisory work for WADA.

In 2024 Tom acted in a sports arbitration concerning the use of VAR in Premiership football games.

In 2018-19, Tom acted in litigation in the High Court and Court of Appeal concerning the sale of Nottingham Forest FC, and in 2017 for Renault/Lotus F1 team in a substantial agency dispute.

Tom acted as an independent reviewer of prosecutions for UK Anti-Doping.

Given Tom's extensive experience advising on regulatory matters and acting in regulatory disputes, Tom is particularly interested in the implementation of the Football Governance Act 2025. A Blackstone Chambers seminar on the Act at which he contributed was held on 4 November 2025 and is available on the Chambers' website.

> *"Tom is academically brilliant and provides practical advice."*
> — CHAMBERS AND PARTNERS, 2025

Cases

A premiership football Club (VAR dispute)

[2024] unreported

Tom acted in an dispute between a leading football club under the Premier League rules relating to the use of VAR. Arbitration proceedings were compromised.

World Academy of Sport v Internatioanal Paralympic Committee

Joint venture commercial dispute in the commercial court brought by the World Academy of Sport against the IPC for breaching a joint venture agreement for the provision of services to Olympic Games organising committees and national sporting associations. The claim settled before trial in 2024.

A National Cricket Association v A Broadcaster

[2017] unreported

Tom acted in a dispute concerning an overseas national cricket association in a very high value commercial dispute over broadcasting rights relating to the national team.

clerks@blackstonechambers.com
+44 (0)20 7583 1770

WADA v RUSADA

CAS 2020/O/6689

Tom represented the World Anti-Doping Agency (WADA) in this landmark arbitration concerning relating to the identification of centralised doping and anti-detection systems adopted by Russia between 2011 and 2015. The arbitration concerned whether the failure of Russia to comply with reinstatement conditions could and should result in restrictions on Russian participation in international competitions. The Court of Arbitration for Sport imposed a two year prohibition on such participation.

Football Rights Dispute

In 2016, Tom advised a national broadcaster on a contractual dispute concerning rights to a major football tournament.

Kryvenko v Renault Sport Racing Ltd (formerly Lotus)

(2017) [settled]

Tom is acting for Renault Formula 1 Team in a sponsorship dispute over the use of the YotaPhone brand. The claim is proceeding in the commercial court.

Mutu v Switzerland (Chelsea FC intervening) (2018)

App. No. 40575/10

Tom acted for Chelsea FC in this claim by Adrian Mutu in the European Court of Human Rights. It is the first case in which the ECtHR has considered the CAS system and its compliance with human rights standards. Judgment was delivered in 2018.

Chelsea FC v FIFA

[2010] unreported

Tom represented Chelsea Football Club in its appeal to the Court of Arbitration for Sport from the decision to ban the Club from signing players for two transfer windows. The ban was lifted. Tom was junior Counsel to David Pannick QC and Adam Lewis QC. He has subsequently advised Chelsea FC on associated matters and represented them in the Mutu case before the European Court of Human Rights.

Gillingham FC v Centerplate

[2017] EWHC 2978 (QB)

Tom acted for Gillingham FC in substantial contractual dispute concerning hospitality at the Club's ground and hospitality facilities. The Club was awarded £1.4m in damages and costs in this contested high court action.

Bernard Ecclestone v HM Revenue and Customs

This commercial court case challenged the the rescission of a settlement agreement between Bernard Ecclestone and HM Revenue and Customs relating to the settlement of the investigation into the sale of the rights to F1 Racing. The issues include misrepresentation and fraud. Tom represented HMRC.

clerks@blackstonechambers.com
+44 (0)20 7583 1770

NF Football Investments v Nottingham Forest FC

[2019] EWCA Civ 2242

Tom acted successfully for Fawaz Al-Hasawi in this £5m dispute over the sale of Nottingham Forest Football Club. A judgment reached in Mr Al-Hasawi's favour was upheld on appeal.

Procurement

Tom has advised in a wide range of procurement and related disputes, including under:

- The Procurement Act 2023 (prior to that, the 2015 Regulations)
- The Subsidy Control Act 2022
- The Utilities Contract Regulations 2016
- The Electricity (Competitive Tenders for Offshore Transmission Licences) Regulations 2015

In 2025, Tom acted for a company that was wrongly excluded from certain local government contracts due to an alleged connection to the Grenfell Tower fire (R (Siderise Ltd) v Royal Borough of Kensington and Chelsea [2025] EWHC 1178 (Admin)). The claim contended that the exclusion was contrary to the Procurement Act 2023 and settled after permission was granted.

Also in 2025, Tom advised in a dispute over fruit and vegetable aid scheme and underlying retained EU law.

In 2024, Tom acted in a procurement dispute concerning major energy-sector procurement exercise under the Utilities Contracts Regulations 2016, which included issues such as the ability to exclude liability for bid costs in procurements subject to the 2016 regulations. The dispute settled.

Tom advised the Department for Work and Pensions in a substantial dispute concerning the procurement of funding arrangements and acted for Leyton Orient FC in Leyton Orient FC v London Legacy Development Corporation, a challenge to the re-tender process for the rights to use the Olympic Stadium.

Tom also has experience of subsidy control and concession issues. He is currently advising on the impact of the new subsidy control regime in the energy sector and between 2021 and 2025, Tom acted for the special administrators in the subsidy control challenge to the conduct of their sale of the business of the energy company Bulb, together with a substantial government subsidy valued up to £3bn, under the Trade and Cooperation Agreement.

Tom advised a consortium of banks in relation to the Eurotunnel Concession Agreement in a dispute worth hundreds of millions of pounds.

He was instructed for one of the interested parties in combined judicial review and procurement challenge to the award of the National Lottery licence in 2022.

Tom is able to act in national-security sensitive procurement and subsidy control matters.

clerks@blackstonechambers.com
+44 (0)20 7583 1770

Energy

Tom has extensive experience in energy law, oil, gas, solar, wind, and biogas, off-shore decommissioning issues and licensing. Examples include:

- Advising on the Capacity Market Rules
- Advising on T10 OFTO procurement and transfer process.
- Advising on new H2P projects and changes to the H2P regime.
- Instructed in a number of substantial disputes concerning Feed-in-Tariffs and solar installation audits.
- Acting for the Competition and Market's Authority (CMA) in challenge to its determination of appeals from GEMA's RIIO-2 price control decision.
- Acting for CMA in a challenge to GEMA's decision amending the Connection and Use of Systems Code.
- Advised Scottish Hydro Electric and others in the energy sector on various procurement and licensing related matters, including in relation to offshore energy generation.
- Acting for the Special Energy Administrators of the defunct energy company, Bulb in a legal challenge to the statutory business transfer to Octopus Energy.
- Instructed by Oil and Gas UK on “contracts for difference” applicable to continental shelf activities which represented a major policy change in the North Sea energy sector.
- Instructed by IPIECA (Global Oil and Gas Industry Association) on Iran and Russia sanctions-related issues.
- Advised a major extraction company on seismic data disclosure requirements under petroleum production licences.
- Advised a multi-national oil company transparency provisions of the 2013 Transparency Directive and Accounting Directives applicable to extraction companies.

Cases

R (SSE Generation Ltd) v Gas and Electricity Markets Authority

[2022] EWCA Civ 1472, [2022] 4 WLR 115

Concerned the Connection and Use of System Code and a decision of GEMA to adopt a staged approach to compliance. The court also found that congestion management costs could be taken into account when transmission charges were set were not limited to those incurred by network operators attributable to the management of congestion on interconnectors governing international trade between EU Member States. Tom acted for the CMA.

clerks@blackstonechambers.com
+44 (0)20 7583 1770

R (British Gas Trading Ltd) v Secretary of State for Energy and Net Zero

[2025] EWCA Civ 209

This was a major subsidy control challenge concerning the decision to support to the collapsed energy company Bulb, to allow it to be transferred to Octopus Energy, with a potential cost of several billion pounds. The Court of Appeal upheld the Divisional Court in holding that the Secretary of State's decision to approve a sale to Octopus together with support for Bulb's unhedged position on the wholesale energy market were lawful decisions both applying public law principles and subsidy control rules. The M&A process conducted by the special energy administrators, which was the focus of the challenge, was found to have been adequate and fair. Tom acted for Bulb and the special energy administrators.

R (Wales and West Utilities Ltd) v Competition and Markets Authority

[2022] EWHC 2940 (Admin)

Tom acted for the CMA in this judicial review of a CMA decision determining gas price control issues. The case raised issues of the appropriate scope of the CMA's jurisdiction in gas price control matters.

Public International Law

Tom has a broad experience in litigating international law issues in domestic courts and the European Court of Human Rights as well as in arbitral tribunals (such as the Court of Arbitration for Sport).

Tom was counsel in R (Bashir) v Secretary of State for the Home Department in 2018 concerning treaty interpretation and the responsibility of the UK under international law for overseas territories.

He was also Counsel in Miller v Minister for Exiting the European Union in 2017, which concerned the relationship between the prerogative, statute and international treaties.

In Reyes v Al-Malki, Tom acted for the intervening party in a case concerning the scope of the commercial exception under the Diplomatic Privileges Act.

Tom has acted in many of the diplomatic and state immunity cases of recent years, including Harb, FF, Estrada Juffali, Al-Attiyah, Freedom and Justice Party and Basfar v Wong. The Freedom and Justice Party case is the leading authority on the incorporation of customary international law into the common law; Basfar v Wong broke new ground on the application of the commercial exception to diplomatic immunity.

Tom also acted for the applicant in Hassan v United Kingdom (Grand Chamber), the leading case globally on the relationship between International Humanitarian law and human rights treaties.

clerks@blackstonechambers.com
+44 (0)20 7583 1770

Cases

Basfar v Wong

[2022] UKSC 20, [2022] 3 WLR 208

This was a ground-breaking case on the application of the "commercial exception" to the Vienna Convention on Diplomatic Relations 1961, holding it applicable to persons subjected by diplomatic agents to conditions of servitude and modern slavery. Tom acted for the intervening party Kalayaan, a charity that works to protect victims of modern slavery. The charity intervened in both the Court of Appeal and the Supreme Court.

Wong v Basfar

[2021] UKEAT 0233

This case concerns the application of the commercial exception in the Vienna Convention on Diplomatic Privileges and Immunities in the context of modern slavery. Tom is acting for the intervening party Kalayaan in the Supreme Court.

Freedom and Justice Party v Foreign Secretary

[2018] EWCA Civ 1719, [2019] QB 1075

This was a challenge to the recognition by international law and the common law of special mission immunity. It is a leading case on reception of customary international law into domestic law.

Estrada v Juffali

[2016] EWCA Civ 176, [2016] 3 WLR 243

Tom acted for Ms Estrada in successfully resisting a diplomatic immunity claim by the Defendant who had been appointed permanent representative of the IMO in London.

Al-Attiya v Hamad Bin-Jassim Bin-Jaber Al Thani

[2016] EWHC 212 (QB)

This case concerned the limits of the court's jurisdiction to determine whether a diplomat is in fact engaged in diplomatic activities. The case also involved issues of sovereign immunity.

Harb v Prince Fadh Bin Abdul Aziz

[2014] EWHC 1807 (Ch)

Tom acted for the Claimant in this claim concerning the scope of Head of State immunity of the former King of Saudi Arabia.

R (FF) v Director of Public Prosecutions

[2014] EWHC 3419

Acting for the Claimant, the court made a declaration that Prince Nasser bin Hamad Al Khalifa is not entitled to immunity from suit in the UK.

clerks@blackstonechambers.com
+44 (0)20 7583 1770

Cyprus v Turkey

(2014) 59 EHRR 16 (GC)

In a landmark ruling, the Grand Chamber required the Turkish Government to pay the Cypriot Government EUR 30,000,000 for non-pecuniary damages for surviving relatives of missing persons and EUR 60,000,000 for the damage suffered by the enclaved residents of the Karpas peninsula arising out of the military activities northern Cyprus in 1974 and territorial division of the country.

Hassan v United Kingdom

29750/09 (2019)

Tom acted for the applicant in what is now the leading case on the extraterritoriality of the European Convention on Human Rights, its application to armed conflict and the relationship between the Convention and International Humanitarian Law.

Reyes v Al-Malki

[2017] UKSC 61; [2017] 3 WLR 923

This case concerned the scope of diplomatic immunity for human trafficking and modern slavery and the scope of the commercial exception under the Vienna Convention on Diplomatic Relations. Tom acted for the charity Kalayaan.

Gambling

Tom regularly acts for clients in the gambling sector on regulatory and licensing issues and has a detailed knowledge of the Gambling Act 2005 and the regulatory environment. Recent examples of work in the sector include:

- Tom has advised on several Gambling Commission consultations and proposed code of practice changes. He has advised on the Gambling White Paper and proposed reforms.
- Advisory work also includes various issues arising during licence reviews and investigations, such as legality of sanctions and fines imposed by the Commission.
- In 2025 Tom advised Ladbrokes/Entain in an advertising matter
- In 2024 Tom acting for Ladbrokes/Entain in a restitution claim/damages claim, which was withdrawn before trial.
- Tom acted for Aspers in a judicial review of the fairness of a licence review process. The claim was granted permission, the Judge rejecting alternative remedy arguments, but settled before trial.
- Tom was instructed by an interested party in the challenge to the award of the National Lottery licence.
- Tom represented a multi-national casino operating company in Great Eastern Quays Casino Ltd & Ors v Newham London Borough Council, concerning a super-Casino licence dispute.

clerks@blackstonechambers.com
+44 (0)20 7583 1770

ACHIEVEMENTS

Education

MA (Cambridge), First Class; LLM Hons (Toronto); PhD (Cambridge)

Prizes & Scholarships

In 2016, Tom was awarded The Sutherland Prize for Legal History by the American Society for Legal History for the best published article on legal history in the previous year. The prize was awarded for his chapter on Entick v Carrington published in a book of essays celebrating the 250th centenary of that case in 2015.

At University, Tom was awarded the Cambridge University prizes for Contract law, for Equity and for Jurisprudence and placed top in his year also in Legal History and Tort Law. He was awarded the University of Toronto Prize for overall Outstanding Performance in the LLM. Tom has been awarded a number of other prizes and scholarships including the Selwyn College Fairest Prize, Fulbright Scholarship, Faculty of Fellowship at the University of Toronto and fellowship at Massey College.

Tom's book, Public Law After the Human Rights Act (2010) was awarded the Inner Temple Book Prize (new author) for 2008-2011: “an astonishingly mature, thoughtful and original discussion” (Baroness Hale); “always thoughtful and thought-provoking” (Lord Collins); "an admirable piece of work" (Sir Stephen Sedley).

Bar Awards

Legal 500 Public Law Junior of the Year 2019

Chambers and Partners, Public Law Junior of the Year in 2017

The Lawyer, Hot 100, 2017

Chambers and Partners, Public Law and Human Rights Silk of the Year 2020

Publications

Books

Public Law After the Human Rights Act (2010)

Tom is also co-author of Human Rights: Judicial Protection in the United Kingdom (Sweet & Maxwell 2008).

Law Journal Publications

(Selection only. For a fuller list, please visit Tom’s UCL Law Faculty webpage)

- 'Judicial Review and Guidance' [2024] Law Quarterly Review 381 (with Tom Poole)
- ‘Beano no more: The EU Charter of Rights after Lisbon’ [2011] Judicial Review 113 (with K. Beal)
- 'Candour Inside-Out: Disclosure in Judicial Review' UK Constitutional Law Association blog, 16 October 2023.

clerks@blackstonechambers.com
+44 (0)20 7583 1770

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