

The Rt Hon Michael Tomlinson

Year of Call: 2002

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Commercial

Michael Tomlinson KC is a specialist in Commercial and Chancery law. A Privy Councillor and formerly an MP and HM Solicitor General, he returned to private practice in September 2024, having previously practised from 3PB between 2003 and 2015. His practice covers a broad range of commercial disputes, including issues of agency, misrepresentation, restraints of trade, duress, estoppel, termination of contracts, penalty clauses, deceit, conspiracy, and enforcement of settlement agreements.

Michael regularly advises and acts in complex contractual and company law disputes, including those involving partnerships, insolvency, civil fraud, and high-value equipment sales. He appears in the High Court in commercial and chancery matters and has extensive experience and interest in interlocutory applications such as strike-out and summary judgment, jurisdiction challenges, sovereign immunity, and relief from sanctions.

Following his work as Solicitor General, he also has particular interest in international and cross-border disputes, including those with jurisdictional complexities, foreign law elements, and claims requiring the application of forum non conveniens principles.

Recent and ongoing Cases

- Multi-million-pound partnership dispute – Acting in a claim involving a high value business, focusing on ownership, valuation disputes, and likely equitable accounting and dissolution issues.
- Shareholder and founder dispute in a start-up – Instructed to draft pleadings and advise strategically in a High Court claim involving allegations of breaches of contract, founder rights, and conflicts of interest in a growing tech company.
- High-profile commercial contract dispute – Advising with junior counsel in a sensitive matter involving a high-profile client, allegations of international fraud, penalty clauses and raising wider public policy considerations.
- International cross-border dispute with overlapping claims – Instructed in an unusual and multi-faceted case involving contractual and tortious elements, including allegations of misrepresentation and negligent misstatement across multiple jurisdictions.
- Freezing injunction in the High Court – Acted in urgent proceedings for freezing relief in high-value multi-party commercial dispute, addressing issues such as dissipation risk, asset tracing, breaches of trust and fiduciary duty.
- Contractual enforcement and business torts – Instructed in High Court proceedings following contested interim applications involving breaches of contract, economic torts, and complex evidential issues.
- Interpretation of an insurance policy – Legal proceedings hinged on the interpretation of key clauses within an insurance contract in a sensitive and high-profile international case involving equitable estoppel and negligent misstatement as well as allegations of a failure to disclose.
- Sitting as arbitrator in ICC arbitration (Dubai) – Appointed as arbitrator in a substantial international commercial dispute following the breakdown of a longstanding commercial relationship involving tech distribution and supplies across multiple jurisdictions.

A qualified mediator and arbitrator, Michael is strongly committed to alternative dispute resolution and appears in both domestic and international arbitration proceedings. He has a particular interest in arbitrations governed by institutional rules particularly across the Middle East and North Africa. And not least following the passing of the Arbitration Act 2025, which started its passage through parliament when Michael was Solicitor General, an expertise in arbitral jurisdiction and enforcement. His interest in statutory interpretation informs much of his work, particularly in matters involving novel or technical points of law. He also frequently acts as an advocate in mediations, bringing a pragmatic and solution-focused approach to commercial and civil disputes.

Recommendations

"I have had the privilege of instructing Mike since 2005 in a wide range of matters, including commercial and contract law, property and chancery cases and I can say without hesitation that he is one of the most outstanding counsel I have worked with in my career." **Instructing Solicitor**

"What sets Mike apart is his exceptional care of both the lay client and solicitor. Clients routinely comment on how approachable and reassuring he is, even when dealing with difficult or emotionally charged issues. He has a rare ability to strike the perfect balance between professionalism and warmth, instilling confidence while remaining sensitive to the client's concerns. I recall one particularly anxious client who did not have English as a first language and who was reluctant to proceed with a final hearing considering opting for an very unfavourable settlement; Mike took the time to meet with them in advance, explain the process in a calm and respectful manner, and left them feeling heard, supported, and ready to proceed. He guided this matter through a complex five day trial with very difficult multilingual cross examination and obtained a very favourable judgement." **Instructing Solicitor**

"He is also a pleasure to work with as part of a legal team. Mike is refreshingly ego-free, responsive, and open to dialogue, always willing to pick up the phone to talk things. It is very easy to say to Mike that you don't understand something and he will take the time to explain it." **In-house Lawyer**

"Working with Michael Tomlinson is a blessing. He is tireless and hard working inside and outside the court. His advise is solid and based on the case strengths. He has assisted me in maters and question before and after the hearing. His performance in court is impeccable. I would consider that Michael Tomlinson is a Rolls Royce vehicle in the court racing." **Instructing Solicitor**

Academic qualifications

- BA (Hons) Classics, Kings' College London, 2i
- Postgraduate Diploma in Law and BVC, College of Law, graduated third top in his year

Scholarships

- The Malcolm Memorial Prize for Advocacy, College of Law, 2002
- The Sachs Prize, Middle Temple, 2002
- Rosamund Smith Mooting Cup, Middle Temple, 2002

- Queen Mother Scholarship, Middle Temple, 2001

Professional qualifications & appointments

- Member of His Majesty's Most Honourable Privy Council, 2024
- Appointed King's Counsel, 2022
- HM Solicitor General (SG), 2022-2023
- Called to the Bar of Northern Ireland, 2023
- Attorney-General's Junior Counsel to the Crown (Regional Panel), 2007-2012

Professional bodies

- Honourable Society of the Middle Temple
- Registered Mediator, Civil Mediation Council
- Society of Mediators
- Chancery Bar Association
- Agricultural Law Association