The Rt Hon Michael Tomlins



Year of Call: 2002
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Commercial

Michael Tomlinson KC is a leading barrister in commercial and chancery law, with a practice spanning the full spectrum of high-value and complex disputes. A Privy Councillor and former Solicitor General for England and Wales, he returned to private practice in September 2024 after a distinguished career in public service and earlier practice at 3PB.

Alongside his court work, Michael is also a qualified Mediator and Arbitrator. He sits as arbitrator in domestic and international proceedings, particularly under institutional rules such as the International Chamber of Commerce (ICC) and the London Court of International Arbitration (LCIA), with a strong focus on disputes in the Middle East and North Africa. His unique role in steering the Arbitration Act 2025 through Parliament as Solicitor General gives him a rare insight into arbitral jurisdiction and enforcement, which informs much of his current arbitral and advisory practice.

Michael's commercial practice is wide-ranging. He is regularly instructed in disputes involving agency, misrepresentation, restraints of trade, duress, estoppel, termination of contracts, penalty clauses, deceit, conspiracy, and enforcement of settlement agreements. His practice also encompasses disputes involving restrictive covenants, breach of confidence, and other issues commonly arising in complex commercial relationships and employee departure cases. He is frequently instructed in matters requiring urgent injunctive relief and High Court applications, including those concerning the protection of confidential business information and the enforcement of post-termination obligations. In this context, his experience aligns closely with disputes involving restrictive covenants, breach of confidence, commercial litigation, and injunction expertise, including cases arising in technology-driven businesses where urgent High Court intervention may be required.

He also has extensive expertise in professional negligence, particularly where it arises in the context of complex commercial and chancery disputes. His practice frequently involves advising on claims against legal, financial, and professional advisers, often in cases with overlapping allegations of misrepresentation, breach of duty, or negligent misstatement. He brings to these matters a deep understanding of contractual and fiduciary obligations, as well as experience in cross-border disputes where questions of jurisdiction and governing law are central.

He has particular expertise in company and partnership litigation, insolvency, civil fraud, and disputes concerning high-value assets and equipment sales. Michael appears frequently in the High Court of Justice, often instructed in urgent and heavy interlocutory applications such as freezing injunctions, strike-out and summary judgment, jurisdiction challenges, sovereign immunity, and relief from sanctions. His experience as Solicitor General adds particular weight to his expertise in matters raising questions of public policy, international law, and cross-border enforcement.

Michael is especially sought after in international and multi-jurisdictional disputes. He advises and acts in cases involving complex jurisdictional issues, foreign governing laws, forum non conveniens, and the recognition and enforcement of foreign judgments and arbitral awards.

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.

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
- Member of the Pro bono Recognition List, 2025 and 2026
- Attorney-General's Junior Counsel to the Crown (Regional Panel), 2007-2012

Professional bodies

- Honourable Society of the Middle Temple
- Chancery Bar Association