

The Rt Hon Michael Tomlinson

Year of Call: 2002

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Overview

The Rt Hon Michael Tomlinson KC is the former Solicitor General (Sep 2022-Dec 2023) who returned to private practice with 3PB in September 2024. Michael has appeared in courts up to and including the Court of Appeal, helping individuals, businesses, charities and Local Authorities. For more information please see his specialist profiles below. Michael is a busy barrister, frequently instructed in disputes right across the UK and internationally.

Michael practised for twelve years at 3PB (3 Paper Buildings) from their Bournemouth office – from 2003 up until he became an MP in 2015. He served as Member of Parliament for Mid Dorset and North Poole from 2015 to 2024 and was elected to Parliament in three successive General Elections: 2015, 2017 and 2019.

Michael served as Home Office Minister of State, attending Cabinet and was appointed as His Majesty's first Solicitor General in 2022 and sworn in as a Privy Councillor in February 2024. His main duty was working alongside the Attorney General and the Advocate General for Scotland as the senior legal advisers to the UK Government. Michael has a particular interest in statutory interpretation having attended the Parliamentary Business and Legislation Committee, a Cabinet Sub-Committee, in order to advise where proposed legislation raised issues of particular legal difficulty, disagreement or importance.

Before becoming an MP, Michael was on the Attorney General's Regional Panel and undertook civil work, both advocacy and advisory, for all Government departments. Michael's practice now continues to encompass a broad range of civil work, acting for both claimants and defendants, notably commercial and contract law, property and chancery cases and public law and regulatory. He also practises as a qualified mediator and arbitrator for any civil dispute cases. Currently Michael is sitting as an arbitrator in an ICC arbitration in the Dubai.

Given his background in Government, he has an interest in statutory interpretation and much of his work has an international flavour. He is frequently instructed in cases where a question is at the intersection of different areas of law, or where it overlaps with public policy or the interpretation of legislation, and the breadth of Michael's practice gives him the edge as preferred counsel and adviser to clients. He is often instructed on sensitive matters that relate to the actions of public bodies, whether in the United Kingdom or internationally, or where there may be allegations of fraud or fraudulent activity.

Michael won a major scholarship at the Middle Temple and was a member of the mooting team that won the Middle Temple mooting cup in 2002. Michael also represented the Middle Temple mooting team in Hong Kong and the Far East in 2003 and California in 2002.

Michael undertakes pro bono work regularly, and was proud to chair the Attorney General's Pro Bono Committee in 2022 and 2023. As part of his pro bono work, Michael has taken part in legal projects in both Sierra Leone and Rwanda; and is part of a team leading mediation training in South Africa and is on the 2025 Pro Bono Recognition List.

Michael receives exceptional client feedback. Typical of these are "what sets Mike apart is his exceptional care of both the lay client and solicitor", and being described as having "a rare ability to strike the perfect balance between professionalism and

warmth, instilling confidence while remaining sensitive to the client's concerns", "a pleasure to work with as part of a legal team", "refreshingly ego-free, responsive and open" and "one of the most outstanding counsel I have worked with in my (20 year) career."

Outside of work, Michael volunteers with his wife on a Christian youth camp; enjoys cricket; and continues to play hockey for Poole Hockey Club.

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

Expertise

Property and Estates

Michael Tomlinson KC is a barrister specialising in range of chancery disputes including probate and property matters. The former MP and Solicitor General returned to private practice in September 2024, having practised from 3PB from 2003 until 2015.

Michael has an established probate practice and has experience and expertise in all areas of contentious and non-contentious probate, estoppel, Inheritance Act and private client matters. Michael is often instructed where there is an international dimension and questions arising as to Wills in different jurisdictions, covering both moveable and immovable assets. His cases frequently encounter issues of fraud or deception as well as questions as to the validity of a Will. He is instructed by beneficiaries, executors and trustees, as well as other interested parties. He is happy to advise at all stages of a case and is particularly keen in assisting in settlement meetings (including ADR) as well as representing at court.

Michael covers the broad range of property and land work carried out in Chambers; including rights of way; boundary disputes; covenants; and breaches of planning.

Given his background, Michael has a particular interest in statutory interpretation, and many of his cases involve niche or “interesting” points of law. He was recently instructed to advise and draft in a Privy Council chancery case.

Michael is a member of the Chancery Bar Association and believes that many chancery disputes are ripe for mediation. As a qualified mediator he is able to undertake work as a mediator for chancery disputes as well as wider commercial and civil matters. He also appears as an advocate at mediation.

His recent and ongoing cases include a High Court cases involving allegations of fraud and Wills both in the United Kingdom and abroad, where there is a detailed history and complex evidential and legal issues to resolve.

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.

Administrative and Public Law

Michael Tomlinson KC has advised on public law and regulatory issues for twenty years, and was first appointed onto the Attorney-General's Junior Counsel to the Crown (Regional Panel) in 2007.

Given Michael's experience in Parliament; in Government as a Law Officer (HM Solicitor General); and in the Cabinet, Michael is uniquely qualified to advise on all matters relating to the legal political sphere and the interpretation of legislation.

Michael was His Majesty's first Solicitor General and as the Attorney General (AG)'s deputy, was enabled by Statute to perform any of her functions. His main duty was as senior legal adviser to the UK Government. Together with the AG, Michael superintended the Crown Prosecution Service and the Serious Fraud Office.

Michael Tomlinson KC was responsible for the Attorney General's public interest functions such as granting consent to the prosecution of certain offences such as offences under the Official Secrets Acts and some criminal and terrorism offences.

Michael also reviewed whether to refer some sentences to the Court of Appeal as being unduly lenient; giving consent for an application to the High Court for a fresh inquest; and deciding whether to institute contempt proceedings.

Michael has appeared in the Court of Appeal; chaired Ministerial Board meetings; and chaired the Overseas Territories Attorney General's Conference in Montserrat in September 2023.

ADR/NCDR

Michael believes that there are many disputes that are ripe for mediation and arbitration. As a qualified mediator and arbitrator, he works as a mediator and arbitrator in a broad range of property, commercial and civil matters. He has also appeared as an advocate at mediations.

Following the changes to the Civil Procedural Rules, coming in to force on the auspicious date of the 1st October (Michael's birthday) 2024, the Court will now promote the use of alternative dispute resolution in response to the decision of the Court of Appeal in *Churchill v. Merthyr Tydfil CBC [2023] EWCA Civ 1416*. The Court will further actively encourage mediation.

Michael undertakes ToLATA mediations, and believes that these disputes are invariably suitable for mediation. A successful mediation will inevitably result in a saving of costs, and in ToLATA cases ensure that there is more equity to go round. He has recently conducted a successful ToLATA mediation in Chambers, and with the changes to the CPR now in force anticipates that the need for mediation in this area will continue to increase.

As a Member of Parliament, Michael would often see the benefit of mediation in solving a range of disputes; from wider community disputes, to neighbour or more commercial matters.

Michael has taken part in legal projects in both Sierra Leone and Rwanda; and is part of a team leading mediation training sessions in South Africa.

Further to his work as a constituency Member of Parliament, working with the NFU and the local farming community during his time as MP in Dorset, Michael is developing a specialism in agricultural law and is a member of the Agricultural Law Association. Many agricultural disputes are particularly suitable for mediation.

Michael was trained by and is a Member of the Society of Mediators and is a Civil Mediation Council Registered Mediator and is a qualified Clarb arbitrator.