



TOM POOLE

Year of Call: 2001

Profile

Areas of law: Commercial dispute resolution, International and Domestic Arbitration, Civil Fraud, Public Law and Administrative and Constitutional Law.

Tom specialises in commercial dispute resolution, arbitration, civil fraud and public law. He has conducted cases before all major UK Courts and is experienced in domestic and international arbitration. He is frequently instructed in complex, high-value or high profile cases.

Tom is an extremely accomplished advocate who is regularly in court. Judicial recognition (including two Supreme Court Justices) has included praise for his *“fluent, clear and persuasive”* advocacy, *“well marshalled and lucid”* submissions and *“admirable improvisational ability”*.

In March 2014, Tom was appointed to the Attorney General’s A Panel of Junior Counsel to the Crown, having been previously appointed to the B Panel in 2010 and the C Panel in 2007. In his capacity as ‘A Panel’ counsel Tom is instructed by a variety of government departments in some of the most difficult and sensitive cases of the moment. In the last few months Tom has advised the Charity Commission in a tax related trust matter worth in excess of £46 million, successfully represented Her Majesty’s Revenue & Customs in a commercially sensitive whistleblowing case and has acted as the senior legal adviser in the first of a number of judicial investigations into civilian deaths during the Iraq War.



Commercial and Arbitration

Tom has a broad practice covering all areas of commercial and business law, including agency, contractual disputes of all types, insolvency and asset recovery. He has also acted in a number of domestic and international arbitrations, including a recent ICC arbitration where he successfully defended a multi-million pound claim arising out of an energy agreement.

Tom also undertakes significant chancery-commercial cases, and has wide experience of domestic and international claims arising from shareholders, director and partner disputes.

Tom's practice also includes significant volumes of domestic commercial fraud and asset recovery of all types. He has substantial experience of urgent interim relief applications, particularly freezing injunctions and injunctions concerning restrictive covenants in both employment and share-sale contexts.

Recent reported cases include:

- *Coventry v Lawrence Supreme Court* [2015] UKSC 50 – acted for R3 (the leading insolvency recovery professional body) and successfully intervened in the much-awaited and ground-breaking Supreme Court costs appeal considering whether to strike-down CFAs under the Access to Justice Act.
- *NGM Sustainable Developments Ltd v Wallis Chancery Division* [2015] EWHC 2089 (Ch)(22 July 2015) – successfully defended a £30+ million commercial fraud trial that lasted 7 weeks and involved complex patent and insolvency issues, as well as a serious allegation of unlawful means conspiracy and fraudulent misrepresentation.



Recent advisory cases include:

- Representing a partner in a multi-million pound partnership dispute dating back some 30 years involving a number of residential and commercial properties.
- Representing a well-known hotel chain and a local business in Jamaica in an appeal in the Privy Council, involving numerous allegations of breach of contract, adverse possession and estoppel.

Public Law and Administrative Law (including constitutional law)

Tom's practice encompasses the whole spectrum of public law challenges. He has particular expertise in matters arising out of immigration and human rights issues, standards in public life and cases involving challenges to decisions of regulatory bodies such as the Legal Services Ombudsman. He regularly appears in the Court of Appeal and Administrative Court instructed on behalf of companies, central government, local authorities, public interest groups, individuals and regulators.

Tom is well known for his considerable amount of appellate work, especially before the Privy Council, where he regularly appears before the Supreme Court Justices.

Recent cases include:

- *Robinson v The State (Trinidad and Tobago)* [2015] UKPC 34 (20 July 2015)
- *Gayadeen & Anor v The Attorney General of Trinidad and Tobago (Trinidad and Tobago)* [2014] UKPC 16 (22 May 2014)
- *Daniel v The State (Trinidad and Tobago)* [2014] UKPC 3 (13 February 2014)



Civil Liberties and Human Rights

A particular part of Tom's public law work relates to human rights challenges. He has considerable experience in immigration and refugee law and is regularly instructed in cases raising arguments under the ECHR.

Recent cases include:

- *Veerabudren v Secretary of State for the Home Department* [2015] EWHC 500 (Admin) (04 February 2015)
- *Secretary of State of Business Innovation & Skills v Dobrucki & Ors* (Transfer of Undertakings: Insolvency) [2015] UKEAT 0505_13_0302 (03 February 2015)
- *MD, R (On the Application Of) v Secretary of State for the Home Department* [2014] EWHC 2249 (Admin) (08 July 2014)
- *R (on the application of Sayyad) v Secretary of State for the Home Department Queen's Bench Division* (Administrative Court), [2014] EWHC 1660 (Admin) (02 May 2014)
- *Gomes, R (on the application of) v Secretary of State for the Home Department* [2014] EWHC 1169 (Admin) (15 April 2014)

Publications and Lectures

Tom contributes to a range of publications, including the Solicitors Journal and New Law Journal. He edits the Commercial Law bulletin produced by Chambers and contributes to bulletins in civil fraud and public law.



Tom leads advocacy training skills' seminars run by Chambers for firms of solicitors and recently gave a lecture with Mr Justice Dingemans to a large City firm of solicitors discussing the development and modern use of Judicial Review entitled "*Plantagenet Bones to Sweetheart Deals*".

In June 2015, Tom was a member of a 'Question Time' style panel at the inaugural Trinidad and Tobago Law Network which took place at the Hugh Wooding Law School in Trinidad

What the directories say:

- **Legal 500, 2014:** *"Clearly a gifted lawyer"*.
Employment: Leading junior
- **Chambers & Partners 2015:** Tom is ranked for his work in Civil Liberties and Human Rights.

Memberships

COMBAR
LCLCBA
R3
Commonwealth Lawyers' Association
Trinidad and Tobago Legal Network

Qualifications

MA (Law) (First Class Honours), St Catharine's College, Cambridge.