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Lord Pannick KC

"He commands the court with a unique presence and is strategically brilliant."

— LEGAL 500, 2025

Year of call:	**1979**
Appointed to silk:	**1992**
Degree:	**MA (Oxon), BCL (Oxon)**

Lord Pannick KC is one of the UK's most highly regarded advocates, practicing in a broad range of areas with a particular emphasis on Public law, Human Rights and Constitutional Law and specialising in appellate advocacy in most areas of law, from commercial disputes to trusts law. He has acted in a large number of the leading public law cases of the last 30 years, appearing in 100 cases in the Appellate Committee of the House of Lords (before it was replaced by the Supreme Court), more than 25 cases in the Supreme Court since its creation in 2009, more than 25 cases in the European Court of Justice in Luxembourg and over 30 cases in the European Court of Human Rights in Strasbourg. He appears both for Claimants and for Respondents –whether government departments or other public bodies. He acted for Gina Miller in the Supreme Court in September 2019 when the Court held, by 11-0, that the Prime Minister, Boris Johnson, had unlawfully prorogued Parliament and so Parliament was recalled the next day. More recently he has advised Mr Johnson in relation to the inquiry by the House of Commons Committee of Privileges into whether the then Prime Minister misled Parliament about parties at No. 10 Downing Street in breach of Covid regulations. He represented the home secretary in the supreme court (and in the lower courts) in the litigation about whether asylum-seekers may lawfully be sent to Rwanda for their claims to be considered there. And he successfully acted for the Kingdom of Denmark in the supreme court in their proceedings against those who have allegedly defrauded the state of over a billion pounds of tax revenue. His recent cases in the Supreme Court also include litigation in the fields of employment law, trusts law, patent law and commercial law, as well as public law. He regularly appears in the courts of Hong Kong both for and against the government.

Lord Pannick KC is recommended in both of the leading independent legal directories:

Chambers and Partners

Lord Pannick KC was included in the Chambers and Partners 2019 and 2020 list of 'Stars at the Bar' - "Lord Pannick QC is an accomplished public law practitioner who tackles a multitude of matters, from civil liberties and human rights cases to telecommunications disputes. He has an intimate understanding of European and international law, and recently successfully represented a Qatari diplomat in the case Attiya v Al Thani, establishing that he could not be sued owing to diplomatic and state immunity. Instructing solicitors admire his courtroom composure; one calls him 'a truly brilliant advocate,' whilst another describes him as 'very measured and calm.' 'He is as good as it gets,' explains one solicitor, adding that 'he has a well-deserved reputation and is a clear thinker. He is authoritative and can express very complex concepts clearly in court.' Sources also profess admiration for his intellectual acumen. 'It's awe-inspiring, the speed at which his brain works,' remarks a barrister at another set. Solicitors who instruct Lord Pannick KC also note his user-friendly manner. One says: 'He is easy to work with,' while another affirms that he is 'very approachable and makes the whole team feel valued.'"

- Administrative and Public Law - "He has a brain the size of a planet and could turn his hand to anything." (2020) "Mesmerising to listen to in court." (2021) "He is the most brilliant advocate at the Bar." (2021)
- Civil Liberties and Human Rights - "David is the leading barrister in human rights." (2020) "His level of skill and ability is astonishing." (2022)
- European Law - "Unbelievably knowledgeable about how different areas of law interact; there is nothing he can't turn his hand to." (2020)
- Professional Discipline - "He has an impressively broad practice and is an extremely good advocate." (2019)
- Telecommunications -"A brilliant advocate whose analysis is just excellent." (2020) "He is, as is universally recognised, one of the great barristers of his generation." (2021)

Legal 500

- Administrative and Public Law - "Exceptionally gifted." (2019) "One of the very best advocates in the country." (2022)
- Civil Liberties and Human Rights - "A tremendous talent; a superstar of the Bar." (2021) "His strengths are immeasurable. His skill – in so many areas – is nothing short of masterful." (2022)
- EU/ Competition Law - "A real superstar." (2019)
- Media and Entertainment - "A superb advocate with fantastic judgment." (2021)
- Offshore - "A real superstar - he deserves his reputation." (2019) "Remains a star in all he does." (2022)

Chambers UK Top Silk Bar 100

In December 2013, Lord Pannick KC was ranked as one of Chambers UK's Top Silk Bar 100, in their inaugural listing of the top barristers practising at the Bar of England & Wales. "A brilliant and incisive lawyer." "He has an unbelievable knack for digesting and analysing voluminous amounts of complex information in a very short space of time," .... "the resulting advice is clear, concise, and often innovative."

The Times Law 100 2012, listing the most influential lawyers in Britain, ranked Lord Pannick KC in 10th place. "Described by one judge as 'leader of the crossbenchers' and as having 'incredible influence' in Parliament, it could almost be overlooked that Lord Pannick is one of the country's most powerful advocates".

EXPERIENCE

Public & Regulatory

He has acted in a large number of the leading public law cases of the last 25 years :

- In Spycatcher, he acted for The Sunday Times.
- He represented Tiny Rowland and Lonrho plc in the battle with Mohammed Al-Fayed concerning the take-over of Harrods.
- In ex parte Bentley, he persuaded the Divisional Court on behalf of Iris Bentley that the Home Secretary should give a posthumous pardon to her brother, Derek Bentley, for his execution in 1953.
- He acted in the European Court of Human Rights for the gay servicemen who established that it was a breach of their human rights to exclude gays from the military: Lustig-Prean v United Kingdom.
- He represented the Home Secretary in successfully establishing in the House of Lords the legality of the whole life tariff for Myra Hindley, the Moors Murderer.
- He acted for the Home Secretary in the domestic courts and in the European Court of Human Rights in proceedings brought by Robert Thompson and Jon Venables, the boys who murdered the infant James Bulger, challenging their sentences of detention during Her Majesty's pleasure.
- He represented the Human Fertilization and Embryology Authority in the case brought by Diane Blood who wished to be impregnated with the sperm of her dead husband, and in the House of Lords case which established the right of parents to obtain fertility treatment to have a child so cells from the umbilical cord could assist their severely ill son ("the designer baby case").
- He successfully represented the BBC in the Divisional Court in resisting the contention that the Director-General had committed the criminal offence of blasphemy by broadcasting "Jerry Springer - The Opera". (Following the judgment, Parliament decided to abolish the criminal offence of blasphemy).
- He acted for Camelot in its successful judicial review challenge to the National Lottery Commission in 2000.
- In Q and Tse v Commissioner of Registration (2023) 26 HKCFAR 25, he appeared in the Hong Kong Court of Final Appeal for two transgender men who established that they were entitled to Identity Cards recording their acquired gender even though they had not undergone gender reassignment surgery.
- In Crane Bank Limited v DFCU Bank Limited [2023] EWCA Civ 886, he appeared in the Court of Appeal for the Appellants who successfully established that the foreign act of state rule does not prevent a claim being heard in the High Court alleging that the Defendants were responsible for a corrupt scheme which caused very substantial losses to one of Uganda's commercial banks.
- In R (British Gas Trading Limited) v Secretary of State for Energy Security and Net Zero [2023] EWHC 737 (Admin) he appeared in the Divisional Court for Octopus Energy Group Limited in successfully resisting a judicial review claim in relation to decisions of the Secretary of State concerning the transfer of Bulb Energy to Octopus.

His clients have included:

"A wonderful leader who commands instant respect."

— LEGAL 500, 2024

- The Queen - winning an injunction in the High Court to restrain The Daily Mirror from publishing further allegations about her home life by a reporter who had gained employment as a footman.
- Greg Rusedski - at a tennis tribunal in Montreal, defeating allegations that he was guilty of a doping offence.
- Ann Marie Rogers - who established in the Court of Appeal her right to be provided with the breast cancer drug, Herceptin.
- The Kingdom of Saudi Arabia - in establishing in the House of Lords that state immunity applies to claims alleging torture.
- The League Against Cruel Sports - in successfully resisting the challenge to the Hunting Act 2004.
- Sheptonhurst Ltd - who defeated the British Board of Film Classification in establishing the right to buy, in licensed sex shops, videos of "Nympho Nurse Nancy" and "Horny Catbabe", and so substantially liberalising the laws on censorship of explicit sexual material.
- His Highness, Sheikh Maktoum, ruler of Dubai and Prime Minister of the UAE, in legal proceedings against his former wife in the Family Division of the High Court and the Court of Appeal.

He has also appeared in court for a wide range of other clients, from the Revd Moon to the Chief Rabbi, from Red Hot Television to the Lord Chancellor, from Diana Princess of Wales to Lord Rees-Mogg.

In Strasbourg, he has appeared in cases (for and against the United Kingdom Government) raising issues on the rights of transsexuals, sadomasochists, gypsies and many others. He acted for Greece in resisting the claim brought by former King Constantine for the return of property, and he represented Cyprus in relation to human rights abuses by Turkey in Northern Cyprus.

He has appeared in a large number of cases in the courts of Hong Kong, and in the courts of Brunei, the Cayman Islands, Trinidad and Tobago, Bermuda, the British Virgin Islands and Gibraltar. In Hong Kong, he has appeared in about 30 cases in the Court of Final Appeal (as well as frequent appearances in the lower courts), many of them on major constitutional and public law issues, both for the Government and for Claimants.

In November 2008, he became a Life Peer, sitting on the crossbenches, while continuing in full-time practice at the Bar.

From 1992-2019, he wrote a fortnightly column on the law for The Times.

His recent cases include the following:

- R (Miller) v Prime Minister [2020] AC 373[2019] 3 WLR 589 (Supreme Court)
- R (KBR) v Director of the Serious Fraud Office [2021] 2 WLR 335 (Supreme Court)
- R (Begum) v Secretary of State [2021] AC 7652 WLR 556 (Supreme Court)
- WM Morrisons Supermarkets v Various Claimants [2020] AC 989] 2 WLR 941 (Supreme Court)
- Lehtimaki v Cooper [2020] UKSC 33 (Supreme Court)
- SKAT (Danish Tax Authority) v Solo Capital Partners [2022] 3 WLR 397 (Court of Appeal)
- Attorney-General of Bermuda v Ferguson [2022] UKPC 5 (Privy Council)

- His Highness Sheikh Mohammed Bin Rashid Al Maktoum v Her Royal Highness Princess Haya Bint Al Hussein [2021] EWCA Civ 1216 (Court of Appeal).
- AAA v Secretary of State for the Home Department (the Rwanda case) [2023] 1 WLR 3103 (Court of Appeal)

Below are a selection of less recent public law cases in which Lord Pannick KC has appeared.

Cases

Skatteforvaltningen v Solo Capital Partners LLP

[2022] EWCA Civ 234

The Court of Appeal held that the claim by the Danish Tax Authority, Skatteforvaltningen, seeking to recover $1.5 billion as the result of an alleged fraud is not a Revenue claim and can therefore be pursued in the courts of this jurisdiction.

Safeway plc v Newton

Judgment of the Court of Justice of the EU on the legality of pension provisions in the light of employment equality requirements for men and women. Acted for Safeway.

Privatbank v Kolomoisky and ors

Successfully represented the Claimant Bank in the Court of Appeal in overturning the High Court decision that there was no jurisdiction under the Brussels Convention and the Lugano Convention to hear claims of fraud.

Mexico Infrastructure Finance v Corporation of Hamilton

Represented MIF in the Judicial Committee of the Privy Council on whether the Corporation of Hamilton had power to give a guarantee. David appeared in the Bermudan courts in this case. Judicial Committee of the Privy Council held that the Corporation acted outside the scope of its powers in giving a guarantee to a company.

Re BT Pension scheme

Successfully acted for BT pension scheme in the Court of Appeal in proceedings brought by pensioners challenging the interpretation of the pension deed.

ITV v Pension Regulator

Acted for ITV in the Court of Appeal in a challenge to the legality of a decision of the Pension Regulator to require ITV to make additional provision for pension protection. We have sought permission to appeal to the Supreme Court.

Kwok Chu Kwong v Director of Lands

Hong Kong Court of Final Appeal decision upholding, in part, the legality of the policy of preferential land allocation for indigenous inhabitants of the New Territories (his clients).

Walkers Bermuda v Bermuda Bar Association

Judicial Committee of the Privy Council held that the Bar Council (his client) was obliged to give authorisation to the Appellant company to practice law in Bermuda.

ZN v Secretary for Justice

Successfully represented the Hong Kong Government in the Hong Kong Court of Final Appeal in these judicial review proceedings concerning whether human trafficking is a breach of the Hong Kong Bill of Rights and whether the Government is obliged to enact a criminal law specifically addressing that mischief.

Lau v Hong Kong Special Administrative Region

Judicial review proceedings brought to challenge the proposed Extradition law which would allow extradition from Hong Kong to other parts of the PRC. Acted for the Applicant. A couple of weeks before the hearing in Hong Kong, the Bill was withdrawn because of protests in Hong Kong.

Leung Chun Kwong v Secretary for Civil Service

Represented the Hong Kong Government in the Court of Final Appeal, Hong Kong, in judicial review proceedings in relation to the right of a civil servant to employment benefits for his same-sex partner.

Comilang v Director of Immigration

Succesfully represented the Government of Hong Kong in judicial review proceedings in the Court of Final Appeal, Hong Kong in relation to whether a parent had the right to stay in Hong Kong because his or her child was born there.

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

[2017] 2 WLR 583

Represented the lead Claimant in the Supreme Court case which established that the Secretary of State could not lawfully give notification to the European Council of the UK's intention to leave the EU using prerogative powers and without authorisation from an Act of Parliament.

R (Gallaher Group) v Competition and Markets Authority

[2018] 2 WLR 1583

Acted for the Claimant in the Supreme Court in this judicial review application complaining of unfairness by the CMA in its conduct of an investigation into anti-competitive behaviour.

R (Newspaper Management Association) v Press Recognition Panel

Acting for the Claimant in this judicial review challenge to the decision by the Panel to recognise IMPRESS as a press regulator.

R (EE) v Ofcom

Successfully acted for the Claimant in the Court of Appeal in this judicial review challenge to the Annual Licence Fees imposed by Ofcom for the use of 1800 MHz and 900 MHz spectrum.

R (Avaaz Foundation) v Ofcom

Successfully represented 21st Century Fox in a judicial review challenge by a public interest body to Ofcom's decision that 21st Century Fox is a fit and proper person to hold broadcasting licences.

Nicklinson v Ministry of Justice

Represented Dignity in Dying before the Supreme Court on the question of whether the law concerning assisted suicide complies with the Human Rights Act.

Mosley v United Kingdom

2011

Represented Max Mosley in the European Court of Human Rights in a claim that the United Kingdom failed to protect his right to private life in that The News of the World had no duty to give him prior notification of an article before publication so he could seek and obtain an injunction.

R (on the application of Prudential Plc) v Special Commissioner of Income Tax

Acted for Prudential in the Supreme Court in a claim that legal professional privilege extends to legal advice on tax law from accountants.

R (on the application of E) v JFS Governing Body

Appeared in the first hearing in the new Supreme Court in October 2009 on behalf of JFS, a school being sued by a boy seeking admission.

R (on the application of Purdy) v DPP

Acted for Debbie Purdy who established that the DPP has a duty to publish guidelines concerning his power to prosecute those who help relatives to go abroad for an assisted suicide. This was the last judgment in the Appellate Committee of the House of Lords in July 2009, before the opening of the new Supreme Court.

Secretary of State for the Home Department v AF

Represented AF, a person subject to a control order because of alleged involvement in terrorist activities. Nine Law Lords held in June 2009 that he was entitled to know the essence of the allegations against him.

R (on the application of Barclay) v Secretary of State for Justice

Acted for Sir David Barclay and Sir Frederick Barclay in establishing in the Court of Appeal that the Seneschal of Sark could not lawfully sit as a judge in Sark and also as the presiding office in the Sark legislature.

Chambers v British Olympic Association

Represented the British Olympic Committee in resisting the lifelong ban on athletes competing at the Olympic Games by reason of an earlier doping offence.

Eisai Ltd v National Institute for Health and Clinical Excellence (NICE)

Appeared for the pharmaceutical company, Eisai, in persuading the Court of Appeal that NICE acted in a procedurally unfair manner and so unlawfully in refusing to provide on the NHS drugs for patients suffering from Alzheimer's disease.

ACHIEVEMENTS

Appointments

- Junior Counsel to the Crown (Common Law) 1988-1992
- Fellow of All Souls College, Oxford, since 1978
- Honorary Fellow of Hertford College, Oxford since September 2004

Memberships

- Administrative Law Bar Association
- Member of the Constitution Committee of the House of Lords 2009-2013 and 2015-2020.

VAT registration number: 245780151

Barristers regulated by the Bar Standards Board