



# 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 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.

He served as Home Office Minister of State, attending Cabinet. He was responsible for countering illegal migration: taking both primary and secondary legislation through Parliament; deterring small boat crossings and working with international organisations, such as the International Organisation for Migration. He led a delegation to North Africa; including Cairo, Tripoli and Tunis; as well as to Kosovo and Albania and was the first ever Home Office Minister in Tripoli, Libya.

Appointed as His Majesty's first Solicitor General in 2022, 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.

He also served from 2020-2022 as Lord Commissioner of the Treasury and Her Late Majesty's last Vice-Chamberlain, where he was responsible for writing a personal daily letter to the Queen, highlighting the day's debates in the House of Commons. From 2016-2019, Michael sat on the House of Commons' European Scrutiny Committee, assessing the legal and/or political importance of EU documents deposited by the Government in Parliament.

He was the first newly-appointed King's Counsel in 2022 and sworn in as a Privy Councillor in February 2024 by His Majesty King Charles III to become a member of His Majesty's Most Honourable Privy Council, entitling Michael to the style "The Right Honourable" for life.

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 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 for any civil dispute cases.

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 undertakes cases nationwide and is frequently instructed in disputes right across the country. Given his background in Government, he has an interest in statutory interpretation and much of his work has an international flavour.

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.

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

## 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
- Society of Mediators

# Expertise

## Property and Estates

Michael Tomlinson KC is a barrister specializing in property cases as well as chancery disputes. The former MP and Solicitor General returned to private practice in September 2024, having worked from 3PB from 2003 until 2015.

Michael's practice encompasses 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.

Michael believes that there are many property and land disputes that are ripe for mediation and as a qualified mediator he is able to undertake work as a mediator for property disputes as well as wider commercial and civil matters. He has also appeared as an advocate at mediation.

### Notable cases:

- **Borough of Poole v Davey and McGuire (2012):** successful prosecution of two defendants for breaching a Tree Preservation Order, resulting in one of the largest fines for this sort of planning breach as well as a confiscation order.
- R (on the application of A) v X Council (2011):** drafting a claim for Judicial Review against a local planning authority. The LPA conceded the claim and acknowledged that it had fallen into error.
- Three Rivers DC v Noonan (2010):** appeared on behalf of the local authority in the Crown Court at St Albans successfully prosecuting the defendant for a number of planning enforcement breaches.
- R (on the application of Guest) v Director of Public Prosecutions [2009] EWHC 594 (Admin);** Judicial Review in which Michael successfully appeared on behalf of the claimant challenging a decision of the CPS not to prosecute an alleged violent offender.
- R (on the application of W) v Department for Work and Pensions (2008):** advising and drafting claim for Judicial Review considering the interrelationship between the Insolvency Act 1986 and the Social Security Administration Act 1992. The DWP offered to settle the JR proceedings on terms sought by the claimant.
- R (on the application of Culley) v Dorchester Crown Court [2007] EWHC 109 (Admin):** Judicial Review in which Michael appeared before Forbes J on behalf of the interested party.
- Boyland & Son Limited v Persons Unknown [2006] EWCA Civ 1860, [2007] HLR 369, Times January 18, 2007:** possession claim in respect of trespassers to land.
- Director of Public Prosecutions v D [2006] EWHC 314 (Admin); LTL 21/2/2006.**
- Law Society v Claire Louise Wilson [2006] EWHC 1022 (Admin); LTL 19/5/2006.**

## Commercial

Michael Tomlinson KC is a commercial and contract law specialist barrister. The former MP and Solicitor General returned to private practice in September 2024, having worked from 3PB from 2003 until 2015.

Michael's practice encompasses the broad range of commercial and contract work carried out in Chambers. Given his background, Michael has a particular interest in statutory interpretation, and many of his cases involve niche points of law.

Michael believes that there are some commercial disputes, as well as wider civil matters, that are ripe for mediation and as a qualified mediator he is able to undertake work as a mediator for a broad range of commercial and civil matters. Michael has also appeared as an advocate at mediations.

## **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.

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

## **Mediation**

Michael believes that there are many disputes that are ripe for mediation and as a qualified mediator he is able to undertake work as a mediator for a broad range of property, commercial and civil matters. He has also appeared as an advocate at mediations.

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.