

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
- 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 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.

Commercial

Michael Tomlinson KC is a Commercial and Chancery 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 accepts instructions at all stages of proceedings, providing advice, settling pleadings and appearing at interlocutory hearings and trials. Michael deals with claims relating to points of agency law, misrepresentation, restraints of trade, duress, estoppel arguments, termination of agreements, incorporation of terms and penalty clauses, deceit and conspiracy and the enforcement of settlement agreements. Michael is also experienced in dealing with international commercial and contractual disputes.

Michael's practice encompasses the broad range of commercial and chancery work carried out in chambers including:

- Advising in company, partnerships, insolvency and fraud cases
- Acting over disputes over performance of contracts
- Resisting applications for indemnity costs
- Acting for the seller or buyers of high value equipment in disputes
- Advising on the merits of resisting a claim on the basis of misrepresentation and estoppel
- Appearing in a range of interlocutory hearings, including strike out and summary judgment applications, set aside applications, relief from sanctions applications, applications to join parties to proceedings and case management conferences
- Advising on jurisdiction challenges and sovereign state immunity and 'forum non conveniens'
- Advising on arbitrations in the UK and internationally

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 many 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 mediation.

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 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 mediation.

Following the changes to the Civil Procedural Rules, coming in to force on the auspicious date of the 1st October (Michael's birthday) this year, 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.