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# Antonia Eklund

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| Year of call: | **2021** |
| Degree: | **BA Modern & Medieval Languages, Cambridge (First Class), MSc Global Politics, LSE (Distinction), GDL, City Law School (Distinction), PGDip in Bar Practice, KCL/ICCA** |
| Languages: | **Spanish (fluent), Portuguese (fluent)** |

Antonia accepts instructions in all areas of Chambers' practice. Recent highlights include:

- Obtained an interim injunction against Persons Unknown and one known person to prohibit acts of trespass by animal rights protesters seeking to disrupt the Epsom Derby 2023, acting for Jockey Club Racecourses Ltd (led by Alan Maclean KC).
- Munícipio de Mariana and Ors v BHP Group Plc and BHP Group Ltd (ongoing) – acting for more than 500,000 Brazilian claimants (including municipalities, businesses, utility companies, individuals, religious entities and the indigenous Krenak) in proceedings against BHP Group following the collapse of the Fundão Dam at the Germano mining complex in November 2015, the worst environmental disaster in Brazilian history (led by Alain Choo-Choy KC).
- Intervened in the Constitutional Court of Colombia and Mexican Supreme Court on behalf of the Global Strategic Litigation Council and other organisations, filing briefs concerning those countries' immigration or detention policies under international law (led by Raza Husain KC).
- Martinez & Anor v v Chief Immigration Officer (Respondent) (Trinidad and Tobago) [2022] UKPC 29 - assisting in Habeus Corpus proceedings before the Privy Council which contributed to a Venezuelan child and his mother unlawfully detained in Trinidad and Tobago being released.

Antonia was seconded to the Foreign Commonwealth and Development Office for two and a half months in 2023, working with the Sanctions and Asia Pacific Team primarily on challenges to sanctions desginations and matters of licencing.

Prior to coming to the Bar, Antonia worked as a television journalist for Reuters in Brazil and Colombia. Antonia covered wide-ranging political matters including the 2016 Colombian peace process (deployed to a camp of the former Revolutionary Armed Forces of Colombia - FARC), as well as the 2014 FIFA World Cup and the 2016 Olympic Games.

Antonia also worked as a Senior Analyst for Control Risks, advising investors on political, security and social developments across Latin America. Antonia chaired and featured in high-profile discussions on regional politics and business, including alongside then Colombian President, Iván Duque.

While studying for the Bar, Antonia co-created The Advocacy Podcast. She also took part in the School Exclusion Project, successfully representing the family of a child with special educational needs, as a result of which the panel remitted to the school for reconsideration its decision permanently to exclude the pupil.

# EXPERIENCE

## Commercial

Antonia accepts instructions in all areas of commercial law.

### Cases

**Re. breach of contract and fiduciary duties**
(2023)
Acting unled for a company in a claim against a former employee who established his own company while still employed by the former company, in breach of contract and fiduciary duty [2023]

**Re. government-backed loans**
Advising a public authority as to proceedings to recover debt under a government-backed loan agreement (assisting Harry Adamson).

**Re. gambling companies**
Acting for gambling companies in respect of sanctions proposed by the Gambling Commission, involving alleged breaches of anti-money laundering and terrorist financing regulations (assisting Harry Adamson).

**Jockey Club Racecourses Ltd v Daniel Kidby, Persons Unknown**
[2023]
Obtained an interim injunction against Persons Unknown and one known person to prohibit acts of trespass by animal rights protesters seeking to disrupt the Epsom Derby 2023, acting for Jockey Club Racecourses Ltd (led by Alan Maclean KC).

**Municipio de Mariana v BHP Group (UK) Ltd, BHP Group Ltd**
Acting for more than 600,000 Brazilian claimants (including municipalities, businesses, utility companies, individuals, religious entities and the indigenous Krenak) in proceedings against BHP Group following the collapse of the Fundão Dam at the Germano mining complex in November 2015, the worst environmental disaster in Brazilian history (led by Alain Choo-Choy KC).

### Advising Formula 1

Advising on a contractual matter.

### Re. government-backed loans

(2021-2022)

Advising a public authority as to the terms of government-backed loan agreements (assisting Fraser Campbell).

### Pharmaceutical company v MHRA

(2021)

Acting for the manufacturer of an innovative drug, seeking a declaration that it continues to enjoy market exclusivity in the UK, notwithstanding post-Brexit developments in EU case law (assisting Fraser Campbell).

### X (US consultant) v Y (Russian investor) (London Court of International Arbitration)

(2022)

For the claimant investment consultant, seeking damages for the breach of a London arbitration agreement following New York proceedings that were struck out for lack of jurisdiction (assisting Fraser Campbell).

### Re. collective investment schemes

Acting for the FCA in respect of possible breaches of the Collective Investment Scheme rules (assisting Harry Adamson).

### Re. sale of a Spanish property

(2022)

Acting for the claimants in a claim for breach of an oral agreement in respect of the transfer of a Spanish property, which included an application for a document preservation order (assisting Fraser Campbell).

### Re. a Singaporean bank

(2021-2022)

Advising a Singaporean bank regarding its contractual obligations under a settlement agreement to make payments to the nominee of a sanctioned Iranian entity (assisting Fraser Campbell).

### Re. a group of plastic manufacturing products

(2021-2022)

Acting for an unfair prejudice petitioner, alleging sale at an undervalue of the group's main asset and breach of directors' duties (assisting Fraser Campbell).

### Re. sale of vintage car

(2021)

Acting for the defendant to a claim of misrepresentation regarding the seven-figure sale by auction of a vintage racing car (assisting Fraser Campbell).

### Re. sale of national gym business

(2021)

Acting for multiple defendants to breach of warranty claims following the sale of a chain of gyms (assisting Fraser Campbell).

### Re. a group of building/agricultural companies

(2021)

Acting for an unfair prejudice petitioner, alleging exclusion from management and information, and self-dealing by the majority shareholders (assisting Fraser Campbell).

### London Capital & Finance PLC (in administration) & others v Thomson & others

(2022) (Ch D)

Acting for the third defendant (of fifteen) to a complex claim of fraud and breach of directors' duties valued at over £200 million in respect of a disclosure guidance hearing (assisting Victoria Windle QC).

### Zeus v HSBC Plc

(2022)

Acting for HSBC in a £30 million claim brought by individuals who purported to invest in a series of tax mitigation schemes (assisting Harry Adamson).

### Chep Equipment Pooling v ITS Ltd

(2022) (Comm Ct)

Acting for the claimant in a claim involving breach of fiduciary duty, dishonest assistance and conspiracy (assisting Victoria Windle QC).

### Advising re. Russian sanctions

(2022) (Comm Ct)

Advising a defendant to a claim brought by Russian banks in respect of the impact of Russian sanctions (assisting Victoria Windle QC).

### Hebden v Domino Recording Co. Limited

(2022)

Acting for the recording company regarding claims brought by the artist known as Four Tet in respect of the digital exploitation of masters recorded under an agreement made in 2001 (assisting Tom Richards).

## Public & Regulatory

Antonia accepts instructions in all areas of public law.

### Cases

### Re. gambling companies

Acting for gambling companies in respect of sanctions proposed by the Gambling Commission, involving alleged breaches of anti-money laundering and terrorist financing regulations (assisting Harry Adamson).

### Advising the Premier League

Advising on a regulatory matter (led by Tom de la Mare KC and Ravi Mehta).

### Joint Opinion on the Illegal Migration Bill

(2023)

Provided a joint opinion on the Illegal Migration Bill for the charity Freedom From Torture (with Raza Husain KC, Jason Pobjoy, George Molyneaux and Eleanor Mitchell).

### Secondment to the Foreign Commonwealth and Development Office

Was seconded for two and a half months to the Foreign Commonwealth and Development Office's Legal Directorate, working primarily on challenges to sanctions designations.

### Re. Ministry of Defence

(2021)

Advising the Ministry of Defence as to proposed amendments to arrangements with contractors in a British overseas territory (assisting Fraser Campbell).

### Re. government-backed loans

(2021-2022)

Advising a public authority as to the terms of government-backed loan agreements (assisting Fraser Campbell).

### R (Johnson) v Parole Board

[2022] EWHC 1026 (Admin)

Acting for the Parole Board in a case regarding the circumstances in which it becomes functus officio upon setting a date for a prisoner's release (assisting Fraser Campbell).

### Pharmaceutical company v MHRA

(2021)

Acting for the manufacturer of an innovative drug, seeking a declaration that it continues to enjoy market exclusivity in the UK, notwithstanding post-Brexit developments in EU case law (assisting Fraser Campbell).

### Advising on the Human Fertilisation and Embryology Act 1990

(2022)

Advising a public body on the construction of the Human Fertilisation and Embryology Act 1990 (assisting Jason Pobjoy).

### Advice regarding governmental commitments following an inquiry

(2022)

Advising the Cabinet Office in respect of government commitments following an inquiry (assisting Jason Pobjoy).

### Re. a health provider

(2022)

Acting for a health provider in respect of an investigation by the Local Government Ombudsman into events in a care home during the COVID-19 pandemic (assisting Jason Pobjoy).

### R (on the application of Kessie-Adjei) v Secretary of State for Justice

[2022] EWHC 722 (Admin)

Acting successfully for the Secretary of State in a judicial review and Article 5 claim concerning the recall to prison of prisoners released on licence (assisting Tom Richards).

### Martinez & another v Chief Immigration Officer (Trinidad and Tobago)

[2022] UKPC 29

Acting successfully for the appellants, a child and his mother, both Venezuelan asylum seekers who were detained in Trinidad and Tobago, in Habeas Corpus proceedings before the Privy Council. The Board granted a declaration that the detention of the child, absent a deportation order, had been unlawful, and remitted the proceedings to the High Court of Trinidad and Tobago as to the reasonableness of the period for which the appellants had been detained. This resulted in the High Court ordering the appellants' release (assisting Tom Richards).

### R (on the application of Asylum Aid) v Secretary of State for the Home Department

(2022, ongoing)

Acting for the claimant in a challenge to the Secretary of State's procedure by which it intends to remove asylum seekers to Rwanda (assisting Harry Adamson).

## Civil Liberties & Human Rights

Antonia accepts instructions in all areas of civil liberties and human rights law.

## Cases

### Jockey Club Racecourses Ltd v Daniel Kidby, Persons Unknown

[2023]

Obtained an interim injunction against Persons Unknown and one known person to prohibit acts of trespass by animal rights protesters seeking to disrupt the Epsom Derby 2023, acting for Jockey Club Racecourses Ltd (led by Alan Maclean KC).

### Intervention in the Constitutional Court of Colombia on the right to work under international law [2023]

Intervened on behalf of the Global Strategic Litigation Council for Refugee Rights and La Corporación Opción Legal by way of an amicus curiae filed in the Constitutional Court of Colombia on the right to work and due process under international law. The appeal was a test case brought on behalf of 39 Venezuelan asylum-seekers who claim that they have a right to work while their asylum applications are being processed (led by Raza Husain KC).

### R (on the application of Kessie-Adjei) v Secretary of State for Justice

[2022] EWHC 722 (Admin)

Acting successfully for the Secretary of State in a judicial review and Article 5 claim concerning the recall to prison of prisoners released on licence (assisting Tom Richards).

### Joint Opinion on the Illegal Migration Bill

(2023)

Provided a joint opinion on the Illegal Migration Bill for the charity Freedom From Torture (with Raza Husain KC, Jason Pobjoy, George Molyneaux and Eleanor Mitchell).

### Intervention in the Mexican Supreme Court Mexican Supreme Court on Mexico's detention policy under international law [2023]

Intervened on behalf of the Global Strategic Litigation Council for Refugee Rights and the International Detention Council by way of an amicus curiae filed in proceedings in the Supreme Court of Mexico concerning Mexico's practice of detaining asylum seekers under international law and domestic constitutional law (led by Raza Husain KC).

### R (on the application of Asylum Aid) v Secretary of State for the Home Department

(2022, ongoing)

Acting for the claimant in a challenge to the Secretary of State's procedure by which it intends to remove asylum seekers to Rwanda (assisting Harry Adamson).

### R (Johnson) v Parole Board

[2022] EWHC 1026 (Admin)

Acting for the Parole Board in a case regarding the circumstances in which it becomes functus officio upon setting a date for a prisoner's release (assisting Fraser Campbell).

### Ukraine v Russia

(2022)

Acting for Ukraine in respect of Russian violations of the European Convention on Human Rights (assisting Jason Pobjoy).

### Martinez & another v Chief Immigration Officer (Trinidad and Tobago)

[2022] UKPC 29

Acting successfully for the appellants, a child and his mother, both Venezuelan asylum seekers who were detained in Trinidad and Tobago, in Habeas Corpus proceedings before the Privy Council. The Board granted a declaration that the detention of the child, absent a deportation order, had been unlawful, and remitted the proceedings to the High Court of Trinidad and Tobago as to the reasonableness of the period for which the appellants had been detained. This resulted in the High Court ordering the appellants' release (assisting Tom Richards).

### Acting for a major art museum (European Court of Human Rights)

(2022, ongoing)

Acting for a major art museum in the United States in relation to a dispute brought by a State in relation to a piece of art which is said to have been unlawfully obtained, raising issues as to the protection of property under Article 1 protocol 1 of the European Convention on Human Rights (assisting Jason Pobjoy).

# Public International Law

Antonia accepts instructions in all areas of public international law.

## Cases

### Ukraine v Russia

(2022)

Acting for Ukraine in respect of Russian violations of the European Convention on Human Rights (assisting Jason Pobjoy).

### Secondment to the Foreign Commonwealth and Development Office

Was seconded for two and a half months to the Foreign Commonwealth and Development Office's Legal Directorate, working primarily on challenges to sanctions designations.

### Intervention in the Mexican Supreme Court Mexican Supreme Court on Mexico's detention policy under international law [2023]

Intervened on behalf of the Global Strategic Litigation Council for Refugee Rights and the International Detention Council by way of an amicus curiae filed in proceedings in the Supreme Court of Mexico concerning Mexico's practice of detaining asylum seekers under international law and domestic constitutional law (led by Raza Husain KC).

### Intervention in the Constitutional Court of Colombia on the right to work under international law [2023]

Intervened on behalf of the Global Strategic Litigation Council for Refugee Rights and La Corporación Opción Legal by way of an amicus curiae filed in the Constitutional Court of Colombia on the right to work and due process under international law. The appeal was a test case brought on behalf of 39 Venezuelan asylum-seekers who claim that they have a right to work while their asylum applications are being processed (led by Raza Husain KC).

### Acting for a major art museum (European Court of Human Rights)

(2022, ongoing)

Acting for a major art museum in the United States in relation to a dispute brought by a State in relation to a piece of art which is said to have been unlawfully obtained, raising issues as to the protection of property under Article 1 protocol 1 of the European Convention on Human Rights (assisting Jason Pobjoy).

# Sport

Antonia accepts instructions in all areas of sports law.

## Cases

### Advising Formula 1
Advising on a contractual matter.

### Advising the Premier League
Advising on a regulatory matter (led by Tom de la Mare KC and Ravi Mehta).

### Jockey Club Racecourses Ltd v Daniel Kidby, Persons Unknown
[2023]

Obtained an interim injunction against Persons Unknown and one known person to prohibit acts of trespass by animal rights protesters seeking to disrupt the Epsom Derby 2023, acting for Jockey Club Racecourses Ltd (led by Alan Maclean KC).

### Premier League Academy Transfers Investigations
Has led a number of investigations for the Premier League's Five-Step Process in relation to the transfer of Academy Players.

# Media & Entertainment

Antonia accepts instructions in all areas of media and entertainment law.

## Cases

### Acting for a major art museum (European Court of Human Rights)
(2022, ongoing)

Acting for a major art museum in the United States in relation to a dispute brought by a State in relation to a piece of art which is said to have been unlawfully obtained, raising issues as to the protection of property under Article 1 protocol 1 of the European Convention on Human Rights (assisting Jason Pobjoy).

### Hebden v Domino Recording Co. Limited
(2022)

Acting for the recording company regarding claims brought by the artist known as Four Tet in respect of the digital exploitation of masters recorded under an agreement made in 2001 (assisting Tom Richards).

### Major broadcaster [confidential]
Assisting in a confidential investigation.

# Employment

Antonia accepts instructions in all areas of employment law.

## Cases

### U v Inter-dealer broker (2021)

Acting for an inter-dealer broker and certain of its employees in respect of a third claim brought by the claimant alleging indirect discrimination, including drafting grounds of resistance and making applications for strike out and deposit orders in respect of a litigant where there was already a limited civil restraint order in force in the county court and two previous claims had been struck out (assisting Craig Rajgopaul).

### B v Y (2021)

Advising a consulting company and drafting grounds of resistance in respect of a sprawling disability discrimination claim (assisting Craig Rajgopaul).

### Re. preferred pronouns, discrimination and harassment

Acted for an employer in correspondence with an employee, in respect of the organisation's preferred pronouns policy, in the context of balancing the rights of individuals with competing protected characteristics in respect of the organisation's approach to discrimination and harassment (led by Kerenza Davis).

### M v L (2021)

Advising a senior trader and drafting particulars of claim in respect of claims in whistleblowing, victimisation and discrimination against a leading UK bank (assisting Craig Rajgopaul).

### Zarembok v BP Plc and others (2021)

Acting for the claimant, a senior trader, in a 6-week trial in the Employment Tribunal, bringing claims for whistleblowing (including allegations in respect of a bribe) and parental leave detriment (assisting Craig Rajgopaul and Emmeline Plews). This included assisting with the preparation of cross-examination of 28 witnesses and detailed legal and factual closing submissions. The case was widely reported in the press.

# Sanctions

Antonia accepts instructions in all areas of sanctions law.

## Cases

### Advising re. Russian sanctions

(2022) (Comm Ct)

Advising a defendant to a claim brought by Russian banks in respect of the impact of Russian sanctions (assisting Victoria Windle QC).

### Secondment to the Foreign Commonwealth and Development Office

Was seconded for two and a half months to the Foreign Commonwealth and Development Office's Legal Directorate, working primarily on challenges to sanctions designations.

### Re. anti-corruption sanctions

(2022)

Advising an international businessman in respect of anti-corruption sanctions (assisting Jason Pobjoy).

# Competition

Antonia accepts instructions in all areas of competition law.

## Cases

### Secretary of State for Health and another v Servier Laboratories Ltd and others

[2021] UKSC 24

Assisted Marie Demetriou KC, Daniel Piccinin and Allan Cerim in proceedings before the Supreme Court.

### Re. a corporate group

Advising a corporate group in respect of potential divestiture remedies imposed by the Competition and Markets Authority (assisting Harry Adamson).

# ACHIEVEMENTS

## Education

- PGDip in Bar Practice, King's College London, delivered by the Inns of Court College of Advocacy
- GDL, City Law School (Distinction)
- MSc Global Politics, London School of Economics and Political Science (Distinction)
- BA Modern & Medieval Languages, University of Cambridge, Queens' College (First Class with a Mark of Special Excellence in Oral Spanish)

## Publications

- Co-authored a chapter to be published in International Arbitration: A Global Guide for Practitioners, Elgar Publishing (forthcoming).
- Co-authored What the Bar can learn from 12 trial lawyers (summarising the learnings from Season 1 of The Advocacy Podcast), Counsel Magazine (2021).
- Contributed to The Capacity to Combat Corruption Index: Assessing Latin American countries' ability to uncover, punish and deter graft, The Americas Society/Council of the Americas and Control Risks (2019).

## Professional Experience

- 2018 – 2019: Senior Analyst, Control Risks, Bogotá, Colombia
- 2014 – 2017: Television Journalist, Reuters, Rio de Janeiro, Brazil and Bogotá, Colombia

VAT registration number: 447008068

Barristers regulated by the Bar Standards Board