

# Flora Robertson

Year of call: 2014  
Degree: **Theology & Religious Studies (MA Cantab): Starred First (joint first in year); Philosophy of Religion (MPhil, University of Cambridge): Distinction; Graduate Diploma in Law (Kaplan): Distinction (first in year); BPTC (Kaplan)**  
Languages: **French (some knowledge), Spanish (some knowledge)**



Flora practices predominantly in competition and public law.

**Competition:** Flora is familiar with the UK's collective proceedings regime, having acted since 2024 for the CICC Claimants in ongoing collective proceedings in the Competition Appeal Tribunal in relation to multilateral interchange fees charged by Visa and Mastercard. These have been joined to the Umbrella Interchange Fee proceedings for the purposes of Trial 2 (judgment in which was handed down on 18 February 2026) and the forthcoming Trial 3 on exemption issues under Article 101(3). Flora has attended multiple interlocutory hearings and case management hearings, was instructed in Trial 2B, and is instructed in relation to Trial 3.

Flora also acted for a group of local authorities in the 'Trucks' litigation, in their application for summary judgment / strike out of the Defendants' pass on defence.

Earlier competition experience includes acting for MediaMarkt in claims arising out of the LCD Cartel (Case COMP/39437 – TV and Monitor Tubes).

Flora edits and contributes to the Competition Bulletin (with Tristan Jones KC and Tom Coates): <https://competitionbulletin.com/>. She has written about counterfactuals in the context of Article 101(1), the CAT's developing approach to collective proceedings orders, and the UK's Digital Markets, Competition and Consumers (then) Bill.

**Public law (including civil liberties, human rights and public international law):** Prior to joining Chambers Flora worked, from 2008, as a senior asylum and immigration caseworker at Refugee and Migrant Justice (formerly the Refugee Legal Centre). She then worked as an in-house advocate for several firms before coming to the Bar. She has successfully represented numerous clients, including victims of trafficking, in asylum, immigration, EU citizenship and deportation matters in the First-Tier and Upper Tribunals.

Flora has acted for claimants and interveners in a number of high-profile human rights and civil liberties cases, many of which have also involved public international law issues, in the High Court, Court of Appeal and Supreme Court. These include *Al-Saadoon v SSHD* (concerning allegations of mistreatment of Iraqi civilians by British soldiers), *Al-Malki v Reyes* (which considered the scope of diplomatic immunity for human trafficking and modern slavery), *R (Elan-Cane) v SSHD* (challenging the legality of the UK Government's policy of refusing to issue non-gender-specific "X" passports to UK nationals), *Basfar v Wong* (a key case which developed the law on the application of the commercial exception to diplomatic immunity, again in a modern slavery context) and *R (Asylum Aid) v SSHD* (challenging the Safety of Rwanda Policy).

She has also acted in several cases before the European Court of Human Rights including *Big Brother Watch v UK* (concerning the compatibility of the UK's bulk surveillance regime with the ECHR) and *Rustavi 2 Broadcasting Company v Georgia* (a claim concerning the freedom of expression of a broadcasting company).

She frequently acts pro bono in human rights related contexts, with organisations such as the Aire Centre, Reprieve, and Refugee Legal Service (RLS).

Flora also has experience of, and accepts instructions in, commercial judicial review.

## EXPERIENCE

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### Competition

Flora is familiar with the UK's collective proceedings regime, having acted since 2024 for the CICC Claimants in ongoing collective proceedings in the Competition Appeal Tribunal in relation to multilateral interchange fees charged by Visa and Mastercard. These have been joined to the Umbrella Interchange Fee Proceedings for the purposes of Trial 2 (judgment in which was handed down on 18 February 2026 - [2026] CAT 11) and the forthcoming Trial 3 on exemption issues under Article 101(3) / section 9 CA 1998.

Flora has attended multiple interlocutory hearings and case management hearings, was instructed in Trial 2B, and is instructed in relation to Trial 3.

Flora also acted for a group of local authorities in the 'Trucks' litigation arising from the Commission's decisions relating to the alleged trucks cartel. She was instructed (with Tom de la Mare KC) in their application for summary judgment / strike out of the Defendants' pass on defence. The application concerned the novel question of whether there could be pass on in a legal sense from local authorities to the users of their services/residents given that (it was contended) a local authority is not acting as an economic undertaking. The CAT dismissed the application ([2024] CAT 45).

Earlier competition experience includes acting for MediaMarkt in claims arising out of the LCD Cartel (Case COMP/39437 - TV and Monitor Tubes).

Flora edits and contributes to the Competition Bulletin (with Tristan Jones KC and Tom Coates): <https://competitionbulletin.com/>. She has written about counterfactuals in the context of Article 101(1), the CAT's developing approach to collective proceedings orders, and the UK's Digital Markets, Competition and Consumers (then) Bill.

## Cases

### **Commercial and Interregional Card Claims I and II Ltd v Mastercard and Visa**

(CAT 1441-4/7/7/22)

Flora is acting for the Class Representatives in these opt-in and opt-out collective proceedings before the CAT in relation to multilateral interchange fees charged by the card schemes. These proceedings have been joined to the Umbrella Interchange Fee Claimants v Mastercard and Visa (1517/11/7/22 (UM)) for the purposes of Trial 2 (judgment in which was handed down on 18 February 2026 - [2026] CAT 11) and the forthcoming Trial 3 on exemption issues under Article 101(3). Flora was instructed in relation to the (successful) revised CPO application and has since attended multiple interlocutory hearings and case management hearings. She was instructed in Trial 2B, and is instructed in relation to Trial 3. Flora is led by Kieron Beal KC and Philip Woolfe KC.

### **Trucks Litigation**

[2024] CAT 45

Flora was instructed on behalf of the Adur Claimants, a group of local authorities, in the 'Trucks' litigation arising from the Commission's decisions relating to the alleged trucks cartel. She was instructed in their application for summary judgment / strike out of the Defendants' pass on defence. The application concerned the novel question of whether there could be pass on in a legal sense from local authorities to the users of their services/residents given that (it was contended) a local authority is not acting as an economic undertaking. The CAT dismissed the application ([2024] CAT 45). Flora was led by Tom de la Mare KC.

### **Media Saturn v Toshiba**

[2019] EWHC 1095 (Ch); [2019] 5 CMLR 7

Media Saturn claimed for follow-on damages arising out of the LCD Cartel (Decision of the European Commission dated 5 December 2012 in Case COMP/39437 – TV and Monitor Tubes). Flora was instructed with Kieron Beal KC to defend the Defendants' four-day application for strike out / summary judgment. The Court declined to strike out the competition claims, but ruled that claims based on the economic torts could not proceed to trial.

## Public & Regulatory

Flora has experience of a broad range of public and regulatory cases. She has acted for individuals, NGOs and corporate entities in cases concerning issues including diplomatic immunity, freedom of speech, trafficking, and gender identity. She has been instructed by interveners in several high profile judicial review cases.

Prior to joining Chambers, Flora worked as a senior asylum and immigration Caseworker at Refugee and Migrant Justice, first gaining OISC accreditation in 2008. She then worked in this capacity at several private solicitors' firms, ultimately as an in-house advocate. Consequently she has experience working on asylum, immigration, EU citizenship and deportation matters. She has successfully represented numerous clients, including victims of trafficking and unaccompanied asylum-seeking children, in both the First-and Upper-Tier Tribunals.

Flora regularly undertakes pro bono work. She also has experience of commercial judicial review.

## Cases

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

(Safety of Rwanda Policy)

Representing the Claimant charity in its challenge to the Safety of Rwanda Policy, arguing that the Policy promulgates a fundamental misinterpretation of the Safety of Rwanda Act 2024. The Home Office accepted, at pre-action stage, that parts of the Policy needed to be withdrawn. The claim was stayed pending resolution of urgent individual challenges which adopted the charity's challenge. Following the General Election of 4 July 2024, the Charity's claim was stayed pending the new Government's review of the policy. Flora was led by Charlotte Kilroy KC.

### **R (SM, SY and YXY) v Secretary of State for the Home Department**

(2024) (Safety of Rwanda Policy)

Acting in this challenge to the Safety of Rwanda Policy, which sought to establish the correct interpretation of the Safety of Rwanda Act 2024 (and alternatively, sought a declaration that parts of the Rwanda Act was incompatible with human rights). The claims were settled following the General Election of 4 July 2024: the Home Secretary agreed that the individual claimants would not be removed to Rwanda and that their asylum claims would be considered in the UK. Flora was led by Charlotte Kilroy KC.

### **Basfar v Wong**

[2022] UKSC 20, [2022] 3 WLR 208

Flora was instructed by the intervening party Kalayaan, a charity that works to protect victims of modern slavery. This key case developed the law concerning the application of the "commercial exception" to the Vienna Convention on Diplomatic Relations 1961, holding it applicable to persons subjected by diplomatic agents to conditions of servitude and modern slavery. Flora was led by Tom Hickman KC.

### **Big Brother Watch and Others v the United Kingdom**

App. Nos. 58170/13, 62322/14 and 24960/15

Flora acted alongside others for the applicants in a case regarding the compatibility of the UK's bulk surveillance regime with the European Convention on Human Rights. The linked complaints were brought by organisations and individuals that campaign on issues relating to civil liberties and journalists' rights.

### **Rustavi 2 Broadcasting Company Ltd and others v Georgia**

Application No. 16812/17 (Judgment dated 18 July 2019)

Instructed by the Applicants in relation to a claim before the European Court of Human Rights concerning the freedom of expression of a broadcasting company and alleging violations by Georgia of Articles 6, 10 and 18 of the ECHR and Article 1 of Protocol No.1. Flora was led by Shaheed Fatima KC.

### **Delayed Dublin transfer cases**

2021

Instructed by Islington Law Centre on behalf of three child applicants for judicial review of the UK Government's failure to transfer them from Greece to the UK under the terms of the Dublin III Regulation.

### **Advice in relation to women's state pension age increases**

2021

Advising the Parliamentary and Health Service Ombudsman in relation to complaints connected with the women's state pension age increases.

### **M v Secretary of State for the Home Department**

Successfully representing a Polish national in her deportation appeal.

### **C v Secretary of State for the Home Department**

Flora successfully represented a Turkish Kurdish appellant in the First-Tier Tribunal whose asylum claim was based on imputed political opinion.

### **D v Secretary of State for the Home Department**

Flora successfully acted for an Iranian poet in his appeal against the Secretary of State's refusal of his application for asylum.

### **HJ Banks Ltd v Secretary of State for Housing Communities and Local Government**

[2018] EWHC 3141 (Admin)

Acting for HJ Banks Ltd in a successful challenge to a refusal of planning permission (with Nathalie Lieven QC).

### **R (Avaaz) v Ofcom**

[2018] EWHC 1973 (Admin)

Acted for Ofcom (with Pushpinder Saini QC and Jessica Boyd) in a judicial review brought by the Avaaz Foundation of Ofcom's decision that Sky would not cease to be fit and proper to retain its broadcast licences in the event of a merger with 21st Century Fox.

### **R (Elan-Cane) v Secretary of State for the Home Department (Administrative Court)**

[2018] EWHC 1530 (Admin)

Flora was instructed by Human Rights Watch as Intervener (in support of the Claimant) in a claim challenging the legality of the UK Government's policy refusing to issue non-gender-specific "X" passports to UK nationals.

**Reyes v Al-Malki**

[2017] UKSC 61; [2017] 3 WLR 923

Flora acted for the intervening party, Kalayaan, led by Tom Hickman KC. This case concerned the scope of diplomatic immunity for human trafficking and modern slavery and the scope of the commercial exception under the Vienna Convention on Diplomatic Relations. Flora acted for the charity Kalayaan.

**A v Secretary of State for the Home Department**

Acting for a partially sighted Afghan national in his appeal against the Secretary of State's refusal of his application for asylum and humanitarian protection. A's appeal was dismissed by the First Tier Tribunal and, following the finding of an error of law, was remitted to be heard de novo. Flora represented A at the remitted hearing, which was again dismissed; successfully established that a second error of law had been made, and represented A at his second remitted hearing. Following a third error of law Flora will shortly represent A at his third remitted hearing. The case centres on the Refugee Convention ground of imputed political opinion and Article 15(c) of the Qualification Directive.

**B v Secretary of State for the Home Office (2016)**

Acting for an Indian national in his successful appeal on Article 8 ECHR grounds against the Secretary of State's decision to refuse to grant him a further period of discretionary leave and to remove him from the UK. B entered the UK in 2007 and had been in a relationship with his British Citizen partner since then. The couple had three children and B was the primary carer for his partner and the children. His application for an extension of leave had been rejected on the basis that he had not provided sufficient evidence of his continued family life in the UK.

**E v Secretary of State for the Home Office (2016)**

Acting for a Kurdish Iranian national, also a member of the Ahl-e-Haqq (Yaaresan) faith, in his successful appeal against the decision of the Secretary of State to refuse his application for asylum. E had entered the UK on a student visa and was found by the Judge to be a refugee sur place due to his anti-regime activities, particularly as a blogger.

**FRC Accountancy and Actuarial schemes proceedings**

[https://media.frc.org.uk/documents/Disciplinary\\_Tribunal\\_Report\\_re\\_sanctions\\_against\\_KPMG\\_in\\_relation\\_to\\_Equity\\_Syndicate\\_Management](https://media.frc.org.uk/documents/Disciplinary_Tribunal_Report_re_sanctions_against_KPMG_in_relation_to_Equity_Syndicate_Management)

Acting as junior counsel for the Financial Reporting Council in proceedings under its Accountancy and Actuarial schemes (with Andrew Green QC, Andrew George QC, Andrew Scott, Rebecca Sabben-Clare QC and Tim Jenns).

**Judicial review application**

Acting for an interested party pub in resisting an application for judicial review of a council's decision to grant access rights to its premises over a Site of Special Scientific Interest (with Michael Fordham QC).

**Al-Saadoon & others v Secretary of State for Defence**

[2016] EWCA Civ 811; [2017] 2 WLR 219

Acting for the Iraqi claimants in this case concerning the jurisdictional reach of Art 1 ECHR and the scope of the investigative duties under Art 3 and Art 5 ECHR, and the investigative obligations under UNCAT and customary international law (with Michael Fordham QC, Dan Squires QC and Jason Pobjoy).

**Bagram detainee advice**

Advising Reprieve / Justice Project Pakistan in relation to a draft Communication to the Office of the Prosecutor of the International Criminal Court, concerning the detention of Pakistani nationals at the Bagram Detention Facility between 2001 and 2014.

## Civil Liberties & Human Rights

Flora has extensive experience of a range of public law and human rights cases and regularly undertakes pro bono work. She has acted for individuals, NGOs and corporate entities in cases concerning issues including freedom of speech, trafficking, and gender identity. She has been instructed by interveners in several high profile judicial review cases.

Prior to joining Chambers, Flora worked as a senior asylum and immigration Caseworker at Refugee and Migrant Justice, first gaining OISC accreditation in 2008. She then worked in this capacity at several private solicitors' firms, ultimately as an in-house advocate. Consequently she has experience working on asylum, immigration, EU citizenship and deportation matters. She has successfully represented numerous clients, including victims of trafficking and unaccompanied asylum-seeking children, in both the First-and Upper-Tier Tribunals.

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(Safety of Rwanda Policy)

Representing the Claimant charity in its challenge to the Safety of Rwanda Policy, arguing that the Policy promulgates a fundamental misinterpretation of the Safety of Rwanda Act 2024. The Home Office accepted, at pre-action stage, that parts of the Policy needed to be withdrawn. The claim was stayed pending resolution of urgent individual challenges which adopted the charity's challenge. Following the General Election of 4 July 2024, the Charity's claim was stayed pending the new Government's review of the policy. Flora was led by Charlotte Kilroy KC.

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**Basfar v Wong**

[2022] UKSC 20, [2022] 3 WLR 208

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**Delayed Dublin transfer cases**

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**Big Brother Watch and Others v the United Kingdom**

App. Nos. 58170/13, 62322/14 and 24960/15

Flora acted for the applicants in a case regarding the compatibility of the UK's bulk surveillance regime with the European Convention on Human Rights. The linked complaints were brought by organisations and individuals that campaign on issues relating to civil liberties and journalists' rights.

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**Rustavi 2 Broadcasting Company Ltd and others v Georgia**

Application no. 16812/17

Instructed by the applicants in relation to a claim before the European Court of Human Rights concerning the freedom of expression of a broadcasting company and alleging violations by Georgia of Articles 6, 10 and 18 of the ECHR and Article 1 of Protocol No.1 (led by Shaheed Fatima QC).

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**Al-Malki v Reyes**

[2017] UKSC 61

Acting for the Interveners (supporting the Appellant) in this appeal to the Supreme Court concerning the application of the Diplomatic Privileges Act 1964 / the Vienna Convention on Diplomatic Relations 1961 to claims brought by domestic overseas workers against their employers (with Richard Hermer QC, Tom Hickman and Philippa Webb).

**Al-Saadoon & others v Secretary of State for Defence**

[2016] EWCA Civ 811; [2017] 2 WLR 219

Acting for the Iraqi claimants in this case concerning the jurisdictional reach of Art 1 ECHR and the scope of the investigative duties under Art 3 and Art 5 ECHR, and the investigative obligations under UNCAT and customary international law (with Michael Fordham QC, Dan Squires QC and Jason Pobjoy).

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**Bagram detainee advice**

Advising Reprieve / Justice Project Pakistan in relation to a draft Communication to the Office of the Prosecutor of the International Criminal Court, concerning the detention of Pakistani nationals at the Bagram Detention Facility between 2001 and 2014.

## Public International Law

Flora accepts instructions in all areas of Chambers' public international law practice. Flora has acted in several cases before the European Court of Human Rights and many of her public law cases have involved complex public international law issues.

## Cases

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(Safety of Rwanda Policy)

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**Big Brother Watch and Others v the United Kingdom**

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## ACHIEVEMENTS

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### Education

Theology & Religious Studies (MA Cantab): Starred First (joint first in year); Philosophy of Religion (MPhil, University of Cambridge): Distinction; Graduate Diploma in Law (Kaplan): Distinction (first in year); BPTC (Kaplan).

### Prizes & Scholarships

- Phoenicia Scholarship (Bar European Group)
- Bedingfield Scholarship (Gray's Inn)
- Advocacy Scholarship (Kaplan)

- First Prize, Inns of Court Society National Moot (Southampton University)
- David Karmel Award (Gray's Inn)
- Excellence Scholarship (Kaplan)
- Robins Prize for Further Research (Clare College, Cambridge)
- Theological Studies Prize (Cambridge University)

## Memberships

- Immigration Law Practitioners Association (ILPA)
- Bar Human Rights Committee of England and Wales
- UK Environmental Law Association (UKELA)
- Bar European Group (BEG)
- The Commercial Bar Association (COMBAR)
- The Constitutional and Administrative Law Bar Association (ALBA)

VAT registration number: 217660902

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