

# Tom Lowenthal

Year of call: 2017  
Degree: BA Jurisprudence with Law Studies in Europe, BCL



Tom has a developing practice in line with Chambers' core practice areas, working both as sole counsel or as part of a counsel team.

He has been instructed in high profile and complex litigation, including acting for the claimant in *Wilson v Commissioner of the Metropolitan Police* (concerning police officers who deceived women into sexual relationships); for Privacy International in *R (HM) v Secretary of State for the Home Department* (concerning the Border Force's unlawful practice of seizing mobile phones and extracting personal data from individuals arriving at Dover in small boats); and for the Serious Fraud Office in *ENRC v SFO* (an 11-week trial which was one of *The Lawyer's* Top 20 Cases for 2021, concerning allegations made against the SFO of inducement of breach of contract and misfeasance in public office).

He is on the Civil Aviation Authority's Panel of Counsel, in which capacity he advises in particular on the implications of Brexit, developing aviation technologies and the climate emergency.

Prior to coming to Blackstone, Tom studied for a DPhil, specialising in education law, human rights law, and privatisation; and was a Lecturer in Law at St Peter's College, Oxford (teaching EU and administrative law). Tom retains his interest and accepts instructions in all these areas.

## EXPERIENCE

---

### Civil Liberties & Human Rights

Tom accepts instructions in all areas of human rights and equality law.

Tom acted pro bono (led by Ben Jaffey QC) for Privacy International, which intervened in a judicial review brought by individuals who arrived across the Channel in small boats and whose phones were seized, and the data extracted and retained, by border officials.

Tom has been instructed, led by other members of Chambers, in the preparation of applications to the European Court of Human Rights arising out of the Russian invasion of Ukraine.

Tom has a particular interest in claims brought against law enforcement bodies. He acted (with Charlotte Kilroy QC and Isabel Buchanan) pro bono for the claimant in *Wilson v Commissioner of Police*, a Human Rights Act claim brought in the IPT by a woman deceived into a long-term sexual relationship by an undercover police officer. The IPT found for the claimant, holding that there had been a “formidable list of Convention violations” and “disturbing and lamentable failings at the most fundamental levels”. He has been instructed (again led by Charlotte Kilroy QC) in the *Undercover Policing Inquiry* by core participants subject to political surveillance and deceived in sexual relationships by undercover police officers. Tom has experience of misfeasance in public office claims from his work on *ENRC v SFO*.

He has also advised on an urgent basis (led by Shaheed Fatima QC, Naina Patel and Gayatri Sarathi) an individual whose family were trapped in Kabul during the fall of the city to the Taliban, and assisted in the making of representations on that individual's behalf to the FCDO.

Tom acted pro bono led by Tim Otty QC, advising elements of the opposition to the regime in Belarus on international law and sanctions. Tom also assisted Mr Otty QC pro bono with work for the Venice Commission on the Rule of Law on the rule of law implications of Covid-19 emergency law-making.

Tom has a particular interest in children's rights and education, which was his area of academic specialism before coming to practice at the bar.

## Cases

### **[Company] v [State]**

Acting (led by Tim Otty QC, Jason Pobjoy and George Molyneaux) for a large information technology corporation in respect of a potential application to the ECHR.

### **Advising the Government of an Overseas Territory**

Instructed as sole counsel to advise the Government of an Overseas Territory as to the constitutionality of a proposed law.

### **[Individual] v [State]**

Acting (led by Tim Otty QC and Drew Holiner) for an individual in respect of a potential application to the ECHR.

### **Advice on Rent Control**

Advising an interested party on the ECHR compatibility of the introduction of certain rent controls (Led by Tom de la Mare QC).

### **Advice on a Public Body's Statutory Powers**

Advising a public body (led by Javan Herberg QC) on the statutory powers which it exercises, and its obligation to act compatibility with Art. 10 ECHR under the Human Rights Act 1998.

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

Acted for Privacy International (led by Ben Jaffey QC) in a judicial review claim challenging the Defendant's operation of a blanket policy to seize, retain and extract data from the mobile phones of migrants arriving by small boat.

### **A Matter arising from the Evacuation of Kabul**

Advised (led by Shaheed Fatima QC and Gayatri Sarathy) an individual whose family were trapped in Kabul during the fall of the city to the Taliban, and assisted in the making of representations on that individual's behalf to the FCDO

### **Re: The Opposition to an Undemocratic Regime**

Acted pro bono (led by Tim Otty QC) for elements of the opposition to a totalitarian regime in a foreign state, advising on international law and sanctions issues.

### **Undercover Policing Inquiry**

Acting for non-state core participants subject to political surveillance and deceived in sexual relationships by undercover police officers, led by Charlotte Kilroy QC and Shanthi Sivakumaran.

### **Wilson v Commissioner of Police**

IPT/11/167/H

Acting (led by Charlotte Kilroy QC and Isabel Buchanan) pro bono in a Human Rights Act claim brought in the Investigatory Powers Tribunal by a woman deceived into a long-term sexual relationship by an undercover police officer. The IPT found for the claimant, holding that there had been a "formidable list of Convention violations" and "disturbing and lamentable failings at the most fundamental levels", making a substantial award of damages.

### **[A Parent] v [Her Child's School]**

Advised pro bono and as sole counsel on the prospects of an Equality Act challenge being brought to a decision to exclude a child, allegedly because of her race.

### **A Children's Rights and Data Protection Matter**

Advising a children's charity in respect of a potential submission to the Information Commissioner, concerning the Age Appropriate Design Code and the use of children's personal data by mobile phone applications.

### **R (Halabi) v The Crown Court at Southwark and Others**

Assisted Hanif Mussa with a judicial review concerning the Article 8-compliance of the automatic imposition of notification orders on individuals convicted of sexual offences abroad. The case is discussed here.

### **R (Friends of Antique Cultural Treasures) v Secretary of State for Environment, Food and Rural Affairs**

Assisted Hanif Mussa with an EU law and ECHR challenge to the Ivory Act 2018, which prohibited, outside of limited circumstances, the trade in antique ivory. The case involved CITES and EU environmental law, as well as the EU rights to property and to conduct a business. The case is discussed here.

### **R (Jolly) v Secretary of State for Environment, Food and Rural Affairs**

Assisted Hanif Mussa with a potential judicial review concerning animal welfare law, the right to property, and the right to conduct a business under EU law and the ECHR.

## **Public & Regulatory**

Tom accepts instructions in all areas of public and regulatory law, including human rights claims, data protection, civil actions against public authorities, inquiries, immigration, judicial review, procurement, aviation and education. Prior to coming to the bar, Tom taught administrative law at the University of Oxford. In particular, Tom is developing a specialised practice in aviation law. Tom is one of very few barristers appointed to the Civil Aviation Authority's panel of counsel, and advises the CAA both led and as sole counsel on emergent technologies in aviation, as well as the implication of Brexit for aviation regulation. Tom has a particular interest in aviation regulation in the context of law's response to the climate crisis.

Tom also regularly acts in the County Court in claims brought by consumers pursuant to retained EU Regulation 261/2004.

Tom's aviation practice is complemented by a regulatory practice in other areas, including in particular energy. Tom has advised the North Sea Transitional Authority on vires and Convention issues, as well as BEIS on certain aspects of energy law after Brexit which raised questions of vires, purposes, powers under the European Union Withdrawal Act, and EU law and Energy Charter Treaty issues.

## **Cases**

### **Advising the Government of an Overseas Territory**

Instructed as sole counsel to advise the Government of an Overseas Territory as to the constitutionality of a proposed law.

**[A Prospective Claimant] v [Broadcaster]**

Advising (as sole counsel) a broadcaster on a threatened judicial review and Equality Act claim.

**Advising a Public Transport Authority**

Advising a public transport authority on various matters concerning the limits of its powers (led by Ben Jaffey QC).

**Advice on Rent Control**

Advising an interested party on the ECHR compatibility of the introduction of certain rent controls (Led by Tom de la Mare QC).

**Advice on the Electromagnetic Spectrum**

Advised a broadcaster on its rights in respect of the parts of the electromagnetic broadcast spectrum over which it is entitled to broadcast (led by Emily Neill).

**R (Khyam) v Secretary of State for Justice**

Acting (led by Harry Adamson) for the Secretary of State in a judicial review challenging the decision of the Category A Review Team to maintain a prisoner's security classification.

**Advice on a Public Body's Statutory Powers**

Advising a public body (led by Javan Herberg QC) on the statutory powers which it exercises, and its obligation to act compatibility with Art. 10 ECHR under the Human Rights Act 1998.

**Eurasian Natural Resources Corporation Ltd v Director of the Serious Fraud Office**

[2022] EWHC 1138 (Comm)

Acting for the Director of the SFO in defence of a \$93m+ claim for alleged misfeasance in public office and inducement of breach of contract/fiduciary duty. The matter was one of The Lawyer's Top 20 Cases for 2021, and there was an 11-week trial in the spring/summer of that year (with Simon Colton QC and others).

**Attorney General v Information Commissioner (Bermuda)**

Acting (led by Monica Carss-Frisk QC) for the Information Commissioner of Bermuda in a dispute as to the limits of the power of the Commissioner to summons documents from government departments.

**[Parents] vs [A Private School]**

Acted as sole counsel, advising in respect of a potential judicial review concerning alleged errors in the calculation of their child's centre assessed grades for the purposes of the award of GCSEs during the Covid-19 pandemic.

**[A Student] v [A University]**

Advised a student client and her parents about potential recourse and/or appeal from a decision of their university to require the client to suspend their studies for academic reasons (led by Gemma White QC).

**Advising on a student disciplinary policy**

Acted (led by Gemma White QC) for constituent colleges of a Russell Group university, advising on their non-academic disciplinary procedure, with particular focus on their approach to dealing with allegations of sexual misconduct.

**R (HM) v Secretary of State for the Home Department**

Acted for Privacy International (led by Ben Jaffey QC) in a judicial review claim challenging the Defendant's operation of a blanket policy to seize, retain and extract data from the mobile phones of migrants arriving by small boat.

**A Matter arising from the Evacuation of Kabul**

Advised (led by Shaheed Fatima QC and Gayatri Sarathy) an individual whose family were trapped in Kabul during the fall of the city to the Taliban, and assisted in the making of representations on that individual's behalf to the FCDO

**Undercover Policing Inquiry**

Acting for non-state core participants subject to political surveillance and deceived in sexual relationships by undercover police officers, led by Charlotte Kilroy QC and Shanthi Sivakumaran.

**A Children's Rights and Data Protection Matter**

Advising a children's charity in respect of a potential submission to the Information Commissioner, concerning the Age Appropriate Design Code and the use of children's personal data by mobile phone applications.

**Wilson v Commissioner of Police**

IPT/11/167/H

Acting (led by Charlotte Kilroy QC and Isabel Buchanan) pro bono in a Human Rights Act claim brought in the Investigatory Powers Tribunal by a woman deceived into a long-term sexual relationship by an undercover police officer. The IPT found for the claimant, holding that there had been a "formidable list of Convention violations" and "disturbing and lamentable failings at the most fundamental levels", making a substantial award of damages.

**R (Aldi Stores) v Advertising Standards Authority**

Acted for the ASA, led by Catherine Callaghan QC, successfully resisting an application for permission to bring a judicial review of a ruling that a competitor's advert was not misleading.

**A Public Law Matter**

Assisted Fraser Campbell with advice on the amenability of the decisions of prosecutors to judicial review.

**R (Coughlan) v Minister for the Cabinet Office**

Assisted Hanif Mussa with a judicial review of the Cabinet Office's roll-out of voter identification in local elections. The case is discussed [here](#).

**R (Halabi) v The Crown Court at Southwark and Others**

Assisted Hanif Mussa with a judicial review concerning the Article 8-compliance of the automatic imposition of notification orders on individuals convicted of sexual offences abroad. The case is discussed [here](#).

**A Matter Concerning the Legal Powers of a Public Body**

Assisted Hanif Mussa with a matter concerning the limits of a public authority's power to engage in profit-making activity.

**R (Friends of Antique Cultural Treasures) v Secretary of State for Environment, Food and Rural Affairs**

Assisted Hanif Mussa with an EU law and ECHR challenge to the Ivory Act 2018, which prohibited, outside of limited circumstances, the trade in antique ivory. The case involved CITES and EU environmental law, as well as the EU rights to property and to conduct a business. The case is discussed [here](#).

**A Matter Concerning the Regulation of the Water Industry**

Assisted Hanif Mussa with a matter concerning the legal powers of Ofwat.

**A Confidential Matter**

Assisted Hanif Mussa with a matter concerning the powers of devolved authorities to investigate and scrutinise officeholders.

**R (Jolly) v Secretary of State for Environment, Food and Rural Affairs**

Assisted Hanif Mussa with a potential judicial review concerning animal welfare law, the right to property, and the right to conduct a business under EU law and the ECHR.

## Education

Tom has a particular interest in children's rights and education, which was his area of academic specialism before coming to practice at the bar.

Tom has assisted a children's digital rights charity with a complaint to the ICO concerning the use of children's data by various apps and compliance with the Age Appropriate Design Code, and has been instructed to advise (led by Gemma White QC) constituent colleges of a Russell Group university on their non-academic disciplinary procedure, with particular focus on their approach to dealing with allegations of sexual misconduct.

Tom has developed experience advising parents and students when things go wrong in their (children's) education. In particular, he has advised a client as sole counsel pro bono on the prospects of an Equality Act claim for racial discrimination where their child may have been excluded from school on racial grounds; has advised a student client and her parents about potential recourse and/or appeal from a decision of their university to require the client to suspend their studies for academic reasons (led by Gemma White QC); and advised parents as sole counsel about a potential judicial review in respect of alleged errors in the calculation of their child's centre assessed grades for the purposes of the award of GCSEs during the Covid-19 pandemic. Tom understands how distressing such circumstances can be, and the importance of managing them with sensitivity and pragmatism.

## Cases

**[Teacher] v [School], [Headteacher]**

Tom was instructed by the National Association of Head Teachers to draft the ET3 for a union member who was accused by a teacher of harassment.

**Re: [A School Old Members Association]**

Advising a school's unincorporated old members' association about the distribution of assets in accordance with the association's rules.

**[Parents] vs [A Private School]**

Acted as sole counsel, advising in respect of a potential judicial review concerning alleged errors in the calculation of their child's centre assessed grades for the purposes of the award of GCSEs during the Covid-19 pandemic.



**[A Student] v [A University]**

Advised a student client and her parents about potential recourse and/or appeal from a decision of their university to require the client to suspend their studies for academic reasons (led by Gemma White QC).

**Advising on a student disciplinary policy**

Acted (led by Gemma White QC) for constituent colleges of a Russell Group university, advising on their non-academic disciplinary procedure, with particular focus on their approach to dealing with allegations of sexual misconduct.

**A Children's Rights and Data Protection Matter**

Advising a children's charity in respect of a potential submission to the Information Commissioner, concerning the Age Appropriate Design Code and the use of children's personal data by mobile phone applications.

**[A Parent] v [Her Child's School]**

Advised pro bono and as sole counsel on the prospects of an Equality Act challenge being brought to a decision to exclude a child, allegedly because of her race.

## Discrimination

Tom has experience advising both claimants and defendants in equality law matters. Tom has a particular interest in equality in education, and has advised pro bono as sole counsel on a potential race discrimination claim against a school for an alleged racially motivated exclusion.

Tom has particular experience as an advocate in County Court claims brought by individuals alleging disability discrimination against service providers.

## Cases

**[A Prospective Claimant] v [Broadcaster]**

Advising (as sole counsel) a broadcaster on a threatened judicial review and Equality Act claim.

**[Teacher] v [School], [Headteacher]**

Tom was instructed by the National Association of Head Teachers to draft the ET3 for a union member who was accused by a teacher of harassment.

**Advising on a student disciplinary policy**

Acted (led by Gemma White QC) for constituent colleges of a Russell Group university, advising on their non-academic disciplinary procedure, with particular focus on their approach to dealing with allegations of sexual misconduct.

**[A Parent] v [Her Child's School]**

Advised pro bono and as sole counsel on the prospects of an Equality Act challenge being brought to a decision to exclude a child, allegedly because of her race.

**An Equality Law Matter**

Assisted Diya Sen Gupta QC in providing advice concerning positive action under the Equality Act 2010.

## Media & Entertainment

Tom is developing a practice in media law, with some ancillary intellectual property work. He has advised and drafted particulars of claim in a matter relating to sports broadcast rights as sole counsel, and has advise (with Tom Hickman QC) on a contracts purporting to assign rights to the exploitation of films. He has advised and settled particulars of claim for a well-known influencer in a dispute over the remuneration due for promoting certain products. He has also advised the BBC on matters relating to spectrum management, and Ofcom on certain matters relating to its statutory broadcast functions.

## Cases

**[A Prospective Claimant] v [Broadcaster]**

Advising (as sole counsel) a broadcaster on a threatened judicial review and Equality Act claim.

**Advice on the Electromagnetic Spectrum**

Advised a broadcaster on its rights in respect of the parts of the electromagnetic broadcast spectrum over which it is entitled to broadcast (led by Emily Neill).

**A Claim for Unpaid Invoices Under a Collaboration Agreement**

Tom has drafted particulars of claim and advised on behalf of a well known-influencer in a dispute arising from unpaid invoices for engaging with certain products on their social media channels.

### **A Dispute over Film Rights**

Tom (led by Tom Hickman QC) was instructed to draft an opinion in a matter arising from a dispute before the courts in a different European country, where arguments of English law had been raised. The matter involved questions of contract, intellectual property, assignment and priority.

### **A Media Law Matter**

Assisted Andrew Scott with advice on issues of fraud, misrepresentation and copyright arising from a recording contract.

### **Alfama v Recorded Picture Company**

Assisted Andrew Scott with a case involving breach of contract and quantification of damages.

## **Financial Services & Regulatory Disputes**

Tom is developing a practice in financial services law. Tom is instructed by the FCA (led by Andrew George QC, Harry Adamson and Ajay Ratan) in significant proceedings against certain authorised persons for breaches of COLL rules. He also has experience, as sole counsel, advising on disputes arising in respect of societies registered under the Cooperative and Community Benefit Societies Act 2014.

## **Commercial**

Tom regularly acts in commercial matters, both as junior and sole counsel. Tom has acted in major commercial litigation, having been on the SFO's counsel team in the claim brought by ENRC against Dechert LLP and the SFO. He has acted as sole counsel in a construction matter, involving a claim for debt under an introducer agreement and counterclaims for defects.

He has broad experience settling particulars of claim and defences in various commercial matters, including those arising from debt claims, construction disputes, breach of contract, real and intellectual property licences and bond transactions.

## **Cases**

### **Halpin v Willett**

Acting for the claimant in a claim brought to enforce the rules of a social club registered under the Cooperative and Community Benefit Societies Act 2014, and challenge a purported election of officers of that club.

**Re: [A School Old Members Association]**

Advising a school's unincorporated old members' association about the distribution of assets in accordance with the association's rules.

**A Claim for Unpaid Invoices Under a Collaboration Agreement**

Tom has drafted particulars of claim and advised on behalf of a well known-influencer in a dispute arising from unpaid invoices for engaging with certain products on their social media channels.

**A Dispute over Film Rights**

Tom (led by Tom Hickman QC) was instructed to draft an opinion in a matter arising from a dispute before the courts in a different European country, where arguments of English law had been raised. The matter involved questions of contract, intellectual property, assignment and priority.

**Eurasian Natural Resources Corporation Ltd v Director of the Serious Fraud Office**

[2022] EWHC 1138 (Comm)

Acting for the Director of the SFO in defence of a \$93m+ claim for alleged misfeasance in public office and inducement of breach of contract/fiduciary duty. The matter was one of The Lawyer's Top 20 Cases for 2021, and there was an 11-week trial in the spring/summer of that year (with Simon Colton QC and others).

**Adare Finance DAC v Yellowstone Capital Management SA**

[2021] EWHC 1680 (Comm), [2021] EWHC 2406 (Comm)

Assisting Robert Weekes QC, acting for a judgment creditor in an application for cross-examination of the debtor pursuant to CPR Part 71.

**A Dispute Over Repairs to a Classic Car**

Acted for the defendant in a claim for price and counterclaim for defects arising from the allegedly inadequate repair of a classic car.

**Secure Systems v Vindex**

Acted for the claimant as sole counsel in this construction matter. The claimant alleged that it is entitled to certain moneys under an introducer agreement, which the defendant refused to pay over on the ground that there is no such entitlement.

**An Arbitration**

Assisted Fraser Campbell with an arbitration concerning the rights and obligations of members of an LLP and obligations of good faith.

### **NGO Environment and Justice v Xstrata Ltd and Others**

Assisted Hanif Mussa with a matter involving environmental law and jurisdiction.

### **An Agency Law Matter**

Assisted Fraser Campbell in preparing an urgent application to compel an agent to deliver up documents to their principal.

### **A Matter Concerning Donations to a Political Party**

Assisted Fraser Campbell with a matter concerning a donation to a national political party, and related issues of unjust enrichment.

### **Jefferies International Limited and Others v Cantor Fitzgerald and Others**

Assisted Diya Sen Gupta QC with an international team move case in which an investment bank sought to invoke bonus clawback provisions in former employees' contracts, and alleged inducement of breach of contract against their new employer. The case also raised jurisdictional issues.

### **JBR Capital Limited v Coutts**

Assisted Fraser Campbell on a matter concerning allegations of fraud and breach of contract.

### **An Unfair Prejudice Application**

Assisted Fraser Campbell with an unfair prejudice application and related issues of company law.

### **A Media Law Matter**

Assisted Andrew Scott with advice on issues of fraud, misrepresentation and copyright arising from a recording contract.

### **A Contract Law Matter**

Assisted Andrew Scott with advice on questions of contract and agency law.

### **SAS Institute v World Programming Limited**

Assisted Andrew Scott. The case is discussed [here](#).

### **Vestel Elektronik v HEVC Advance LLC**

Assisted Andrew Scott with consequential matters following on from a decision of the High Court discussed [here](#).

**Alfama v Recorded Picture Company**

Assisted Andrew Scott with a case involving breach of contract and quantification of damages.

**BB Energy (Gulf) DMCC v Al Amoudi**

Assisting Andrew Scott with a c.\$122 million claim for fraudulent misrepresentation and unlawful means conspiracy, and other Moroccan law claims, arising out of the insolvency of a Moroccan oil and gas company alleged to have been unlawfully expropriated by the Moroccan State.

## Employment

Tom accepts instructions in all areas of employment law. He has experience both of Employment Tribunal claims, and High Court employee competition work.

## Cases

**An Internal Investigation Into Allegations of Bullying at Work**

Tom conducted an internal investigation for a financial services firm in relation to allegations that an individual was being bullied by their line manager.

**An Internal Investigation Into Allegations of Inappropriate Activities on a Work Night Out**

Tom conducted an internal investigation for a financial services firm in relation to allegations that, while on a night out with colleagues, a manager took his direct reports to an inappropriate adult entertainment venue.

**[Teacher] v [School], [Headteacher]**

Tom was instructed by the National Association of Head Teachers to draft the ET3 for a union member who was accused by a teacher of harassment.

**Alliance v (1) Tran (2) Primus**

Acting (led by Diya Sen Gupta QC) for the claimants in this claim brought by a medical insurance provider against a former employee and his new employer. The claimants allege that the former employee stole away valuable confidential information, and claim against him for breach of contract, breach of confidence, and breach of the database right. The claimants allege against the employer defendant that these breaches of duty were induced by them, and that they, too, are in breach of confidence and breach of the database right.

### **An Employee Competition Matter**

Assisted Diya Sen Gupta QC in proceedings brought by an employer against a former employee and director to enforce restrictive covenants.

### **Aslam v Uber**

[2018] EWCA Civ 2748

Assisted Fraser Campbell with consequential matters arising from the decision of the Court of Appeal on questions of worker status, holiday pay and minimum wage entitlement.

### **Hughes v Board of the Pension Protection Fund**

[2020] EWHC 1598 (Admin)

Assisted Fraser Campbell with issues of pensions and EU law. The case is discussed here.

### **Jefferies International Limited and Others v Cantor Fitzgerald and Others**

Assisted Diya Sen Gupta QC with an international team move case in which an investment bank sought to invoke bonus clawback provisions in former employees' contracts, and alleged inducement of breach of contract against their new employer. The case also raised jurisdictional issues.

### **An Employee Competition Matter**

Assisted Diya Sen Gupta QC with a matter concerning employee competition, confidential information, and fiduciary obligations.

### **An Equality Law Matter**

Assisted Diya Sen Gupta QC in providing advice concerning positive action under the Equality Act 2010.

### **Sarnoff v YZ and Others**

Assisted Diya Sen Gupta QC with issues of jurisdiction and disclosure in the Employment Tribunal. The case is discussed here.

## **EU Law**

Tom accepts instructions in all areas of EU law. He has particular experience of EU law as it applies to the aviation sector. Prior to joining Blackstone, Tom was a Lecturer in EU law at St Peter's College, Oxford.

## Cases

### **Hughes v Board of the Pension Protection Fund**

[2020] EWHC 1598 (Admin)

Assisted Fraser Campbell with issues of pensions and EU law. The case is discussed here.

### **R (Friends of Antique Cultural Treasures) v Secretary of State for Environment, Food and Rural Affairs**

Assisted Hanif Mussa with an EU law and ECHR challenge to the Ivory Act 2018, which prohibited, outside of limited circumstances, the trade in antique ivory. The case involved CITES and EU environmental law, as well as the EU rights to property and to conduct a business. The case is discussed here.

### **R (Jolly) v Secretary of State for Environment, Food and Rural Affairs**

Assisted Hanif Mussa with a potential judicial review concerning animal welfare law, the right to property, and the right to conduct a business under EU law and the ECHR.

## Environment

Tom accepts instructions in all areas of environmental law. He has particular experience of advising on the implications of tackling the climate emergency for the aviation sector.

## Cases

### **NGO Environment and Justice v Xstrata Ltd and Others**

Assisted Hanif Mussa with a matter involving environmental law and jurisdiction.

### **An Environmental Law Matter**

Assisted Hanif Mussa with issues concerning group litigation orders.



## ACHIEVEMENTS

---

### Education

- BA Jurisprudence with Law Studies in Europe (German Law)
- BCL
- BPTC, City Law School (Outstanding)

### Prizes

- Oxford Law Faculty Graduate Assistance Fund Award (2016, rewarded 2017)
- Middle Temple Certificate of Honour (2016)
- Ralph Chiles CBE Award for Comparative Human Rights Law (2015)
- Middle Temple Queen Mother's Scholarship (2015)
- Trinity FLAC Human Rights Award (2015)
- Martin Wronker Prize for Administrative Law (2014)
- AV Dicey Prize in Law (2014)
- Brackenbury Scholarship (2011, re-awarded 2012)

### Mooting/Public Speaking

- Coach of the Oxford ELSA Moot Team and Oxford Price Moot Team
- Assessing undergraduates for Oxford University's first-year advocacy and legal research programme
- Judging undergraduate intercollegiate mooted competitions
- LSE LGBT Moot: runner-up
- Shearman and Sterling Moot: winner
- Oxford Public Law Moot: runner-up
- 7KBW Commercial Law Moot: Oralist's Prize
- Part of the team representing the UK at the European Youth Parliament

### Publications

T. Lowenthal, The Role of Dignity in Human Rights Theory: Constituent or Teleological?  
Trinity College Law Review, (2015) 18 TCLR 56

T. Lowenthal, "Essop v Home Office: Proving Indirect Discrimination" (OxHRH Blog, 6 April 2017)

T. Lowenthal, "Drafting guiding principles on state obligations concerning private schools: Lessons and strategic considerations from a rights perspective", (World Education Blog, 22 January 2018)

VAT registration number: 356 4265 85

Barristers regulated by the Bar Standards Board