

Asia 2024-25

Commercial
International Arbitration
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Public & Regulatory
Financial Services
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"Blackstone Chambers is fantastic."

Chambers and Partners, 2023

Contents

Blackstone Chambers has significant experience in advising and representing governments, corporate bodies and individual litigants in many of the key jurisdictions in Asia. Members of Chambers regularly cover most facets of international litigation including: commercial litigation, arbitration, public law challenges and commercial fraud cases. Members of Chambers also appear in the very wide range of courts and tribunals. Relevant specialist expertise and recent notable cases are highlighted over the following pages.

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Welcome from the Heads of Chambers

Tom Weisselberg KC and Jane Mulcahy KC were elected as the new joint heads of Blackstone Chambers in October 2022. They replace outgoing heads Monica Carss-Frisk KC and Tony Peto KC, who led Blackstone Chambers for 10 years from January 2012.

Regarded as one of the 'magic circle' sets in London, Blackstone Chambers enjoys an enviable reputation for its wide range of work covering commercial, public, human rights, employment, EU and public international law, as well as a number of specialist fields including financial services, international arbitration, competition, tax and sports law.

We are proud of Blackstone Chambers' reputation and we attract a wide range of clients from all walks of life. Blackstone Chambers is consistently ranked as the leading set of Chambers in The Lawyer magazine's Litigation Tracker. The tracker analyses judgments across all the main courts in England and Wales, with chambers measured by the number of reported cases, market share and case days. Its statistics show that over the past five years (August 2019 – August 2024), members of Blackstone Chambers were involved in the highest volume of decided cases. These cases represented more than double that of the second ranked set.

We work hard to offer a friendly and open approach to client service. We are delighted to report the conclusion of major building works, which have been running for several years. All members of Chambers, pupils and staff, are now reunited in the Blackstone House complex, a short walk from the Royal Courts of Justice, but regularly travel to courts all over the world. Our new facilities include state of the art meeting and conference rooms; an enhanced and modern working environment to meet the needs of clients going forwards.

We are delighted to welcome you to Blackstone Chambers at this exciting time in our continued growth and development.

Tom Weisselberg KC and Jane Mulcahy KC
Heads of Chambers

Blackstone Chambers is a leading set of barristers based in London. Members of Chambers offer expertise in the international arena across a range of specialist areas, including arbitration, commercial litigation, financial services, public & regulatory law and international law.

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Resisting Enforcement whilst Challenging an International Award

Tom Leary

Parties will frequently want to delay foreign enforcement proceedings whilst challenging the Award in the supervising courts. But the courts are astute to avoid unnecessary delay and arbitral challenges are not a silver bullet that will prevent enforcement in all circumstances.

Article VI of the New York Convention (which is given effect by section 31(5) of the Singapore International Arbitration Act and section 103(5) of the English Arbitration Act 1996) provides that:

"If an application for the setting aside or suspension of the award has been made to a competent authority referred to in Article V(1)(e), the authority before which the award is sought to be relied upon may, if it considers it proper, adjourn the decision on the enforcement of the award and may also, on the application of the party claiming enforcement of the award, order the other party to give suitable security".

The power to adjourn or stay the enforcement proceedings is discretionary and by no means guaranteed.

The Singapore Court first considered the scope of section 31(5) of the IAA in *Man Diesel & Turbo SE v IM Skaugen Marine Services Pte Ltd* [2018] SGHC 132, in which the defendant sought to delay enforcement of a Danish Institute of Arbitration award pending the determination of the defendant's application filed in the City Court of Copenhagen. The underlying dispute concerned the defendant's alleged failure to fulfil outstanding contractual obligations under a sale and purchase agreements for four 2-stroke marine diesel engines.

Belinda Ang Saw Ean J (now Justice of the Court of Appeal) noted that the Court had a wide discretion and, since there were no "local decisions on s 31(5)", looked to English and Canadian authorities for guidance (\$49). In particular, the Court concluded from the English authorities that three factors in particular should feature in the exercise of discretion:

- a. Whether the application to set aside before the seat-court is bona fide and not simply a way of delaying tactics;
- b. The length of adjournment required, the likely consequences occasioned by an adjournment, and any resulting prejudice; and
- c. Lastly, all the other circumstances of each case.

On the facts of *Man Diesel & Turbo SE*, the Singapore Court concluded that the defendant's challenge to the award in Denmark (which concerned the Tribunal's decision to disallow its new counterclaim and related evidence) was weak, given the procedural nature of the challenge and the scope of the Tribunal's discretion.

The Court also expressed concern that the defendant was trying to transfer the Danish proceedings to the High Court of East Denmark, from which it would then have the possibility of an appeal – which could have led to delay for a year or two.

The issue of delaying enforcement pending challenge to an award was recently revisited by the English High Court in *Consilient Health Ltd v Gedeon Richter Plc* [2022] EWHC 1744 (Ch), in which the defendant (represented by Andrew Scott KC, of Blackstone Chambers) successfully obtained an adjournment of enforcement proceedings in relation to a Dutch ICC award relating to trade marks, regulatory authorisations and certain information and documents relating to specified pharmaceutical products marketed in the UK and Ireland.

The English Court was prepared to adjourn the enforcement proceedings pursuant to section 103(5) of the 1996 Act, considering in the exercise of its broad discretion (i) whether the application before the court in the country of origin was brought bona fide and not simply by way of delaying tactics; (ii) whether the application had at least a real (i.e., realistic) prospect of success; and (iii) the extent of the delay occasioned by an adjournment and any resulting prejudice.

Unlike *Man Diesel & Turbo SE*, in which the merits of challenge were decidedly weak, the court accepted in *Consilient Health* that there were proper grounds to challenge the Dutch award and the proceedings in the Netherlands were not tactical but bona fide. Despite the prejudice that would come from a 12-15 month delay in enforcement, the Court was also satisfied that enforcement (which would have required the defendant to hand over its know-how to the claimant) would cause prejudice that would be very difficult to reverse or undo in the event that the challenge to the award were successful.

Enforcement proceedings were therefore adjourned pending the challenge before the Court of Appeal in Amsterdam, on terms that the defendant should provide security to protect the claimant against the financial losses it might suffer as a result.

For those seeking to resist enforcement in England or Singapore pending a domestic challenge to an arbitral award, these cases indicate that the courts have a broad discretion to delay enforcement, but will be concerned to ensure that any challenges to awards are bona fide and are not being pursued for purely tactical reasons. Defendants can expect the courts to see where the balance of prejudice lies and to impose conditions on stays or adjournments (including the provision of security or undertakings dealing with the potential costs consequences and prejudice to claimants).



Tom specialises in all areas of commercial litigation and international arbitration, including investor-state disputes



"The best in the business - it is on another level."

Chambers and Partners, 2024

Our recent work

Hong Kong

Blackstone Chambers has a long history of working in the region across a wide range of practice areas, including commercial disputes, arbitration, public law, competition law and financial services. The work undertaken with clients both in Hong Kong and related instructions domestically in the UK is significant.

Recent cases include:

Public law & Human rights

- *Tam Sze Leung & Ors v Commissioner of Police* (2024) HKCFAR 288
- *Infinger v The Hong Kong Housing Authority* [2024] 1 HKC 411 (CA) (CFA appeal pending)
- *Q & Tse Henry Edward v Commissioner of Registration* (2023) 26 HKCFAR 25
- *Hong Kong Golf Club v Director of Environmental Protection & Anor* [2023] HKCFI 1930, ongoing
- *Kezerashvili v Georgia*, Application No. 11027/22 (European Court of Human Rights, ongoing)
- *Day v Governor of the Cayman Islands* [2022] UKPC 6
- *Harjang Singh v Secretary for Security and Another* [2022] 4 HKLRD 99 (CA)
- *Kwok Cheuk Kin v Director of Lands* (2021) 24 HKCFAR 349
- *Secretary for Justice v Leung Kwok Hung* (2021) 24 HKCFAR 234
- *Kattina Anglin v The Governor of the Cayman Islands CICA (Civil)* Appeal No. 6 of 2022, 4 July 2023 (Cayman Islands Court of Appeal; Privy Council appeal pending)
- *Hong Kong Journalists Association v Commissioner of Police* [2022] 5 HKLRD 20 (and see [2020] 5 HKLRD 653)
- *Greater Bay Airlines* [2022] (air transport license application)
- *Re The German Swiss International School* [2020] HKCFI 1341
- *H v Director of Immigration* (2020) 23 HKCFAR 248
- *Joseph Lau Luen Hung v Hong Kong Special Administrative Region*
- *QT v Director of Immigration* (2018) 21 HKCFAR 324

Competition & Regulatory

- *Competition Commission v Linde (HKO) Limited & Ors* [2022] HKCT 3 (and [2021] 5 HKLRD 175), ongoing
- *Apple Inc & Ors v Competition and Markets Authority* [2023] WLR(D) 509, [2023] EWCA Civ 1445, [2024] Bus LR 289
- *Competition Commission v Gray Line Tours of Hong Kong Limited & Ors* [2023] HKCT 7 (and [2023] HKCT 2; [2022] HKCT 3), ongoing
- *Kerilee Investments Limited v International Tin Association Ltd*, Case No: 1379/5/7/20 (UK Competition Appeal Tribunal)
- *Competition Commission of Hong Kong v W. Hing Construction* [2022] 3 HKLRD 84
- *Competition Commission v Nutanix & Ors* [2019] 3 HKC 307
- *Television Broadcasts Limited v Communications Authority and Chief Executive of the Hong Kong Special Administrative Region* [2016] 2 HKLRD 41

Commercial & Arbitration

- *L v R* [2024] HKCFI 1611
- *A v B* [2023] 1 HKLRD 144
- *AB v X & Ors* [2022] HKCFI 132
- *HKIAC crypto derivatives trading dispute (USD 9 figure claims)*
- *Merck KGaA v Merck Sharp & Dohme Corp & Merck Sharp & Dohme (Asia) Limited* [2023] HKCFI 2885, ongoing
- *Shanghai Hongtong Network Technology Co v Jagex Ltd et al* [2020] EWHC 2439 (Ch)

Our practice areas

Commercial

Blackstone Chambers' foundations are in commercial litigation, an area where it is recognised as one of the leading sets in the UK, as well as boasting top-ranked practices in the associated fields of financial services, City regulation and civil fraud.

Recent cases include:

- *Commercial Bank of Dubai v Al Sari* [2024] EWCA Civ 643
- *IMG Data Limited v Perform Content Services Limited* [2023] EWHC 3244 (Ch)
- *The Duke of Sussex and Others v MGN limited* [2023] EWHC 3217 (Ch)
- *The Manchester Ship Canal Company Ltd v United Utilities Water Ltd* [2022] EWCA Civ 852
- *Privatbank v Kolomoisky and ors* [2021] EWHC 580 (Ch)
- *Rowe & Ors v Ingenious Media Holdings Ltd* [2021] EWCA Civ 29
- *Maduro Board of the Central Bank of Venezuela v Guaidó Board of the Central Bank of Venezuela* [2021] UKSC 57
- *Deposit Guarantee Fund for Individuals v Bank Frick & Co AG & Anor.* [2021] EWHC 3226 (Ch)
- *Re. Preferred Management Limited* [2021] EWHC 2953 (Ch)
- *Chang Chin Fen v Cosco Shipping (Qidong) Offshore Ltd* [2021] CSOH 94
- *Mastercard Incorporated v Merricks* [2020] UKSC 51
- *Surkis & Ors v Poroshenko & Anor* [2021] EWHC 2512
- *ID v LU & BZ* [2021] EWHC 1851 (Comm)
- *Vestel UK Ltd & Anor v Access Advance LLC & Koninklijke Philips NV* [2021] EWCA Civ 440
- *Littop and Others v Ukraine*, 2021
- *Galapagos Bidco SARL v Kebekus & Ors* [2021] EWHC 68 (Ch)
- *Municipio de Mariana v BHP Group plc and BHP Group Ltd* [2020] EWHC 2930 Please also see here.
- *Russell Adams v Options SIPP UK LLP* [2020] EWHC 1229 (Ch)
- *Shanghai Hongtong Network Technology Co v Jagex Ltd et al.* [2020] EWHC 2439 (Ch)

*"The collective brain power of Blackstone Chambers
is formidable"*
Chambers UK, 2023



Our practice areas

International Arbitration

Blackstone Chambers has considerable experience appearing in arbitrations for a range of arbitral bodies, such as ICC, LCIA, SIAC, ICSID, UNCITRAL as well as under ad-hoc rules across a host of jurisdictions, including India, Bermuda, Cayman, BVI, Singapore, etc. As well as appearing as counsel in arbitrations, several members of Chambers – including Barbara Dohmann KC, Lord Woolf, Sir David Edward KC, Michael Beloff KC, Maurice Mendelson KC, Ian Mill KC, Harish Salve KC, David Hunt KC, David Donaldson KC and Stephen Nathan KC also sit as arbitrators.

Those who sit as arbitrators also often have judicial experience: Barbara Dohmann KC and David Donaldson KC in the High Court as Deputy High Court judges, Michael Beloff KC in Jersey and Guernsey in the Court of Appeal, David Hunt KC and Stephen Nathan KC as a long serving Recorder and Lord Woolf both (formerly) in the courts of England and Wales, now also in the Hong Kong Appellate courts and in the new commercial courts in Qatar (where Barbara Dohmann KC also sits – the first European woman to do so). Harish Salve KC is a member of the Court of the Singapore International Chamber of Arbitration, in addition to being a member of the Court of the LCIA.

Significant work includes:

- Vodafone BV dispute with the Government of India in relation to taxation on the acquisition of shares.
- *Balco v Katsi* – appeared in the Supreme Court in the case relating to the jurisdiction of Indian courts in relation to international arbitrations.
- Appeared for the Italian Government in the Supreme Court in the case relating to the Italian Marines.
- Appeared in the Presidential Reference in the matter of distribution of Natural Resources.
- Appeared in the Telecom Cases – relating to 2G licences.
- Appearing for Reliance Industries in the PIL relating to Gas pricing. Appeared for Cairn Energy in the PIL relating to acquisition of shares by Vedanta Industries.
- Appeared for the Union of India in the suit in the Supreme Court relating to sharing of Cauvery waters.
- Appeared for the State of Kerala in the dispute relating to the Mulliperiyar Dam.
- Appeared for the State of Gujarat in the dispute relating to the Sardar Sarovar Dam.

Significant recent work by members of Blackstone Chambers includes:

Oil Company A -v- Oil Company B

- A SIAC and an LCIA arbitration arising out of a contractual dispute with significant allegations of fraud valued in the billions of dollars.

SIAC Arbitration

- Advising Qatari media company and football regulatory body in relation to impact of Qatari/Saudi Arabia blockade.

Littop and Others -v- Ukraine

- A ground-breaking case believed to represent the largest ever treaty claim brought against Ukraine. The Government of Ukraine successfully defended a US\$6 billion claim in a landmark arbitration brought by three Cypriot companies - Littop Enterprises, Bridgemont Ventures, and Bordo Management - before the Stockholm Chamber of Commerce (SCC) in connection with the Energy Charter Treaty.

Von Pezold -v- Border Timbers Ltd

- Dispute relating to the enforcement of ICSID arbitration awards against the Government of Zimbabwe.

DIFC/LCIA Arbitration

- Dispute concerning an African National telecoms operator. Hearing in Dubai in October 2019. Award awaited.

A -v- B

- An arbitration between the parties to a share sale agreement, concerning the subsidiary of a FTSE listed company

BVI Shareholder -v- BVI Shareholder

- A c.€100m dispute between shareholders of a mining company in Sub-Saharan Africa, and a claim against its director and shareholder under a guarantee

In the matter of an Indian Arbitration

- An Indian company seeking over US\$2 billion from the Respondent in an oil and gas dispute arising from a profit sharing agreement relating to an India offshore development.

An ICC Arbitration

- ICC arbitration arising out of the sale and supply of branded merchandise, involving allegations of fraud and misrepresentation

Re. UCIA

- Arbitration concerning a major Eastern European energy infrastructure business. The \$300M claim involved issues of Ukrainian and Cypriot company law.

Navigator Equities -v- Deripaska

- A claim relating to enforcement of an LCIA arbitral award against the Defendant. Hearing in July 2020 before Andrew Baker J concerned allegations of contempt and breach of contract relating to undertakings given by the Defendant.

Vodafone BV -v- Union of India

- Successfully represented Vodafone BV in a Bilateral Investment Treaty arbitration against India over whether the phone company should have withheld \$2.2bn in capital gains taxes. The Tribunal consisted of Sir Franklin Berman, Hon'ble Yves Fortier and Dr. Rodrigo Oreamuno.

ArcelorMittal USA LLC -v- Essar Steel Limited and others

- Acted for ArcelorMittal USA in a claim for enforcement of foreign arbitral award worth in excess of US\$1bn involving applications for search, freezing and information orders in England and various foreign jurisdictions, including Cayman Islands, Mauritius, USA and India, in dispute between two multi-national companies.

Vedanta -v- Union of India

- Represented Vedant A UK listed company, in a Bilateral Investment Treaty arbitration against India. The Tribunal panel consisted of Mr. Michael Hwang, Mr. James Spigelman and Mr. Donald McRae.

A Commodities Dispute (Trade Arbitration)

- Instructed for claimant in a substantial claim (c.\$40 million) arising out of an international commodities dispute.

Deposit Guarantee Fund for Individuals v Bank Frick & Co AG & Anor. [2021] EWHC 3226 (Ch).

- A significant judgment regarding the inter-relationship between litigation and arbitration.

Concerning a major African Telecommunications Operator

- Acting for the claimant in a multi-million-dollar DIFC; LCIA arbitration.

Our Podcasts



The Sports Law Podcast

In the Sports Law Podcast, Host, Nick De Marco KC, speaks with leading personalities in sport to share their experiences and discuss topical legal issues around the law in sports. Learn about the life of a sports lawyer, the different career paths taken, and the next big legal issues in the future of football.

Nick's sports work ranges from commercial and contractual claims to regulatory and disciplinary disputes. He is active in disputes across all sports, but widely recognised for his special expertise in football.



The Litigation Podcast

In The Litigation Podcast, barristers of Blackstone Chambers examine trends and emerging areas of disputes across the full spectrum of Blackstone's areas of expertise, including commercial, employment and public/regulatory law.



Our practice areas

International Law

Blackstone Chambers is experienced in advising and representing governments, corporate bodies and individual litigants on international disputes, constitutional affairs and human rights issues before a range of international courts. Barristers have particular experience in international boundary disputes, state and diplomatic immunity and international protection of human rights. They appear regularly before the International Court of Justice, international arbitration tribunals (for example ICSID, the International Centre for the Settlement of Investment Disputes) and before domestic courts in cases involving issues of public international law.

Recent cases include:

- *Municipio de Mariana & Ors v BHP Group (UK) Limited & Anor* [2023] EWHC 1134 (TCC); [2020] EWHC 2930 (TCC)
- *Maduro Board of the Central Bank of Venezuela v Guaido Board of the Central Bank of Venezuela* [2021] UKSC 57
- *Litpop & Others v Ukraine*, 2021
- *Mubarak family de-listed from EU Sanctions* (March 2021)
- *ID v LU & BZ* [2021] EWHC 1851 (Comm)
- *R (Heathrow Airport Limited & Ors) v Her Majesty's Treasury & Anor* [2021] EWCA Civ 783
- *London Steam-Ship Mutual Insurance Association v The Kingdom of Spain* [2021] EWHC 1247 (Comm)
- *Re: Al-M* [2020] EWHC 122 (Fam)
- *Wong v Basfar* [2020] UKEAT/0223/19
- *Surkis & Ors v Poroshenko & Anor* [2021] EWHC 2512
- *Inquiry on Protecting Children in Conflict*
- *Elgizouli v Secretary of State for the Home Department* [2020] EWHC 2516 (Admin)
- *R (Hoareau & Bancoult) v Secretary of State for Foreign and Commonwealth Affairs* [2020] EWCA Civ 1010; [2019] EWCA Civ 1254
- *Certain Underwriters at Lloyds of London & Ors. v Syrian Arab Republic & Ors.*
- *Mahmoud v Breish and Hussein* [2020] EWCA Civ 637
- *Charles & Dunn v Secretary of State for Foreign Affairs* [2020] EWHC 3185 (Admin)

*“Blackstone Chambers is one of the go-to sets for
international law.”*

Legal 500, 2024



Our practice areas

Public

Public law cases are often at the cutting edge of legal developments in the UK and serve to help maintain the balance between the interests of the individual and the State. For many years, Blackstone Chambers has been the home of barristers dedicated to ensuring that the rights and interests not only of individuals but also of regulatory bodies and companies are recognised and protected. Blackstone Chambers is particularly noted for its ability to provide commercial advice in a public law context. The set has an almost unique mixture of commercial and public law expertise and is able to offer lateral thinking practitioners at all levels of experience able to operate to their client's advantage.

Recent cases include:

- *R (on the application of AAA and ors) v The Secretary of State for the Home Department (UNHCR Intervening)* [2023] UKSC 42
- *FDA v Prime Minister* [2021] EWHC 3279 (Admin)
- *R (Elan-Cane) v Secretary of State for the Home Department* [2021] UKSC 56; [2020] EWCA Civ 363; [2018] EWHC 1530 (Admin)
- *Begum v Secretary of State for the Home Department* [2021] UKSC 7; [2020] EWCA Civ 918
- *Privacy International v Secretary of State for Foreign Affairs & Ors* IPT/15/110/CH
- *The Queen on the application of Privacy International v. Investigatory Powers Tribunal (Intelligence Services Act property warrants)* [2021] EWHC 27 (Admin)
- *Kate Wilson v (1) The Commissioner of Police of the Metropolis and (2) National Police Chiefs' Council* [2021] UKIPTrib IPT_17_86_CH
- *R (Reclaim these Streets) v Met Police*
- *R (the3million & Ors) v Minister for the Cabinet Office* [2021] EWHC 245 (Admin)
- *R(Coughlan) v Minister for the Cabinet Office* [2020] EWCA Civ 723; [2020] 1 WLR 3300; [2019] 1 WLR 3851
- *Bell and others v The Tavistock and Portman NHS Foundation Trust and others* [2021] EWCA Civ 1363 on appeal from [2020] EWHC 3274 (Admin)
- *NB & Ors v Secretary of State for the Home Department* [2021] EWHC 1489 (Admin)
- *Safe Passage International, R (On the Application Of) v Secretary of State for the Home Department* [2021] EWHC 1821 (Admin)
- *The Queen on the Application of (1) United Trade Action Group Ltd and (2) Licensed Taxi Drivers Association Ltd v (1) Transport for London and (2) the Mayor of London* [2021] EWCA Civ 1197
- *Asda Stores v Brierley* [2021] UKSC 10 On appeal from [2019] EWCA Civ 44



*“Blackstone is a go-to set for commercial
disputes.”*

Legal 500, 2024

Our practice areas

Financial Services

Financial services regulation and litigation is a core area of practice for Blackstone Chambers, cited at the intersection of Chambers' commercial and public law expertise, and we are proud of our market leading reputation in this area. Members of Chambers have extensive regulatory and litigation experience acting for and against a wide variety of regulatory authorities, corporations and individuals, both in England and Wales and overseas. This includes acting in relation to FCA/PRA regulatory investigations and decisions in cases before the regulators and Upper Tribunal; in judicial reviews of regulatory action; and in commercial and chancery claims involving breaches of the Financial Services and Markets Act and banking litigation more generally. It also involves dealing with a wide range of other regulators such as the Takeover Panel, LME, Financial Ombudsman Service, pensions regulators and ombudsmen, accountancy regulators and a wide range of overseas regulators.

Recent cases include:

- *BlueCrest Capital Management v FCA Judgment of the Upper Tribunal (Tax and Chancery)* [2023] UKUT 140
- *Banque Havilland SA and others v FCA*
- *FCA v Sir Christopher Gent Final Notice*
- *Maduro Board of the Central Bank of Venezuela v Guaidó Board of the Central Bank of Venezuela* [2021] UKSC 57 [CC1]
- *Davis v Lloyds Bank* [2021] EWCA Civ 557; [2020] EWHC 1758 (Ch)
- *Dune Group Ltd and others v Visa Europe Ltd and others* [2021] CAT 35
- *Stuart Forsyth v FCA and PRA (Upper Tribunal)* [2021] UKUT 162 (TCC)
- *Re Lendy Ltd (in administration); Webb v Taylor* [2021] EWHC 2285 (Ch)
- *The Financial Conduct Authority v Carillion Plc* [2021] EWHC 2871 (Ch)
- *Re John Lewis* (2021)
- *Re London Capital & Finance*
- *Adams v Options UK Personal Pensions LLP* [2021] EWCA Civ 474
- *Various claimants v A Bank* (ongoing)
- *Rollet v DFSA* (2022)
- *R(T and another) v FCA* [2021] EWHC 396 (Admin); [2021] 1 W.L.R. 3246
- *Kennedy & Ors, R (On the Application Of) v Financial Services Compensation Scheme Ltd* [2021] EWHC 3039 (Admin)
- *Various claimants v Insurers* (ongoing)
- *Allianz Global Investors GmbH and Others v Barclays Bank and Others* [2020] EWHC 2187 (Comm)

CSR at Blackstone Chambers



Guy Fox History Project Limited

Guy Fox

Guy Fox History Project is an educational charity in London, with a simple mission: To create innovative activities and publications that encourage children to explore the world around them.

Blackstone Chambers and Guy Fox have worked in partnership on five publications to date: 'How the World REALLY Works: Our Legal System' (2013), 'History Rocks: Magna Carta' (2015), 'History Rocks: Women in Law' (2019), 'How the World REALLY Works: Dispute Resolution' (2023) and 'How the World REALLY Works: Our Constitution' (2024) See: Guy Fox History Project; Women in Law.



Bridging the Bar

A charity committed to the promotion of equal opportunities and diversity at the Bar and was launched by Mass Ndow-Njie to help students who – owing to disability, ethnic background, socio-economic background, education or sexuality – are statistically underrepresented in the profession.

Mass undertook a six-month secondment at Blackstone Chambers in 2020 as part of his pupillage and we are proud to be one of the charity's Founding Partners. Chambers Director, Mat Swallow, is a trustee and Blackstone Chambers is a founding partner. See: Bridging the Bar; Mini-pupillage pilot scheme; First Annual Report

Our practice areas

Employment

Blackstone Chambers' employment group has been at the forefront of litigation involving foreign exchange trading, zero hours workers and cross-border enforcement of restrictive covenants in the High Court (up to the Supreme Court) and employment tribunals. Cases include whistleblowing, bonus disputes and the complete range of employment claims, with particular emphasis on financial services and regulatory disputes. In addition, members of chambers have appeared in leading cases on the status of gig economy workers and the abolition of employment tribunal fees.

Recent cases include:

- *Steel v Spencer Road LLP* [2023] EWHC 2492
- *Benyatov v Credit Suisse (Securities) Europe Ltd* [2023] EWCA Civ 140
- *Clifford v Millicom Services UK Limited and others* [2023] EWCA Civ 50
- *Christie v Canaccord Genuity Limited* [2022] EWHC 1130 (QB)
- *Uber BV and others v Aslam and others* [2021] UKSC 5
- *Benyatov v Credit Suisse* [2022] EWHC 135 (QB); [2020] EWHC 85 (QB)
- *Tim Sarnoff v YZ & Others* [2021] EWCA Civ 26; [2020] UKEAT/0252/19/LA
- *Passi v Nissan* [2021] EWHC 3642 (Ch)
- *Zarembok v BP* (October 2021)
- *Secretary of State for Work and Pensions v Hughes and others* [2021] EWCA Civ 1093
- *Previtha Kunjuraman v Zaha Hadid Ltd* (2021)
- *Oxford Said Business School v Dr Elaine Heslop* Case No: EA-2021-000268-VP; UKEATPA/0110/21/VP, 11 November 2021
- *R (Eric Kind) v Secretary of State for Home Department* [2021] EWHC 710 (Admin)
- *WM Morrison Supermarkets Plc v Various Claimants* [2020] UKSC 12; [2020] 2 WLR 941
- *Joseph v Deloitte NSE LLP* [2020] EWCA Civ 1457; [2019] EWHC 3354 (QB)
- *Somerville v Medical Practitioners Tribunal Service and Nursing and Midwifery Council* UKEAT/0257/20/RN(V), 5 May 2021
- *Tesfagiorgis v Aspinalls & Ors.* Case 2202256/2020
- *Samokhvalova v Petropavlovsk Plc* (2021)
- *Volkova v Credit Suisse (UK) Limited and others* (2021)



*“Blackstone impresses with the calibre
of its junior and senior counsel.”*

Legal 500, 2024

Our practice areas

Sport

Members of Blackstone Chambers have incomparable expertise and experience across all areas of sports law, ranging from state control of the sector, through sports body governance and regulation, to all aspects of the commercial exploitation of sport. The reason for the breadth of such areas covered by Chambers, and why it has been able to develop its reputation as the leading set for sports law, lies in its existing strengths in a unique combination of complementary fields of practice in which sports law finds its origins, in particular public, EU and competition, human rights, employment and commercial law. Members regularly appear before all courts and tribunals, nationally and internationally, dealing with sports cases.

Blackstone Chambers attracts a wide range of clients, from international and national sports governing bodies (e.g. FIFA, UEFA, BOA, FA, RFU, WRU, IRB, Football League, LTA, FIA, IAAF, ICC, PGA, UK Athletics and the Horserace Betting Levy Board, to name a few), through sporting individuals, teams, clubs and agents, to broadcasters and other commercial partners. Blackstone is regularly instructed by in-house sports lawyers, including those for Premiership football clubs, who are some of Blackstone's key clients.

Recent cases include:

- *The Premier League v Leicester City FC* (Premier League Appeal Board, 30 August 2024)
- *The EFL v. Reading Football Club & Mr Yongge Dai*
- *Everton FC v Premier League*
- *The FA v Mikel Arteta*
- *Independent Commission for Equity in Cricket Report*
- *The Football Association Premier League Ltd v PPLive Sports International Ltd* [2022] EWHC 38 (Comm)
- *Jinxin v Aser* [2022] EWHC 2431 (Comm)
- *Newcastle United FC v The Premier League*
- *Dover Athletic FC v The National League*
- *CMS Cameron McKenna Nabarro Olswang LLP v Messi*
- *The Football League (EFL) v Derby County FC*
- *Fulham v Liverpool*
- *The PFA v The EFL – Football League 1 and 2 Salary Cap Arbitration*
- *Fulham Football Club v Craig Kline* [2020] EWHC 2907 (Comm), [2020] EWHC 3170 (Comm)
- *Kitchee v Hong Kong Football Association* (2018, Hong Kong International Arbitration Centre)
- *Sakho v WADA* [2020] EWHC 251 (QB)
- *FA v Kieran Trippier*
- *UEFA v The FA*
- *British Gymnastics*

"Blackstone is one of the top sets, with fantastic strength in depth, and some of the most respected silks and juniors in the fields of state immunity and public international law."

Legal 500, 2024



Our practice areas

Competition

Blackstone Chambers' barristers have appeared in many of the landmark cases both in domestic and European Courts. Blackstone Chambers has been at the forefront of regulatory enforcement and private damages actions in the UK. In enforcement cases, its barristers regularly appear for the CMA and the regulators with concurrent powers in the Competition Appeal Tribunal as well as for applicants challenging enforcement decisions.

Blackstone's recognised expertise in jurisdiction issues and commercial litigation has led to its market-leading presence in damages actions. In this area, Blackstone barristers have appeared in every leading case in the High Court and the CAT on behalf of claimants and defendants.

Blackstone Chambers has specific EU expertise, and its barristers appear regularly before the European Commission and the EU Courts in EU competition cases, representing the Commission, applicants and interveners. Blackstone barristers have also acted in the competition tribunals of France, Germany and Ireland.

Blackstone Chambers' barristers also have a recognised reputation in international competition matters, representing Governments, regulators, claimants and defendants in relation to the competition laws of China, Hong Kong, India, the United States, Brazil, and many Caribbean jurisdictions.

Recent cases include:

- *Lenovo v Ericsson* [2024] EWHC 1734 (Pat)
- *Julie Hunter v Amazon.com, Inc. and others* [2024] CAT 8
- *Umbrella Interchange Fee Proceedings* [2023] CAT 49
- *Dune Group Ltd and others v Visa Europe Ltd and others* [2021] CAT 35
- *Crossley & Ors v Volkswagen Aktiengesellschaft (the "VW NOx Emissions Group Litigation")* [2021] EWHC 3444
- *Scania*
- *CK Telecoms UK Investments Ltd v European Commission* (T-399/16)
- *Viegas and Sanches v Cutrale & Others* [2021] EWHC 1340 (Comm); [2021] EWHC 2956 (Comm)
- *Vestel Elektronik Sanayi Ve Ticaret AS v HEVC Advance LLC* [2021] 4 WLR 60 (CA); [2020] FSR 13 (HC)
- *Allianz Global Investors GmbH and Others v Barclays Bank Plc and Others* [2020] EWHC 626 (Comm); [2020] EWHC 2187 (Comm); [2021] EWHC 399 (Comm)
- *Mastercard Incorporated and others v Walter Hugh Merricks CBE* [2020] UKSC 51
- *Federal Deposit Insurance Corporation v Barclays Bank and Others* [2020] EWHC 2001 (Ch)
- *Autorità Garante della Concorrenza e del Mercato v Ryanair* (Case C-28/19 (CJEU))
- *Chapman v Clarence Court Ltd* [2021] EWHC 2743 (Ch)
- *Sainsbury's Supermarkets Ltd and others v Visa Europe Services LLC and others; Sainsbury's Supermarkets Ltd and others v Mastercard Incorporated and others* [2020] UKSC 24
- *FMX Foods Ltd v. HMRC* [2020] UKSC 1, SC
- *British Telecommunications plc v. HMRC* [2020] UKFTT 278 (TC)
- *Michael O'Higgins FX Class Representative Ltd v Barclays Bank plc, Citibank N.A, JP Morgan Chase & Co & Ors* [2020] CAT 9

*“Star quality at all levels from silk to baby
juniors.”*

Chambers and Partners, 2024



Our practice areas

Tax

Blackstone has developed a strong practice in tax litigation, where the cross-over with our well established commercial, EU and regulatory work brings real benefits to clients. Blackstone distinguishes itself from some of the more traditional tax chambers: its main focus is on excellent advocacy and litigation, rather than paper based advisory work. Chambers' litigation expertise spans across all kinds of indirect and direct tax, including VAT, excise duty, customs duties and anti-dumping duties, corporation tax, income tax, NIC, IPT, petroleum revenue tax, aggregates levy, landfill tax, SDLT and others. Chambers' barristers regularly act both for and against the Commissioners for Her Majesty's Revenue and Customs. They act in tax disputes at all levels, from the First-tier Tribunal up to the Supreme Court; and in the Court of Justice of the European Union and the European Court of Human Rights. One of our core strengths is being able to conduct litigation and give related advice not only in statutory appeals before the First-Tier Tribunal and beyond; but also give consideration to related claims for judicial review and references to the CJEU as appropriate. A number of our barristers are recognised in the field in the legal directories.

Recent cases include:

- *Burlington Loan Management DAC v HMRC* [2024] UKUT 00152 (TCC)
- *Skatteforvaltningen v Solo Capital Partners LLP & Ors* [2023] UKSC 40
- *Zipvit v HMRC* [2020] UKSC 15; [2022] CJEU (CASE C-156/2020)
- *The Eclipse Litigation*
- *Devon, Biffa and Veolia v HMRC* [2021] 4 WLR 89
- *Whyte v HMRC* [2021] UKFTT 0270 (TC)
- *GB Fleet Hire v. HMRC* [2021] UKUT 225 (TCC)
- *R (Bluecrest Management) v. HMRC* [2021] UKUT 368, (n.y.r.)
- *HMRC v. Ampleaward Ltd* [2021] EWCA Civ 1459, CA
- *Awards Drinks v. HMRC* [2021] EWCA Civ 1235, CA
- *Balhousie v. HMRC* [2021] UKSC 11, [2021] 1 W.L.R. 2164, SC
- *St George's University v. HMRC* [2021] UKFTT 13 (TC)
- *Worldpay UK Ltd v. HMRC* [2020] UKUT 290 (TCC)
- *FMX Foods Ltd v. HMRC* [2020] UKSC 1, SC
- *British Telecommunications plc v. HMRC* [2020] UKFTT 278 (TC)
- *Hudson Contract Services v CITB* [2020] EWCA Civ 328
- *Rowe & Ors v Ingenious Media Holdings plc & Ors*
- *Revenue And Customs v Development Securities Plc & Ors* [2020] EWCA CIV 1705



*"Blackstone Chambers is an outstanding set
of chambers with a deep pool of talent."*

Legal 500, 2023

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