
Oliver Jackson

Oliver maintains a broad practice across public and human rights, employment, competition and commercial law. He has appeared in courts from Port Talbot and Great Yarmouth to the Supreme Court and the European Court of Human Rights.

After only 18 months in practice, he was ranked by the Legal 500 as a Rising Star in Administrative Law and Human Rights, where he is recommended as “*An excellent advocate. He is diligent and able to robustly defend a case*”. Clients say they are “*impressed*” and praise his “*highly responsive*” manner. He is an elected member of the Human Rights Law Association Executive Committee.

Oliver has extensive experience of working both as sole counsel and as a member of large teams. His clients range from individuals, start-ups and NGOs to multinational businesses, government departments and foreign states. His recent cases include:

- A successful appeal to the Supreme Court concerning the provision of local authority mental health after-care services (*R (Worcestershire County Council v Secretary of State for Health and Social Care)*).
- A £19 billion judicial review claim against HM Treasury by 72 trade unions (*R (Fire Brigades Union, British Medical Association and ors) v HM Treasury*).
- Group claims by thousands of UK businesses against Mastercard and Visa for breaches of competition law (*The Merchant Interchange Fee Umbrella Proceeding*), including the landmark constitutional law ‘Volvo limitation judgment’ concerning the status post-Brexit of rights accrued under EU law while the UK was a member of the EU.
- Acting for disability rights campaigners in their highly publicised challenge to UK abortion laws (*Heidi Crowter v UK*).
- A widely reported, high-profile challenge to a school’s ban on prayer rituals (*R (NN) v Michaela Community School*)

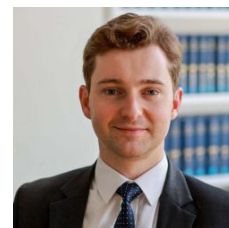
From 2020 to 2021, Oliver was a Judicial Assistant at the UK Supreme Court and the Judicial Committee of the Privy Council, working on the most complex and high-profile cases in the UK and from across the Commonwealth. He maintains an academic interest in his core practice areas and has published several academic articles, as well as contributing to a leading practitioner’s textbook on public law.

Before joining the Bar, Oliver was on the civil service fast-stream. He also advised on human rights issues at Liberty, advocated for the abolition of the death penalty at Reprieve, and volunteered as a caseworker at the Bar Pro Bono Unit. He received a first class degree in Natural Sciences from Cambridge University, where he graduated second in the year in his subject and won several scholarships and prizes. He has taught maths, physics and chemistry and enjoys cases that arise in a technical or scientific context.

Specialisms

Public and Human Rights

Oliver has extensive experience in public law and human rights issues. He acts for claimants, defendants, interveners and interested parties, and is a member of the Government’s junior panel scheme. He has been instructed on public law and human rights cases before the High Court, the Court



Professional Summary

Called 2019

Contact Details

Oliver.Jackson@11kbw.com

+44 (0)20 7632 8500

Clerk Harry Gilson

Clerk Iva Mirjam
Stipanovic

Clerk Isabella Quill

[Contact Clerks](#)

of Appeal, the Supreme Court and the European Court of Human Rights. He has also recently drafted chapters for a leading practitioner's textbook on judicial review and the operation of the Human Rights Act 1998, to be published in 2024. Highlights of cases in which he has been involved include:

- ***R (Worcestershire County Council) v Secretary of State for Health and Social Care*** [2023] UKSC 31 – successful Supreme Court appeal concerning which local authority is required to provide mental health aftercare services after a person moves areas (led by Andrew Sharland KC).
- ***Crowter v United Kingdom*** (App no. 32192/23) – ECtHR challenge on behalf of disability rights campaigners against s.1(1)(d) of the Abortion Act 1967 (led by Jason Coppel KC).
- ***R (NN) v Michaela Community School*** (ongoing) – high profile case concerning whether the Michaela School's ban on prayer rituals is compatible with pupils' right to freedom of religion (led by Jason Coppel KC and Tom Cross).
- ***R (Fire Brigades Union and British Medical Association) v HM Treasury*** [2023] EWHC 527 (Admin) – judicial review by trade unions under article 6 ECHR and on domestic public law grounds to the operation of the cost control mechanism in public sector pension schemes (led by Nigel Giffin KC).
- ***R (Ingold) v Secretary of State for Work and Pensions [2023] EWHC 3207 (Admin)*** – challenge to the operation of the Child Maintenance Service (led by Sir James Eadie KC).
- ***Barking and Dagenham LBC v Persons Unknown*** [2022] EWCA Civ 13 – whether final injunctions can be granted against gypsies and travellers who are unknown and unidentified at the time of the injunction (assisting Nigel Giffin KC).
- ***R (Article 39) v Secretary of State for Education*** [2022] EWHC 589 (Admin) – whether the consultation leading to regulations permitting the placement of 16 and 17-year-old children in unregulated accommodation was fair (assisting Jo Clement KC).
- ***Attorney General for Bermuda v Ferguson*** [2022] UKPC 5 and ***Day v Governor of the Cayman Islands*** [2022] UKPC 6 – whether the constitutions of Bermuda and the Cayman Islands provide a right to same-sex marriage.
- ***R (Elan-Cane) v Secretary of State for the Home Department*** [2021] UKSC 56 – judicial review challenge to the lack of a non-binary 'X' gender option on UK passports.
- ***Re McQuillan*** [2021] UKSC 55 – judicial review challenge to the lack of an article 2 ECHR compliant investigation into deaths and ill-treatment occurring during the Troubles.
- ***R (Majera) v Secretary of State for the Home Department*** [2021] UKSC 46 – whether the Home Secretary was permitted to override a defective court order.
- ***United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill & European Charter of Local Self-Government (Incorporation) (Scotland) Bill*** [2021] UKSC 42 – devolution references concerning certain provisions of two Scottish Bills are outside the competence of the Scottish Parliament.
- ***R (AB) v Secretary of State for Justice*** [2021] UKSC 28 – challenge to the placement of children in solitary confinement at a Young Offenders Institution.
- ***R (SC) v Secretary of State for Work and Pensions*** [2021] UKSC 26 – article 14 ECHR challenge to the two-child benefit cap.
- ***R (Begum) v Secretary of State for the Home Department*** [2021] UKSC 7 – challenge to the decision to deprive Shamima Begum of her UK citizenship.
- ***R (Friends of the Earth) v Heathrow Airport Ltd*** [2020] UKSC 52 – challenge to the third runway at Heathrow Airport.
- Advising an international media organisation on two potential article 10 ECHR claims to the European Court of Human Rights.
- Advising a university professor on whether their research was subject to export controls in the wake of Russia's invasion of Ukraine.
- Advising a utilities company on a potential public law claim against the regulator.

Employment

Oliver practices in all areas of employment law, with a particular interest in redundancy, dismissal, discrimination and trade union cases. He acts for all sides including employees, employers and unions. He frequently appears in preliminary hearings and trials in the Employment Tribunal, both as a sole advocate and as part of a counsel team. Highlights of cases in which he has been involved include:

- ***Muda v Malaysia*** (ET 2203623/2021) and ***Onurcan v Malaysia*** (ET 2203565/2021) – whether Malaysia has state immunity against two ET claims.

- **Jurczykowski v Amazon UK Services Ltd** (ongoing) – challenge to the lawfulness of Amazon’s policy for employees on long-term sick leave.
- **Diner v Fujifilm Sonosite Ltd** (settled) – harassment and unfair dismissal claim arising out of an alleged course of conduct by the claimant’s manager.
- **Newton v SJB Medical Ltd and anor** (ongoing) – disability discrimination claims arising out of an online automated recruitment test.
- **Tamiru v Tiffany & Co (UK) Holdings Ltd** (ET 2302460/2022) – claims against luxury jewellers for unfair dismissal, redundancy pay, notice pay and bonus pay successfully struck out.
- **Yentob v Impressco Ltd** (ET 2300835/2022) – claim for unpaid holiday pay and petrol expenses, pro bono, settled the morning of trial with the respondent paying 100% of the sums claimed.
- **Kostal UK Ltd v Dunkley** [2021] UKSC 47 – claim against an employer for bypassing a trade union in its negotiations with employees.
- **Asda Stores Ltd v Brierley** [2021] UKSC 10 – whether female retail staff are entitled to compare themselves with male employees at distribution depots for the purposes of an equal pay claim.
- **Uber BV v Aslam** [2021] UKSC 5 – whether Uber drivers are workers.

Procurement, European Union and Competition

Oliver has significant experience in cases involving procurement, EU law, retained EU law and competition law. He acted in the landmark ‘Volvo limitation judgment’ ([2023] CAT 49) concerning the constitutional status post-Brexit of rights accrued under EU law while the UK was a member of the EU. He is comfortable dealing with intricate regulatory structures and has particular experience in competition law disputes. Highlights of his work include:

- **The Interchange Fees Litigation** (six-week trial across February and March 2024) – part of a multi-chambers counsel team jointly instructed in the Competition Appeal Tribunal by two solicitors’ firms representing thousands of UK businesses in their Article 101(1) claims against Visa and Mastercard.
- Acting for one of the six big tech companies designated as a gatekeeper under the EU Digital Markets Act.
- **Secretary of State for Health v Servier Laboratories Ltd** [2022] UKSC 44 – to what extent findings made by the CJEU in judgments annulling an infringement decision of the EU Commission are binding in domestic private damages actions following on from that decision.
- **Ecolab Inc v Competition and Markets Authority** [2020] CAT 12 – challenge to a decision of the CMA requiring Ecolab to divest its acquisition of a competitor.
- **Daimler AG v Walleniusrederier Aktiebolag** [2019] EWHC 3197 (Comm) and [2020] EWHC 525 (Comm) – follow on damages claim arising from the Roll-on/Roll-off international shipping cartel.
- **Stellantis NV (formerly Fiat Chrysler Automobiles NV) & others v NTN Corporation & others**: follow-on damages claim arising from the automotive bearings cartel.

Commercial

Oliver practises in all areas of commercial law, with a particular interest in the overlap between commercial disputes and public law principles. His commercial clients have included FTSE 100 companies, tech businesses, NHS Trusts, universities and businesses in the retail, gambling, luxury goods and hospitality sectors. He has been instructed on matters ranging from the county court small claims track to heavy and complex commercial court trials. Highlights of cases in which he has been involved include:

- **Tinkler v Stobart Group** [2022] EWHC 1375 (Ch) – successful defence to a claim to set aside a judgment alleged to have been obtained by fraud, upheld on appeal (assisting Richard Leiper KC and Daniel Isenberg).
- **Bott & Co Solicitors Ltd v Ryanair DAC** [2022] UKSC 8 – claim to recover monies said to be held under a solicitor’s equitable lien.
- **FS Cairo (Nile Plaza) LLC v Brownlie** [2021] UKSC 45 – claim for tortious damages against a defendant out of the jurisdiction.
- **Pakistan International Airlines Corporation v Times Travel (UK) Ltd** [2021] UKSC 40 – whether a contract can be avoided for lawful economic act duress. Critiqued academically in [2021] 8 JBL 701.

- **Tinkler v HMRC** [2021] UKSC 39 – the leading case on estoppel by convention.
- **Enka Insaat Ve Sanayi AS v OOO Insurance Company Chubb** [2020] UKSC 38 – dispute over the proper law of an arbitration agreement governing proceedings concerning liability for a fire at a Russian power plant.
- **Harcus Sinclair LLP v Your Lawyers Ltd** [2021] UKSC 32 – enforceability of a non-compete clause/solicitor’s undertaking agreed between two law firms.
- **Secretary of State for Health v Servier Laboratories Ltd** [2021] UKSC 24 – the NHS’s claim against a pharmaceutical company for overcharging it for the drug perindopril.
- **Manchester Building Society v Grant Thornton UK LLP** [2021] UKSC 20 and **Meadows v Khan** [2021] UKSC 21 – the leading authorities on the scope of the duty of care in negligence.
- **T W Logistics Ltd v Essex County Council** [2021] UKSC 4 – challenge to the registration of a working commercial port as a town and village green.
- **Vodafone v Ofcom** [2020] EWCA Civ 183 – restitutionary claim by network operators for monies held by Ofcom after the quashing of earlier regulations.
- **Alstom Transport UK Ltd v Network Rail Infrastructure Ltd** [2019] EWHC 3585 (TCC) – challenge to the award of a contract for digital train control signalling system on the East Coast Main Line.

Public International Law

Oliver is experienced in a range of international law issues, with a particular interest in cases concerning foreign acts of state and diplomatic immunity. He has been involved in a number of recent cases including:

- **Muda v Malaysia** (ET 2203623/2021) and **Onurcan v Malaysia** (ET 2203565/2021) – whether Malaysia has state immunity against two ET claims.
- **R (AG) v Barnet LBC & Secretary of State for the FCDO** [2022] EWCA Civ 1505 – whether there is an exception to diplomatic immunity for cases involving torture and/or children (assisting Jo Clement KC).
- **Maduro Board of the Central Bank of Venezuela v Guaido Board of the Central Bank of Venezuela** [2021] UKSC 57 – dispute over which President of Venezuela controlled gold reserves worth US\$2 billion deposited in the Bank of England.
- **General Dynamics UK Ltd v Libya** [2021] UKSC 22 – challenge to an attempt to enforce an arbitration award against the state of Libya.

Data Protection and Information

Oliver’s experience in data protection and information law ranges from advising government departments on narrow points of law through to assisting Supreme Court justices decide class action claims. He frequently appears for members of the public, businesses, public authorities and the Information Commissioner in the First-tier Tribunal and in the Upper Tribunal. As with all his practice, he acts for both claimants and defendants. Highlights of his work include:

- **Spotlight on Corruption v British Business Bank** (EA/2022/0014) – successful resistance to challenge to the decision not to disclose the names of UK companies that received government-backed loans during the Covid-19 pandemic.
- **Department for Levelling Up, Housing and Communities v Information Commissioner** (EA/2022/0143 & 0144) – challenge to ICO decisions ordering the disclosure to journalists of information regarding the Government’s Towns Fund on the basis that the information relates to the formulation or development of government policy.
- **Lin v Information Commissioner** [2023] UKUT 143 (AAC) – appeal concerning the jurisdiction of the FtT to strike out vexatious claims
- **MO v Information Commissioner** (EA/2022/0071) – challenge to ICO decision withholding the disclosure of information relating to the licensing of sex entertainment venues in Bristol.
- **Lloyd v Google LLC** [2021] UKSC 50 – class action claim against Google for alleged abuse of personal data.

Articles and Publications

‘Public law in the Supreme Court 2020-2021’ [2023] 28 JR 129 (with Isabella Buono)

'Limiting an employer's right to dismiss on notice: *Aspden v Webbs Poultry* and *USDAW v Tesco*', UK Labour Law Blog, 22 February 2023 (freely available here)

'Unconscionability, uncertainty and lawful act duress' [2021] 8 JBL 701 (available here)

Education

BA Natural Sciences, Cambridge University (First)

Graduate Diploma in Law, City University (Distinction)

Bar Professional Training Course, City University (Outstanding)

Awards

Phoenicia Scholar (Bar European Group)

Postgraduate Scholar (City Law School)

Certificate of Honour (Middle Temple)

JJ Powell Prize (Middle Temple)

Queen Mother Scholarship (Middle Temple)

Astbury Scholarship (Middle Temple)

Simon Walker Prize in Natural Sciences (Christ's College, Cambridge)

Graduate Scholar (Christ's College, Cambridge)

Levy Plumb Bursary and Newton Trust Bursary (Christ's College, Cambridge)

ADDRESS

11KBW
11 King's Bench Walk
Temple
London
EC4Y 7EQ

CONTACT US

T +44 (0)20 7632 8500

OUT OF HOURS CLERK

T +44 (0)7824 365 991

EMAIL

clerksroom@11kbw.com
