Tom Cross KC

Silk: 2025 Call: 2007

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Tom Cross KC is recognised in the legal directories as one of the country's leading Silks in seven areas: Administrative & Public Law, Civil Liberties & Human Rights, Education, Professional Discipline, Local Government, Employment, and Data Protection.

The latest edition of Chambers & Partners describes him as "*an extraordinary talent*", "*at the very top of his game*", and *"a phenomenal lawyer doing exceptional work".*

He is principally known for his work at the top of the fields of public law, human rights and discrimination, across a wide-range of subject-matter and for all types of client. Before Silk, he was described in the Legal 500 as: *"the best junior at the public law bar, without question",* and served for many years on the Attorney-General's most senior panel of junior Counsel in civil cases.

His industry awards include UK Public Law Junior of the Year 2018 and UK Employment Law Junior of the Year 2019, and his nominations include UK Public Law Junior of the Year 2022 and Public Services and Charities Junior of the Year 2023.

> ***highly collaborative and hardworking***
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> **CHAMBERS & PARTNERS, LEGAL 500**

Some of his recent instructions include: the challenge to the Equality and Human Rights Commission's Interim Update on single-sex spaces (GLP); Sussex University's challenge to its fine by the Office for Students for breaching free speech duties; the judicial review of the admission arrangements for the Hampstead Heath ponds; the claim against the Care Quality Commission's registration of the country's first private gender hormone clinic (Evans); the leading case on whether faith-based school admissions criteria may be race discriminatory (CKT); the challenge to the Police's participation in Pride (Smith),the judicial review of VAT on private school fees (*ALX*); Tommy Robinson's challenge to his prison conditions; the leading case on considering equalities impacts in school exclusions (*TZA*); the leading case on the application of freedom of expression in the workplace (*Higgs*); defending Katharine Birbalsingh's ban on prayer rituals at Michaela School; the "Hogwarts Express" judicial review (*West Coast Railway Company*); the Supreme Court claim by Deliveroo Riders to worker rights (*IWGB*); the British Generic Manufacturers Association's challenge to the negotiation of a new scheme for the supply of medicines to the NHS; the Part 8 claim on whether mentally unwell patients could be sectioned following "remote" assessments (*Derbyshire NHS Trust*); Lucy Letby's Article 6 claim to an additional legally aided advocate for her defence at her criminal trial; the lockdown judicial review (*Dolan*); advising on what constitutes non-discriminatory pornography in prisons; the dispute about Manchester United's away supporter allowance at Stamford Bridge; the challenge to the Census 2021 guidance (*Fair Play for Women*); Charlie Hughes' battle for medicinal cannabis on the NHS; the challenge to Bermuda's prohibition of same-sex marriage (*Ferguson*); the claim by Sir Philip Rutnam against the then Home Secretary Rt Hon Priti Patel; the dispute between Christ Church, Oxford, and its Dean; the Article 50 / Gina Miller litigation; the challenge to the Parole Board's decision to release the "Black Cab Rapist" (*DSD*); the school sex segregation case (*Al-Hijrah*), representing Strictly Come Dancing Professional Kristina Rihanoff in pregnancy discrimination proceedings, and acting in claims concerning abortion rights, the crime of female genital mutilation, and the recovery of silver from a shipwreck which was sunk during World War Two in the Indian Ocean.

Expertise

Selected Reported Cases

R (CKT) v Twyford Church of England Academies Trust

[2025] EWHC 2396 (ADMIN)

Whether faith-based school admissions criteria were race discriminatory

R (Evans) v Care Quality Commission

[2025] EWCA CIV 1556

Challenge to the registration of a private provider of gender hormones for under 18s

R (Sex Matters) v City of London Corporation

[2026] EWHC 149 (ADMIN)

Judicial review of the admission arrangements for Hampstead Heath swimming ponds

R (Good Law Project Ltd and others) v Commission for Equality and Human Rights

[2026] EWHC 279 (ADMIN)

The leading case on single-sex spaces

R (Smith) v Chief Constable of Northumbria Police

[2025] EWHC 1805 (ADMIN)

Whether the Police could participate in Pride

R (ALR) v Chancellor of the Exchequer

[2025] EWHC 1467 (ADMIN)

Whether VAT on private school fees breached human rights

Abbasi v Newcastle upon Tyne Hospitals NHS Foundation Trust

[2025] UKSC 15 [2025] 2 WLR 815

Reporting Restriction Orders in “end-of-life” cases

R (Yaxley-Lennon) v Secretary of State for Justice

[2025] EWHC 695 (ADMIN)

Whether Tommy Robinson’s prison conditions were in breach of Article 3 ECHR

R (TZA) v A Secondary School

[2025] EWCA CIV 200

The approach to be taken by Heads and Governors to the consideration of equalities impacts in the context of exclusions

Higgs v Farmor's School

[2025] EWCA CIV 109

How the human right to free expression/freedom of religion applies in employment tribunals

AP v JP

[2024] EWHC 1197 (FAM) [2024] 4 WLR 57

Whether a Court's refusal to grant a decree of nullity of marriage was contrary to human rights

R (TTT) v Michaela Community Schools Trust

[2024] EWHC 843 (ADMIN) [2024] HRLR 9

Whether Michaela School was entitled to ban prayer rituals

R (CU) v Secretary of State for Education

[2024] EWHC 638 (ADMIN) [2024] ACD 52

The leading authority on the time limit for judicial review consultation challenges

R (West Coast Railway Co Ltd) v Office of Rail and Road

[2023] EWHC 3338 (ADMIN) [2024] 4 WLR 12

Whether the rail regulator could require heritage trains including the "Hogwarts Express" to be retro-fitted with central door locking

Derbyshire NHS Trust v Secretary of State for Health and Social Care (MIND intervening)

[2023] EWHC 3182 (ADMIN) [2024] 2 WLR 1113; (2024) 27 CCL REP 5

Whether assessments for the sectioning of mentally unwell patients in hospitals could be done using remote technology

Independent Workers Union of Great Britain v Central Arbitration Committee

[2023] UKSC 43

Whether Deliveroo Riders had a human right to collective bargaining with Deliveroo

British Generic Manufacturers Association Ltd v Secretary of State for Health and Social Care

[2023] EWHC 1725 (ADMIN)

Whether arrangements for the negotiation of a new pricing scheme for the supply of branded medicines to the NHS were lawful

R (TZA) v A Secondary School

[2023] EWHC 1722 (ADMIN)

The requirements of the public sector equality duty in relation to school exclusion decisions

Attorney General for Bermuda v Ferguson

[2022] UKPC 5 52 BHRC 617

Whether the prohibition on same-sex marriage in Bermuda was unconstitutional

R (L) v Hampshire County Council

[2022] EWHC 49 (ADMIN) [2022] ELR 314

Whether guidance for schools on the teaching of LGBT+ content was lawful

R (Fair Play for Women) v UK Statistics Authority

[2021] EWHC 940 (ADMIN)

Whether guidance on how to answer the "sex question" in the 2021 Census was lawful

Independent Workers Union of Great Britain v Central Arbitration Committee

[2021] EWCA CIV 952 [2021] IRLR 796

Whether Deliveroo Riders have a human right to collective bargaining with Deliveroo

R (Dolan) v Secretary of State for Health and Social Care

[2020] EWCA CIV 1605 [2021] 1 WLR 2326

The judicial review of the lockdown

SSP Health Ltd v National Health Service Commissioning Board

[2020] EWCA CIV 1574 [2021] PTSR 958

Whether an NHS Adjudicator can award interest in disputes over NHS Contracts

R (An Academy Trust) v Medway Council

[2019] EWHC 156 (ADMIN)

When a mainstream Academy must admit a child with special educational needs

Browne v Parole Board for England and Wales

[2018] EWCA CIV 2024

Whether a rationality or proportionality test applies to decisions on release from prison

R (Wakenshaw) v Secretary of State for Justice

[2018] EWHC 2089 (ADMIN)

Whether the Parole Board is sufficiently independent of the Government

R (Brooke Energy Ltd) v Secretary of State for Business, Energy and Industrial Strategy

[2018] EWHC 2012 (ADMIN)

Whether a tariff for heat and power plants in the energy sector was lawful

R (Webster) v Secretary of State for Exiting the European Union

[2018] EWHC 1543 (ADMIN) [2019] 1 CMLR 8

Whether the Prime Minister's notification of the UK's intention to leave the EU was invalid

R (Harvey) v Ledbury Town Council

[2018] EWHC 1151 (ADMIN) [2018] LLR 839

Whether a local authority can investigate councillor misconduct outside the Localism Act 2011

R (DSD) v Parole Board for England and Wales

[2018] EWHC 694 (ADMIN) [2019] QB 285

Whether the Parole Board's decision to release 'black cab rapist' John Worboys was unlawful

Ofsted v Interim Executive Board of Al-Hijrah School

[2017] EWCA CIV 1426 [2018] 1 WLR 1471

Whether the segregation of boys and girls in a mixed school was discriminatory

Department for Business, Energy and Industrial Strategy v Information Commissioner

[2017] EWCA CIV 844 [2017] PTSR 1644 [2018] 1 CMLR 8

The leading authority on the meaning of "environmental information" in freedom of information law

R (Zahid) v University of Manchester

[2017] EWHC 188 (ADMIN) [2018] PTSR 1728

Concerning the relationship between the Courts and the Higher Education Adjudicator

R (Seiont, Gwyrfai and Llyfni Anglers Society) v Natural Resources Wales

[2016] EWCA CIV 797 [2018] 1 WLR 228

The meaning of "environmental damage" in the Environmental Liability Directive

McDermott v Health and Care Professions Council

[2017] EWHC 2899 (ADMIN) (2018) 159 BMLR 167

When "conditions of practice orders" should be imposed on healthcare professionals

R (Well Pharmacy) v Welsh Ministers

[2017] EWHC 1983 (ADMIN)

A claim by a chemist relating to a decision to award an NHS contract to a rival

Poshteh v Kensington and Chelsea RLBC

[2017] UKSC 36 [2017] AC 624

When the UK Supreme Court should follow decisions of the European Court of Human Rights

R (Miller) v Secretary of State for Exiting the European Union

[2017] UKSC 5 [2018] AC 61

Whether Parliamentary authority was required for the UK to leave the EU

Jenyo v General Medical Council

[2016] EWHC 1708 (ADMIN) (2016) 152 BMLR 122

When subjective dishonesty may be inferred by a professional regulatory Tribunal

Loutfi v General Medical Council

[2016] EWHC 1620 (ADMIN)

What is the scope and nature of expert evidence in medical disciplinary proceedings

R (Project Management Institute) v Minister for the Cabinet Office

[2016] EWCA CIV 21 [2016] 1 WLR 1737

A unique challenge to a decision to award a Royal Charter

Yassin v General Medical Council

[2015] EWHC 2955 (ADMIN)

The particularisation required of dishonesty charges in professional disciplinary proceedings

Dransfield v Information Commissioner

[2015] EWCA CIV 454 [2015] 1 WLR 5316

The leading authority on "vexatious" or "manifestly unreasonable" requests in information law

R (Friends of the Earth) v Welsh Ministers

[2015] EWHC 776 (ADMIN) [2016] ENV LR 1

The proper approach to "reasonable alternatives" in Strategic Environmental Assessment

R (Forge Care Homes Ltd) v Cardiff and Vale University Health Board

[2015] EWHC 601 (ADMIN) [2015] PTSR 945

The roles of local health boards and local authorities in Wales in funding nursing care

Shindler v Chancellor of the Duchy of Lancaster

[2016] EWCA CIV 469 [2017] QB 226

Whether the EU referendum franchise was lawful

EC v North East Lincolnshire Local Authority

[2015] UKUT 648 (AAC) [2016] ELR 109

The proper approach of the special educational needs tribunal to parents' choice of school

R (Duff) v Secretary of State for Transport

[2015] EWHC 1605 (ADMIN) [2015] RTR 28

Whether a requirement of the DVLA to join an Accredited Trade Association was lawful

Aslam v Travelex UK Ltd

[2015] 5 WLUK 249 [2015] ICR D21

When an employment tribunal could dismiss a claim for non-payment of fees

Smith v Carillion (JM) Ltd

[2015] EWCA CIV 209 [2015] IRLR 467

Whether protections against trade union blacklisting comply with the ECHR

McCarthy v Visitors to the Inns of Court

[2015] EWCA CIV 12

Whether the conviction for forgery of a former barrister should be quashed

Bayliss v Parole Board for England and Wales

[2014] EWCA CIV 1631

Whether the quashing of a criminal sentence gave rise to a damages claim under the HRA

JG (A Child) v Legal Services Commission

[2014] EWCA CIV 656 [2014] 5 COSTS L.O. 708

When the state must fund expert evidence in private law family proceedings

Manchester City Council v JW

[2014] UKUT 168 (AAC) [2014] ELR 304

When a tribunal can order a local authority to maintain a Statement of Special Educational Needs

Abedin v Secretary of State for Justice

[2014] EWHC 78 (ADMIN)

Whether a person convicted of a terrorism offence was lawfully recalled to prison

R (Care North East Northumberland) v Northumberland CC

[2013] EWCA CIV 1740 [2014] PTSR 758

The leading authority on the setting of fees for private care home operators

SA v Camden LBC Independent Appeal Panel

[2013] EWHC 3152 (ADMIN) [2014] ELR 29

The role of a schools exclusions panels when the parties agree the disposition of an appeal

R (Leathley) v Visitors to the Inns of Court

[2014] EWCA CIV 1630

Whether tribunals which had convicted barristers were validly constituted

R (Lonsdale) v Bar Standards Board

[2014] EWHC 4353 (ADMIN)

Whether the Bar Disciplinary Tribunal could award costs which were not *inter partes*

Bedale Golf Club Ltd v Revenue and Customs Commissioners

[2014] UKUT 99 (TCC) [2014] BVC 512

Concerning the award of wasted costs in the First-Tier tax tribunal

R (Dennehy) v Ealing LBC

[2013] EWHC 4102 (ADMIN) [2014] BLGR 269

Whether sanctioning a Councillor breached his freedom of speech

Stadium Capital Holdings No.2 Ltd v Secretary of State for Communities and Local Government

[2013] EWHC 3548 (ADMIN) [2014] JPL 533

Whether the National Planning Policy Framework relates to advertisement control

R (Ealing LBC) v NHS England

[2013] EWHC 3255 (ADMIN) (2014) 135 BMLR 128

Judicial review challenge to the reconfiguration of North West London hospitals

Harrow LBC v AM

[2013] UKUT 157 (AAC) [2013] ELR 351

When local authorities must make mainstream schools suitable for children with SEN

Aderemi v London and South Eastern Railway Ltd

[2012] 12 WLUK 148 [2013] ICR 591

The proper approach to the definition of disability under the Equality Act 2010

Independent Police Complaints Commission v Warner

[2012] EWHC 271 (QB)

When public authorities can sue in misuse of private information to protect others' Article 8 rights

R (Cheshire East BC) v Secretary of State for the Environment

[2011] EWHC 1975 (ADMIN) [2011] NPC 92

Whether DEFRA could withdraw funding from a part-procured major waste infrastructure project

R (Luton BC) v Secretary of State for Education

[2011] EWHC 217 (ADMIN) [2011] EQ LR 481

The "Building Schools for the Future" judicial review

Bury MBC v SU

[2010] UKUT 406 (AAC) [2011] ELR 14

The relevance of suitability to the parental preference for mainstream under SEN law

R (Savva) v Kensington and Chelsea RLBC

[2010] EWCA CIV 1209 [2011] PTSR 761

The duty to give reasons in local authority community care decisions

R (Boyle) v Haverhill Pub Watch

[2009] EWHC 2441 (ADMIN) [2010] LLR 93

Whether "Pubwatch" schemes are amenable to judicial review

R (Bristol City Council) v Bristol City Magistrates Court

[2009] EWHC 625 (ADMIN) [2009] LLR 333

Leading authority on premises licence applications under the Licensing Act 2003

He is worth his weight in gold.

CHAMBERS & PARTNERS, LEGAL 500

As an advocate he is always poised, polished and well prepared

CHAMBERS & PARTNERS, LEGAL 500

A slick performer.

CHAMBERS & PARTNERS, LEGAL 500

Clear, commanding, convincing, and calming

CHAMBERS & PARTNERS, LEGAL 500

He is very easy to work with

CHAMBERS & PARTNERS, LEGAL 500

He is very personable

CHAMBERS & PARTNERS, LEGAL 500

He finds creative solutions to problems

CHAMBERS & PARTNERS, LEGAL 500

He has the great skill of delivering a complex idea in a straightforward way

CHAMBERS & PARTNERS, LEGAL 500

Decisive, deft and devastating in drafting

CHAMBERS & PARTNERS, LEGAL 500