



Vikram Sachdeva KC

Year of call: 1998 | Silk: 2015

Email: vikram.sachdevakc@39essex.com

Phone: +44 (0)20 7832 1111

"He is outstanding both on his feet and on paper."

Chambers & Partners

Vikram is meticulous in his preparation, commercially astute, supremely intelligent and charming with clients and judges alike."

Chambers & Partners 2023

Vikram is a highly accomplished and multi-talented advocate who specialises in Administrative & Public Law, Civil Liberties & Human Rights, Healthcare, Commercial Law, Regulatory & Disciplinary, Tax, Media Law, and Costs & Litigation Funding. He is known for creatively pushing the boundaries of the law, and has appeared in a number of important cases in all of these fields up to the Supreme Court. He is often brought in for high profile cases outside his primary fields such as the divorce of the Ruler of Dubai.

Vikram studied Undergraduate Medicine in Part I and Law in Part II at Cambridge. He took a year out from his medical degree to take the BCL, and then returned to the Clinical Medical course at Oxford. He then taught Administrative law at Cambridge University, and Tort and Criminal law at Oxford University, for several years. He was awarded the Queen Mother Scholarship, the Harmsworth Entrance Exhibition, and an accommodation scholarship by Middle Temple.

Vikram is recommended in the legal directories in Administrative and Public law, Civil Liberties and Human Rights, Regulatory and Disciplinary law, Court of Protection (Welfare), and Costs and Litigation Funding.

Before taking silk, Vikram spent many years on the Attorney General's A, B and C panels. He has acted in four cases in the Supreme Court, 49 cases in the Court of Appeal, and more than a hundred in the High Court.

His cases are often high profile, concern fundamental questions of principle, and attract national media attention, for instance the Supreme Court cases of Tigere (student loans and the right to education), Aintree v James (definition of "futile" medical treatment), NHS v Y (whether court application needed to withdraw CANH if family agrees); and JB v A Local Authority (whether capacity to engage in sexual relations requires an understanding that the other person must consent throughout). He also acted in the Skripal case (whether blood samples could be taken for the OPCW); the Interchange Fee Litigation (whether parties had settled after expiry of the relevant period); advice during the VW and Mercedes Emissions litigation; Smith v Lancashire (declaration of incompatibility against the Fatal Accidents Act leading to a change in the legislation in causing the right to bereavement damages to be extended to cohabitants of 2 years); Ashya King (whether proton radiotherapy should be performed in Czech Republic); Tafida Raqeeb (whether breach

of TFEU article 56 not to permit travel to Italy for medical treatment); and the reinterpretation of the Mitchell principles concerning relief against sanction in *Denton v White*.

In March 2013, whilst still a Junior, he was named The Times' Lawyer of the Week.

Vikram acts for both Claimants and Defendants in Public Law and Human rights cases in approximately equal measure, and was until recently the Chair of the Constitutional and Administrative Law Bar Association. Vikram sits in the Administrative Court as a Deputy High Court Judge. He was one of only two members of the Bar to be chosen to be a member of Lord Faulks' Independent Review of Administrative Law.

As well as appearing in most of the important medical treatment cases of the last decade, Vikram was a founder member and Chair of the Court of Protection Bar Association. He sits as a Deputy High Court Judge in the Family Division and often hears medical treatment cases

Vikram has a thriving commercial and arbitration practice ranging from civil fraud, to banking, to international supply contracts.

He also practices in Regulatory & Disciplinary (often providing strategic advice to Regulators), Tax (most recently appearing in the Court of Appeal in a £1 billion direct tax case), Media law (particularly in relation to medical treatment cases) and Costs and Litigation Funding/

Vikram was nominated for The Legal 500 Bar Awards 2022 for Government and Third Sector Silk of the Year.

Areas of expertise

Healthcare

Commercial Litigation and Arbitration

Civil Liberties and Human Rights

Regulatory and Disciplinary

Tax

Media Law

Costs and Litigation Funding

Commercial Litigation and Arbitration

Vikram has practised in Commercial law for over 20 years, and has spent much of his time since taking silk in the Chancery Division. His practice ranges from commercial litigation and arbitration to civil fraud, banking and finance, and company law and insolvency. He is known for his robust cross-examination style and ability to separate out the relevant legal principles quickly.

- **Commercial Arbitration (2022)** - dissolution of GP Practice
- ***NHS v A Turkish Company (2020)*** - dispute over supply of 400,000 surgical gowns to the NHS
- ***SPI North v Swiss Post International (UK) Ltd and Asendia UK Ltd*** - long-running £17m claim against two national postal operators for breach of exclusive distribution contract; [2019] EWCA Civ 7 [2019] 1 WLR 2865 (whether non-admission in Defence requires reasonable enquiry into facts); [2019] EWHC 2004 (Ch) (amendment to statements of case and summary judgment); [2020] EWHC 3268 (Ch) (application for summary judgment)
- ***Chief Constable A v Chief Constable B (2019)*** - claim for an urgent injunction to secure continued collaboration by a second police force pursuant to the contract between them
- ***An NHS Foundation Trust v A Company (2018)*** - dispute as to whether Payment by Results applied to two subcontracts

- **Application in Private [2017] EWHC 3606 (Comm)** - permission to accept Part 36 offer during trial of the Interchange Fee litigation
- **EMW Law LLP v Halborg [2017] EWHC 1014 (Ch); [2017] 3 Costs LO 281** - Whether solicitor obliged to disclose to agent without prejudice negotiations with the other side, or whether a new exception to without privilege principle should be recognised
- **Jones v NHS England (2017)** - application for a mandatory injunction compelling performance of GMS contract
- **Westscott Financial Services Ltd v Financial Ombudsman Service [2014] EWHC 3972 (Admin)** - Whether, in refusing a stay of the complaints, the FOS had failed to take account of the FSCS litigation in the Commercial Court.
- **Blankley v Central Manchester & Manchester Children's University Hospitals NHS Trust [2015] EWCA Civ 18; [2015] 1 WLR 4307** - Whether supervening mental incapacity frustrates a solicitor's contract of retainer
- **Commercial Arbitration (2015)**
- **Jowhari v NHS England [2014] EWHC 4197 (QB)** - Whether NHS England owes a statutory duty or a duty in negligence to compensate dentists for economic loss arising out of negligent use of its powers.

Recommendations

- *"Exceptionally on the ball and quick to provide strategic and commercial advice."* Chambers & Partners
- *"A charming and eloquent advocate with an almost unique background of medicine and law."* Legal 500
- *"A very forceful and very well-liked advocate."* Chambers & Partners
- *"[O]f note for his niche expertise in medical human rights."* – Civil Liberties and Human Rights, Legal 500 2019
- *"Is very responsive and has a particular expertise in complex medical treatment cases."* – Court of Protection and
- Community Care, Legal 500 2019
- *"One of the best-established practitioners in the area and a man with wide-ranging knowledge."* – Costs, Chambers
- & Partners 2019
- *"A very forceful and very well-liked advocate."* – Costs, Chambers & Partners 2019
- *"Vikram is a leading silk for Court of Protection welfare cases. He has a strong intellect, attention to detail and a real*
- *depth of knowledge."* – Court of Protection: Health & Welfare, Chambers & Partners (2019)
- *"He is outstanding both on his feet and on paper."* – Court of Protection: Health & Welfare, Chambers & Partners
- (2019)
- *"He is incisive, well balanced and really goes the extra mile for his clients."* – Court of Protection: Health & Welfare,
- Chambers & Partners (2019)
- *"Exceptionally on the ball and quick to provide strategic and commercial advice."* – Administrative &

Public Law,

- Chambers & Partners (2019)
- *"A guru on anything to do with the medical treatment field. He's very good at explaining things in a very succinct way because he has so much experience and knowledge as a former doctor."* – Administrative & Public Law Chambers & Partners (2019)
- *"He gives incredibly pragmatic and risk-based advice. He was a qualified medical professional, which gives him great insight into the work of a medical regulator. His written advice is very clear and we can share it with clients without 'translation'. He is approachable and always gets back to us."* – Professional Discipline, Chambers & Partners (2019)
- *"Meticulous in his preparation and will always go the extra mile for the client."* – Civil Liberties and Human Rights, Legal 500 (2018)
- *"Has great knowledge of costs law and its practical application." "Vikram is a good advocate, who is energetic and hard-working."* – Costs Litigation, Chambers & Partners (2018)
- *"Has an effective and persuasive advocacy style."* – Costs, Legal 500 (2018)
- *"He's very methodical, calm and controlled." "Vikram is at the top of his game, he'll be brought in for any challenging, high-level case."* – Court of Protection: Health & Welfare, Chambers & Partners (2018)
- *"A persuasive advocate."* – Court of Protection and Community Care, Legal 500 (2018)
- *"Very personable, easy to communicate with and very quick to explain. He's very calm and his advocacy skills are excellent."* – Administrative & Public Law, Chambers & Partners (2018)
- *"Extremely knowledgeable on healthcare judicial review – he always makes things easy for us."* – Administrative & Public Law, Chambers & Partners (2018)
- *"The man you want to instruct in difficult litigation – determined and robust, while remaining a calm personality."* – Professional Discipline and Regulatory Law, Legal 500 (2018)
- *"Very personable and very approachable."* – Professional Discipline, Chambers & Partners (2018)

Memberships

- Bar European Group
- Administrative Law Bar Association
- COMBAR
- Association of Regulatory & Disciplinary Lawyers
- London Common Law & Commercial Bar Association

Qualifications

Education

- B.C.L. (Law): New College, Oxford, 1993
- M.A. (Hons) (Law and Medicine): Clare College, Cambridge, 1996
- B.M., B.Ch. (Medicine): New College, Oxford, 1996

Additional Information

Appointments

- Chair of ALBA

- Attorney-General's A Panel 2014 (previously on B and C Panels)
- Member of the Executive Committee of the Administrative Law Bar Association
- Member of the Executive Committee of the Association of Regulatory and Disciplinary Lawyers

Other Professional Qualifications

Vikram qualified as a doctor in 1996 and became registered with the General Medical Council. Before qualifying for the Bar he spent a year practicing as a house doctor in the John Radcliffe Hospital, Oxford, and the Royal United Hospital in Bath. His medical background has proved invaluable in cases involving scientific and technical matters.

Languages

- French
- Hindi

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

BARRISTERS • ARBITRATORS • MEDIATORS

clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com