



Vikram Sachdeva KC

Year of call: 1998 | Silk: 2015

Email: vikram.sachdevakc@39essex.com

Phone: +44 (0)20 7832 1111

"Vikram is meticulous in his preparation, commercially astute, supremely intelligent and charming with clients and judges alike."
"He is outstanding both on his feet and on paper."
"He is an excellent advocate; he is very calm under pressure..."
"[He] has got a brilliantly strategic mind. He spots points no one else can at an early stage..."
"A once in a generation talent."

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 when a different perspective is needed.

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.

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.

Vikram studied Undergraduate Medicine and Law at Cambridge, then obtained the one year BCL at Oxford, before completing Clinical Medical course at Oxford.

He then taught Administrative law at Cambridge University, and Tort and Criminal law at Oxford University, for several years. On coming to the Bar, Vikram was awarded the Queen Mother Scholarship, the Harmsworth Entrance Exhibition, and an accommodation scholarship by Middle Temple.

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.

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 general commercial law, to 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 for Government and Third Sector Silk of the Year in 2022, and for Court of Protection and Community Care Silk of the Year in 2023.

Areas of expertise

Public Law and Human Rights

Healthcare/Medical Treatment

Commercial Litigation and Arbitration

Regulatory and Disciplinary

Tax

Media Law

Costs and Litigation Funding

Commercial Litigation and Arbitration

Vikram has a very successful commercial litigation practice covering commercial dispute resolution, banking, fraud, energy, insurance/reinsurance, procurement, construction, and media and entertainment. Vikram is a member of COMBAR, the Chancery Bar Association, and LCLCBA.

- ***Domestic Arbitration (2022) (Arbitrator)***
- ***Domestic Arbitration (2019, ongoing) (Arbitrator)***
- **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*** – multimillion pound claim for damages for breach of exclusive distribution contract against two national postal services ; [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)** – whether one of the parties to a demerger of certain police facilities including IT facilities could claim a mandatory injunction after expiry of the notice period for the continued provision of IT facilities.
- **An NHS Foundation Trust v A Company (2018)** – dispute as to whether Payment by Results applied to two subcontracts
- **Domestic Arbitration (2018) (Arbitrator)**
- **Application in Private [2017] EWHC 3606 (Comm) [2018] 6 Costs LR 1203** – whether a group of Defendants in the Interchange Litigation were entitled to withdraw a Part 36 offer while a trial was in progress.
- **Jones v NHS Commissioning Board [2017] EWHC 3557 (QB)** – Whether claimant GPs entitled to interim injunction restraining termination of GMS contract.
- **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.
- **International Arbitration (2016) (Counsel)**
- **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.
- **Domestic Arbitration (2015) (Counsel)**
- **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.
- **Denton v T H White Ltd [2014] EWCA Civ 906; [2014] 1 WLR 3926** – Reinterpretation of the Mitchell case on noncompliance with court orders.
- **Parker v Shoreham Port Authority (2013, TCC)** – Contractual debt claim for expenses of referring dispute to expert determination.
- **Armstrong v Pope & Co (2011)** – Professional negligence claim against a solicitor and barrister.
- **Discaín v Opecprime [2000] BLR 402** – whether an Adjudicator's award was vitiated by breach of natural justice

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

- Law Bar Association
- COMBAR

- Chancery Bar Association
- London Common Law & Commercial Bar Association
- Bar European Group
- Association of Regulatory & Disciplinary Lawyers
- Court of Protection 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

- Deputy High Court Judge, Kings Bench Division and Family Division (2022)
- Formerly Chair of Administrative Law Bar Association
- Formerly Chair (and co-founder) of Court of Protection Bar Association
- Member of Independent Review of Administrative Law
- Attorney-General's A Panel 2014 (previously on B and C Panels)
- 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

