



Andrew Tabachnik KC

Year of call: 1991 | Silk: 2017

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"Gets outstanding results." Chambers and Partners

Andrew has a versatile and diverse practice, specialising in cases of complexity, and encompassing (in particular) planning and compulsory purchase, and disciplinary and regulatory law. He has acted in many recent high-profile cases involving regulation of solicitors, leading the Solicitors Regulation Authority's prosecutions of Phil Shiner, Gary Senior and Karen Todner.

Andrew is recommended by the leading legal directories:

- Listed as a Recommended Silk and Junior in his practice areas from 2009 to date in Chambers and Partners and The Legal 500.
- Named Professional Discipline "Silk of the Year" at the Chambers UK Bar Awards (November 2020).

Andrew graduated from Cambridge with a first-class degree in Law, then obtained an LLM at Columbia Law School in New York. He is a member of the New York bar, and worked in the US before returning to full-time practice in London in 1999. Andrew took silk in 2017.

Andrew was elected to our Management Board in 2019, and is Head of Equality, Diversity and Inclusion.

Areas of expertise

Planning

Regulatory and Disciplinary

Regulatory and Disciplinary

In the regulatory field, Andrew acts both for and against a number of regulators (including the Law Society/Solicitors Regulation Authority (SRA), and the Financial Conduct Authority), and has been involved in numerous matters concerned with the regulation of doctors and architects, and representing the Civil Aviation Authority in its regulatory activities. In November 2020, Chambers and Partners named Andrew as Professional Discipline *"Silk of the Year"* at the Chambers UK Bar Awards.

By way of example, significant cases include:

- ***Competition and Markets Authority v Flynn Pharma and Pfizer* [2022] UKSC 14**
 - Intervention on behalf of the SRA into this Supreme Court appeal, which has definitively confirmed the correctness of the Baxendale-Walker approach to costs in the Solicitors Disciplinary Tribunal.

- ***Solicitors Regulation Authority v Senior et al*** - Representing the SRA in this high-profile four-week prosecution against Gary Senior (former managing partner of a well-known firm) and others, known in the press as “Bakergate”.
- **Mallett Solicitors** - Representing the SRA in this three-week case against the two principals of Mallett Solicitors. Findings of dishonesty were made against both, and they were struck off the roll.
- **Malik Law Chambers** - Representing Law Society in relation to high-profile interventions, including securing two search and seizure orders to support the interventions. Acting on subsequent section 50 proceedings in the High Court against one solicitor. After establishing (at a two-day trial before Mrs Justice Bacon) that the solicitor had capacity to participate in the proceedings, substantial admissions of misconduct were made and the solicitor was struck off the roll.
- **Kingly Solicitors** - Acting for the SRA on this substantial intervention, and the tracing and freezing of allegedly missing client account monies.
- ***Solicitors Regulation Authority v Philip Shiner et al*** - Represented SRA at Solicitors Disciplinary Tribunal, in prosecution arising primarily out of Al-Sweady issues.
- ***Solicitors Regulation Authority v Sharif*** - Represented SRA in prosecution of disciplinary case arising out of money laundering checks, and resulting in a substantial fine.
- ***Bayley v Civil Aviation Authority (CAA)*** - Represented CAA resisting a judicial review in relation to age limits for commercial pilots.
- ***Civil Aviation Authority v Baker & Neale*** - Appeared for CAA in lengthy trial, successfully resisting whistleblower claims brought in relation to alleged flight safety concerns by former flight inspectors.
- ***Middle v Architects Registration Board (ARB)*** - Represented ARB in respect of challenge to disciplinary decision.
- ***Solicitors Regulation Authority v Evans & Whiteley*** - Represented SRA in high-profile disciplinary prosecution for conflict of interest breaches.
- ***Solicitors Regulation Authority v Leigh Day et al*** - Represented SRA at Solicitors Disciplinary Tribunal and before the Divisional Court, in prosecution arising primarily out of Al-Sweady issues.
- **Axiom prosecutions** - Represented SRA in numerous prosecutions arising out of Axiom Fund issues.
- ***Williams v Architects Registration Board*** - Represented Architects Registration Board resisting a High Court challenge of a decision to “erase” the claimant’s registration.
- ***Solicitors Regulation Authority v Alexander*** - Represented SRA in prosecution before Solicitors Disciplinary Tribunal.
- ***Solicitors Regulation Authority v Whitwell*** - Represented SRA in prosecution before Solicitors Disciplinary Tribunal.
- ***Standard Life v Corr, Collins, Blake & Miller*** - £23m action under Financial Services and Markets Act 2000 (FSMA) arising from regulatory charges brought by the Financial Conduct Authority (FCA). Represented one of the defendant parties, the managing director of the main operating subsidiary.
- ***Law Society v Ramasamy*** - Acted for Law Society successfully resisting challenge to intervention by solicitor. Subsequently acted for Law Society in disciplinary proceedings before Solicitors Disciplinary Tribunal, and at the ensuing appeal to the Divisional Court.
- ***Law Society v Chan*** - Acted for Law Society. First claim issued for intervention costs from a non-party.
- ***Solicitors Regulation Authority v Wood-Atkins*** - Represented SRA at Solicitors Disciplinary Tribunal prosecution. Dishonesty charges proven and solicitor struck off.

- **Law Society v Twist** - Acted for Law Society successfully resisting challenge to intervention by solicitor.
- **Solicitors Regulation Authority v Heer Manak et al** - Represented SRA during long prosecution at Solicitors Disciplinary Tribunal.
- **Law Society v Elsdon** - Represented Law Society in s44B application against solicitor.
- **LIBOR investigation – ICAP** - Advised and represented firm in respect of FCA investigation into alleged LIBOR manipulation.
- **Catalyst Investments – Timothy Roberts** - Represented chief executive of Catalyst facing FCA investigation and charges for want of integrity regarding life-insurance backed structured product.
- **Keydata – Stewart Ford** - Represented former chief executive of collapsed company in relation to FCA investigation and charges.
- **Solicitors Regulation Authority v Shahrokh Mireskandari et al** - (Court of Appeal, High Court, SDT)-Numerous regulatory and disciplinary issues arising out of intervention into practice of former partners of Dean & Dean, including challenge to intervention, various judicial reviews, lengthy disciplinary case before Solicitors Disciplinary Tribunal, and subsequent proposed 10-day appeal to Administrative Court.
- **FIFA v Manilal Fernando** - Represented former senior FIFA official accused of corruption by FIFA. Following internal FIFA hearings, the case proceeded to the Court of Arbitration for Sports.

Recommendations

Chambers and Partners (2009 – 2021) rank him in Planning, and Professional Discipline. Legal 500 (2009 – 2021) rank him in Planning, and Professional Discipline. Nominated by Chambers and Partners as Professional Discipline Junior of the Year 2012. Named by Chambers and Partners as Professional Discipline Silk of the Year 2020.

Comments in these publications include:

- *"He is always very thorough and is extremely analytical in his terms of approach." "He takes horrendously complex work and distils it down for everyone."* (2020)
- *"Utterly superb strategic skills, advocacy and writing, all delivered with common sense and commercial awareness." "Provides high-quality legal advice and pragmatic strategic contribution to our matters. He is a precise and thorough draftsman and a highly persuasive advocate."* (2020)
- *"legal powerhouse with a persuasive presence as an advocate."* (2020)
- *"A silk who focuses on the detail."* (2020)
- *"A barrister with a very powerful intellect." "A real black-letter lawyer who can really get down into the rules and regulations, and who is particularly good at cross-examination."* (2017)
- *"He takes a measured, intellectual approach and is highly capable of persuading judges on the nuances of conflicts."* (2017)
- *"... provides high-quality legal advice and pragmatic, strategic contributions to matters. He is a precise and thorough draftsman and a highly persuasive advocate."* (2017)
- *"He has a very acute mind and can be relied upon to grasp and lead complex arguments."* (2016)
- *"A stunning cross-examiner and entirely adept at dealing with the most difficult legal points."* (2015)
- *"A very thorough and forensic barrister who is a sure and steady hand in any dispute."* (2015)
- *"An experienced junior whose practice covers a number of areas."* (2015)
- *"He's very responsive and good at communicating matters. He is also very quick, and gets to the*

point very quickly.” (2015)

- *“He is a very good technical lawyer who is top-drawer.” (2015)*
- *“Amazes with his ability to absorb vast amounts of information.” (2014)*
- *“He is excellent, has good cross-examination skills and can deal with the nitty gritty aspects of regulatory work.” (2014)*
- *“We use him for our more challenging and long-running discrimination matters. He has an incredible ability to turn difficult situations into victory.” (2014)*
- *“He is a master tactician and a forensic genius.” (2014)*
(2014)
- *Fantastically thorough”, “does good team work” and “gets outstanding results” (2013)*
- *“Gains the respect and confidence of the court and his opponents alike as a result of his reasonable approach even in the face of highly controversial issues”, “leaves no stone unturned”, and “devastating cross-examination technique.” (2013)*
- *“He really understands the need for counsel to be an integral part of the team” (2012)*
- *Prized for his “strong intellect, great attention to detail and winning way with clients.” (2012)*
- *“Very good at unpicking the threads of convoluted cases” and “forensic in his approach and analysis, but very carefully works as a team to progress matters and consider alternatives and effects.” (2011)*
- *“An effective advocate with a persuasive way of presenting a case.” (2011)*
- *“[He has] great clarity of thought” and “displays confidence and forcefulness in his opinions.” (2011)*
- *“Forensic in his approach and analysis, but very carefully works as a team to progress matters and consider alternatives and effects.” (2011)*
- *“Thorough, very pleasant to work with and has a tremendous win rate.” (2010)*
- *“Efficient and extremely bright [he] is a dream to deal with” and “a formidable operator.” (2010)*
- *“[He] really owns a case and drives it forward. Favoured as a good team player who gives pragmatic advice and strategic input.” (2009)*
- *“He is good on all levels, and is a very sound, complete and user-friendly senior junior.”*

Qualifications

Other Bars

- New York State
- District of Columbia

Education

- MA (Hons) from Cambridge University First Class Honours
- LLM from Columbia University, New York

Scholarships

- Pembroke College Foundation Scholar
- Ziegler Prize for Law
- WA Makaad Prize

Additional Information

Who's Who lists Andrew's interests as cricket, opera and over-working, and he strives to maintain a balance

between the three.

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