

Year called 1971

Silk 1992

nigel.pleming@39essex.com



“Calm under pressure, unflappable, suave and extremely affable, he is one of [39 Essex Chambers’] stellar senior members”

The Legal 500 2021

“A living legend: he fully deserves his reputation as one of the top silks of his generation. Highly knowledgeable and absolutely wonderful to work with, he has no weaknesses.”

Chambers & Partners 2019

Nigel Pleming KC is consistently noted in the legal directories. In the Legal 500 he is recommended in the areas of Administrative and Public Law (including elections), Human Rights and Civil Liberties, , Environment and Corporate and VAT/indirect Tax law.

Similarly, in Chambers & Partners he is highly ranked in Administrative & Public law, Civil Liberties and Human Rights, Environment, Professional Discipline, Tax and Indirect Tax. Chambers & Partners also named Nigel in the Chambers 100, a list of the top 100 Silks practising at the Bar across all practice areas.

Public Law Silk of the Year award in the Legal 500 UK 2015 Awards.

Environmental and Planning Silk of the Year in the 2010 Chambers Bar Awards.

He was nominated, one of five, by The Lawyer magazine for the Barrister of the Year Award 2007. As well as being nominated, one of three, for Public Law and Human Rights Barrister of the Year – Chambers Bar Awards in 2005 and 2007.

PRACTICE AREAS

- Administrative & Public Law
- Human Rights & Civil Liberties
- VAT
- Environment & Planning
- Arbitration

PRACTICE AREAS

ADMINISTRATIVE & PUBLIC LAW

- **R (on the application of Peak Gen Top Co Ltd) v Gas and Electricity Markets Authority** [2018] EWHC 1583 (Admin),
- **The Queen (on the application of British American Tobacco Ltd and others) v Secretary of State for Health** [2016] All ED 143, and Court of Appeal. [2018] QB 149
- **RWE Generation UK PLC v Gas and Electricity Markets Authority** [2015] EWHC 2164 (Admin)
- **Fortis TCI Ltd v Islandcom Telecommunications Ltd** [2014] UKPC 33
- **Core Issues Trust v Transport for London** [2013] EWHC 651 (Admin); [2014] EWHC 2628 (Admin)
- **Bancourt v Secretary of State for Foreign and Commonwealth Affairs** [2014] EWCA Civ 708, [2014] 1 WLR 2921
- **Belize Bank Ltd v Attorney General of Belize** [2011] UKPC 36.
- **Mossell (Jamaica) LTD (T/A Digicel) v (1) Office of Utilities Regulations (2).**
- **Cable & Wireless Jamaica LTD (3) Centennial Jamaica LTD** [2010] UKPC 1.
- **R. (on the application of Action Against Medical Accidents) v General Medical Council** [2009] EWHC 2522 (Admin).
- **R (Corner House Research and another) v Director of the Serious Fraud Office** [2008] 3 WLR 568.
- **London & South Eastern Railway Ltd v British Transport Police Authority** [2009] EWHC 460 (Admin).
- **R (Singapore Medical Council) v General Medical Council & Simon Shorvon (QBD)** [2006] EWHC 3277 (Admin).
- **R (Munjaz) v (1) Ashworth Hospital Authority & (1) Mental Health Act Commission (2) MIND (3) Secretary of State for Health (HL)** [2006] 2 AC 148, [2006] Lloyd's Rep Med 1.
- **R (Crown Prosecution Service) v Bow Street Magistrates' Court & Samuel James & five ors (DC)** [2006] EWHC 1763 (Admin).

HUMAN RIGHTS & CIVIL LIBERTIES

- **Core Issues Trust v Transport for London** [2013] EWHC 651 (Admin); [2014] EWHC 2628 (Admin), and [2014] EWCA Civ 34
- **R v Chaytor (David), and others** [2010] UKSC 52, [2011] 1 AC 684.
- **R (Corner House Research & ors) v Director of the Serious Fraud Office (HL)** [2008] UKHL 60, [2009] 1 AC 756.
- **Lord Alton of Liverpool and others v Secretary of State for the Home Department** [2008] 1 WLR 2341.

VAT

- **Revenue and Customs Commissioners v News Corp UK and Ireland Ltd** [2021] EWCA Civ 91, and [2019] UKUT 404 (TCC)
- **Virgin Media Ltd v Revenue and Customs Commissioners** [2020] UKFTT 30 (TC)
- **Good Law Project Ltd v Revenue and Customs Commissioners** [2019] EWHC 3125 (Admin), [2020] STC 145
- **Marriott Rewards LLC v Revenue and Customs Commissioners** [2018] UKUT 129 (TCC)
- **Hutchison 3G UK Ltd v Revenue and Customs Commissioners** [2018] UKFTT 289 (TC)
- **Associated British Ports** [2016] UKFTT 491 (TC)
- **Intelligent Managed Services Limited v HMRC** [2015] UKUT 0341 (TCC)
- **ELS Group v HMRC** [2015] UKUT 0048 (TCC)
- **Pendragon PLC v Revenue and Customs Commissioners** [2013] EWCA Civ 868, [2014] STC 844, [2015] UKSC 37, [2015] 1 WLR 2838
- **National Exhibition Centre Ltd v Revenue and Customs Commissioners** [2015] UKUT 23, [2015] STC 1185
- **Arachchige v Revenue and Customs Commissioners** [2010] EWCA Civ 1255, [2011] STC 33.
- **AstraZeneca UK Ltd v Revenue and Customs Commissioners** [2010] STC 2298 (ECJ).
- **Revenue & Customs Commissioners v Atrium Club Ltd** [2010] EWHC 970 (Ch). [2010] STC 1493.
- **R (on the application of BMW AG & ANOR) v Revenue & Customs Commissioners** [2009] EWCA Civ 77.
- **Revenue & Customs v Zurich Insurance Co (CA)** 15 March 2007 [2007] EWCA Civ 218.
- **Lime Avenue Sales and Services Ltd (2) Benenden School Trust v Revenue & Customs Commissioners (V&DTr)** [2007] STI 2241.

ENVIRONMENT & PLANNING

- **R (on the application of Plan B Earth) v Secretary of State for Transport** [2020] EWCA Civ 214
- **R (on the application of Spurrier) v Secretary of State for Transport** [2019] EWHC 1070 (Admin)
- **R (on the application of Bancoult) v Secretary of State for Foreign and Commonwealth Affairs** [2018]

UKSC 3, [2018] 1 WLR 973

- **Hysan Development Company Limited v Town Planning Board (Hong Kong)** [2016] FACV Nos 21 and 22 of 2015
- **East Sussex CC v Information Commissioner (C-71/14)** [2016] CMLR 5, [2016] Env LR 12
- **Bancourt v Secretary of State for Foreign and Commonwealth Affairs** [2014] EWCA Civ 708, [2014] 1 WLR 2921.
- **R. (on the application of the Badger Trust) v Secretary of State for the Environment, Food and Rural Affairs** [2012] EWHC 1904.
- **R (on the application of Homesun Holdings Ltd) v Secretary of State for Energy and Climate Change** [2011] EWHC 3575 (Admin).
- **R. (on the application of Hillingdon LBC) v Secretary of State for Transport** [2010] EWHC 626 (Admin), [2010] JPL 976.
- **R (National Grid Gas plc) v Environment Agency** [2007] UKHL 30, [2007] 1 WLR 1780 (House of Lords).
- **R (Greenpeace Ltd) v Secretary of State for Trade and Industry** (QBD) 15 February 2007 [2007] EWHC 311 (Admin).
- **Shiu Wing Steel Ltd v Director of Environmental Protection and the Airport Authority, Hong Kong** (first instance, CA and Court of Final Appeal) (2006) 9 HKCFAR 478.
- **R (Edwards & Pallikaropoulos) v Environment Agency and others** (CA) [2006] EWCA Civ 877.
- **R (Edwards) v Environment Agency and others** [2006] 1 WLR 3041 (QBD) Human Rights & Civil Liberties.
- **R v Chaytor (David), and others** [2010] UKSC 52, [2011] 1 AC 684.
- **R (Corner House Research & ors) v Director of the Serious Fraud Office** (HL) [2008] UKHL 60 [2009] 1 AC 756.

ARBITRATION

Nigel has experience of enforcing and protecting arbitration agreements and awards, and has recently (2019) completed his first significant ICC arbitration.

RECOMMENDATIONS

- “A very experienced, calm and authoritative presence. He has got a breadth of experience that means nothing is ever a surprise, and there’s a very assured touch to his advice.” “Excellent strategically.” Chambers & Partners 2021
- “Formidable. He has an extremely impressive manner and a persuasive way of structuring arguments.” Chambers & Partners 2021
- “He is well respected, very sensible, measured and focused.” “A master of VAT law.” Chambers & Partners 2021

- “Calm under pressure, unflappable, suave and extremely affable, he is one of the set’s stellar senior members.” The Legal 500 2021
- “When he speaks, the court listens: he gets straight to the meat of an argument and is amazing at communicating complicated detail” Chambers & Partners 2017
- “He is a very charming individual and good with the court.” “He’s pragmatic and has a strong understanding of local and central government.” Chambers & Partners 2017
- “Always thoroughly prepared and someone with a fantastic court manner. Able to take difficult matters and pare them down to the essential issues, even with really technical subject matter. Very warm and very good client skills. Excellent legal analysis.” “An excellent oral advocate and very tactically astute.” Chambers & Partners 2017
- “A wonderful advocate with the wisdom of experience” Chambers & Partners 2017
- “He handles really impressive work and is very robust and unflappable.” Chambers and Partners 2017
- “In a league of his own and clients love him” Legal 500 2016
- “He is excellent on his feet without the need to be aggressive and always has the ear of the court.” Legal 500 2016
- “His courtroom style is such that when he speaks you see the court listening. He is very personable and smooth and he really gets the ear of the court.” “One of the last true gentlemen at the Bar. I have never seen someone with the court in their hand quite like he does.”
- “He’s a real pleasure to work with, so knowledgeable and has such vast experience that you learn a lot from working with him.” “He’s bright and pragmatic with a strong understanding of local and central government.” Chambers & Partners 2016
- “An experienced barrister whose broad practice spans indirect tax litigation.” Legal 500 2015
- “Prodigiously bright.” Legal 500 2015
- “His performance in court lends him a fantastic reputation.” Legal 500 2015
- “A leader in the field (Civil Liberties).” Legal 500 2015
- “Always impresses.” Legal 500 2015
- “Bright, pragmatic and an extremely good advocate.” Chambers & Partners 2015
- “He’s spectacularly experienced and takes everything in his stride.” Chambers & Partners 2015
- “He has been doing this work a long time and is very effective.” Chambers & Partners 2015
- “An incredibly nice person and a very well-respected advocate – the court listens when he speaks.” Chambers & Partners 2015
- “He’s spectacularly experienced and his advocacy is very impressive. We couldn’t ask for a better leader of a team.” Chambers & Partners 2015
- “He is an absolute pleasure to deal with and is so user-friendly.” Chambers & Partners 2015

APPOINTMENTS

JUDICIAL POSITIONS/ INTERNATIONAL EXPERIENCE AND APPOINTMENTS

- Deputy Judge of the High Court, sitting as a judge appointed to determine cases in the Administrative Court list: 1998 – 2007
- Judge of the Courts of Appeal of Jersey and Guernsey
- Arbitrator – 2016 to date
- Admitted to the Belize Bar: 2002 to date
- Admitted to the Bar of BVI: 2013 to date
- Admitted to the Bar of Hong Kong – various dates Admitted to the Bar of Trinidad and Tobago – various dates
- Member of the UK Panel for Research Integrity in Health and Biomedical Sciences: 2006 to 2020
- Member of the UK Panel for Research Integrity in Health and Biomedical Sciences: 2006 to date
- Chairman of NHS Investigation into Complaints Relating to Drs Kerr and Haslam (psychiatrists): 2002-2005
- Head of Chambers: 2000-2003
- Bencher of the Inner Temple: 2002
- Member of expert group appointed by the Department of Health to report on mental health law in England and Wales: 1998-1999
- Member of the Nuffield Council on Bioethics Working Party on the Genetics of Mental Health Disorders: 1996-1998
- Counsel to the Parliamentary Commissioner for Standards and Privileges: 1996-1997 Vice Chairman of the Mental Health Act Commission: 1995-1997

MEMBERSHIPS

- ALBA
- PEBA
- COMBAR
- ICCA

QUALIFICATIONS

- LLM, University College London
- LLB, Kingston University

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