

Thom Dyke

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Thom is an experienced barrister whose practice encompasses serious and complex crime, human rights, prison law, and police law.

He prides himself on combining expert legal knowledge with exceptional standards of oral and written advocacy and has an established track record of securing successful outcomes for his clients.

Thom is ranked in Chambers & Partners and described by his instructing solicitors as *“an exceptionally talented young barrister”* and *“an excellent advocate whose personal approach to our clients is second to none”*.

He is regularly instructed in sensitive and high-profile matters, with a particular focus on cases in which civil and criminal law overlap, or which involve multiple jurisdictions. He is currently instructed by the Metropolitan Police as part of Operation Northleigh, the criminal investigation into the Grenfell Tower disaster. In suitable cases, he can accept instructions from members of the public on a direct access basis.

He regularly delivers lectures and training, with recent topics including data protection law and the GDPR, counter-terrorism legislation since 9/11, and the law and tactics in criminal appeal cases.

Thom also writes articles for publication on various issues of legal interest and has been published in The Times, The Guardian, Private Eye, New Statesman and Prospect, as well as in specialist law journals like Judicial Review, Public Law, Administrative Court Digest, and Solicitors Journal.

Thom is a registered pupil supervisor, as well as regularly volunteering his time as an advocacy trainer for Inner Temple, where he is a Governing Bencher. He is a member of the advisory board of the charity APPEAL, which campaigns for reform of the criminal justice system. In his (limited) spare time, enjoys tackling The Times crossword, and running.

Areas of Expertise

Crime

Thom has a busy practice prosecuting and defending serious crime, both as a leading junior and alone. He is ranked in the current edition of Chambers & Partners and is regularly instructed on complex or multi-handed cases involving issues of human rights and international law.

Recent instructions include cases of homicide, terrorism, organised crime, human trafficking and modern slavery, drugs, firearms,

and serious sexual offences.

He is a Grade 4 CPS panel advocate, a member of the specialist panels for the Serious Crime Group and the Rape and Serious Sexual Offences Unit, and is regularly instructed by the CPS Complex Casework Unit.

In addition to prosecuting for the CPS, Thom has experience of bringing private prosecutions, and is adept at responding to the unique challenges arising in such cases.

Thom has particular experience in cases involving expert medical evidence and is an associate member of the Faculty of Forensic & Legal Medicine of the Royal College of Physicians. He has experience of road traffic cases, whether instructed directly or through insurers, where death or serious injury has resulted.

Notable Crime cases

R v DE and others (2023)

Leading junior prosecuting eight defendants for their role in an organised crime group involving conspiracies to supply commercial quantities of cocaine and money laundering, as part of Operation Venetic.

R v TT (2022)

Successfully prosecuted the high-profile case of a neo-Nazi extremist who targeted prominent politicians, including Jeremy Corbyn MP, Dominic Grieve MP, Hilary Benn MP, and John Bercow MP, threatening them with “a white tsunami of hate and revenge”, as part of a sustained online campaign of virulently racist, anti-Semitic, and violent abuse

R v IO and others (2022)

Led junior in the first ever prosecution under the Modern Slavery Act 2015 to involve the successful prosecution of nine defendants for their participation in an organised crime group which trafficked vulnerable young girls for the purposes carrying out of a fraud worth at least half a million pounds.

R v LB (2022)

Represented a defendant accused of attempting to murder his former partner. After a five-day trial involving complex medical expert evidence, the defendant was found not guilty of attempted murder.

R v RN (2021)

Operation Venetic prosecution involving a conspiracy to supply multi-kilo quantities of cocaine, a submachinegun, and automatic pistols, which took place over the EncroChat encrypted communications network. Defendant convicted.

R v AH and others (2021)

Led junior in the successful prosecution of a five-handed conspiracy to kidnap and rape. The first two defendants were convicted and received extended sentences of 20 years and 16 years respectively.

R v AH & DD (2020)

Represented the first defendant at his trial for attempted murder arising out of a revenge attack in Hounslow. The defendant was found not guilty of attempted murder by the jury.

R v BG (2020)

Represented a defendant accused of possession of a Skorpion submachinegun. The defendant was acquitted following Thom's detailed analysis of DNA evidence relied upon by the prosecution.

R v LB (2019)

Prosecution of a family member for the historic sexual abuse of a child which occurred in the 1970s. Defendant convicted after trial.

R v CK and others (2019)

Led junior for the prosecution in two trials involving allegations of modern slavery by a criminal gang who had conspired to traffic Vietnamese youths across the English Channel.

R v TG (2018)

Represented a defendant accused of having defrauded nearly half a million pounds from his elderly mother. Acquitted at trial, after a cross-examination lasting three days.

Appeals

Thom has a specialist appellate practice, advising and representing clients where he was not instructed at first instance. Thom has extensive expertise in cases where fresh evidence emerges post-conviction, or where advances in forensic science subsequently cast doubt on evidence relied upon at trial.

He has appeared in the both the Criminal and Civil Division of the Court of Appeal, as well as the Divisional Court, in appeals against conviction, sentence, and confiscation orders, as well as making applications to the CCRC in cases where there has been a previous unsuccessful appeal.

Thom has a successful track record of appealing against sentences of Imprisonment for Public Protection (IPP) and represented one of the appellants in the leading case of R v Roberts & Others [2016] 1 WLR 3249, heard before the Lord Chief Justice and a specially convened Court of Appeal.

Notable Appeals cases

R v Dunn and King [2021] EWCA Crim 439

Led prosecution junior in appeals against conviction and sentence by members of an Organised Crime Group involved in the trafficking of Vietnamese youths across the English Channel. Convictions and sentences upheld by the court.

R v Pista and others [2020] 1 Cr App R (S) 38

Appeal against sentence on behalf of four members of an Albanian Organised Crime Group involved in a “county lines” drugs case, involving supply of approximately £6.2m of cocaine.

R v Soloman [2019] EWCA Crim 1356

Successfully resisted appeals against conviction and sentence in a firearms case. The issue regarded the admissibility of bad character evidence in the form of rap lyrics and a previous forensic link to illegal firearms where no prosecution had resulted.

R v Manders [2018] 1 Cr App R (S) 11

Appeal against a mandatory minimum five-year sentence, imposed under firearms legislation for possession of a stun gun disguised as an iPhone. The court noted Thom’s “clear and focused submissions”.

R v Ward [2018] EWCA Crim 1464

Appeal in a case involving a novel point of law regarding the admissibility of an alleged confession made to an Appropriate Adult by a detainee whilst in custody.

R v Phillips [2017] EWCA Crim 624

Successful appeal against a sentence of Imprisonment for Public Protection (“IPP”), brought eight years after the sentence was imposed.

R v Roberts & Others [2016] 1 WLR 3249; [2016] 2 Cr App R (S) 14

Represented one of the appellants in a conjoined appeal before the Lord Chief Justice and a specially convened Court of Appeal to provide guidance as to the question of appeals brought out of time. Commentary on the case can be found in Criminal Law Review at Crim. L.R. 2016, 7, 510-512.

R v D [2015] 1 Cr App R (S) 23

Appeared for the appellant who had received an extended sentence of 19 years' imprisonment for child sex offences. The appeal raised an important issue of whether a sentencing judge had inherent jurisdiction to vary a sentence outside of the time limit imposed under section 155 of the Powers of Criminal Courts (Sentencing) Act 2000. Commentary on the case can be found in Criminal Law Review at Crim. L.R. 2015, 3, 227-228.

R v Lewis [2014] 1 WLR 2027; [2014] 1 Cr App R 25

Appeal against conviction based on a point of jurisdiction under section 40 of the Criminal Justice Act 1988. The Court of Appeal noted in their judgment, "Mr Dyke has argued that dry issue of law on paper and orally with fortitude and skill".

Attorney General's Reference No. 80 of 2013 [2014] EWCA Crim 342

Appeared for the respondent in an appeal brought by the Attorney General in the case of an offender convicted of multiple counts of extremely serious sexual assaults against his stepdaughter.

Police Law

Thom is regularly instructed to advise and represent police forces in cases across the wide range of legal issues which arise in the context of modern policing. By their nature, these cases often involve highly sensitive material, for which Thom has the necessary government security vetting. He is currently instructed by the Metropolitan Police as part of Operation Northleigh, the criminal investigation into the Grenfell Tower disaster.

His particular areas of expertise include:

- Police misconduct, including appeals to the PAT and judicial review;
- Search warrants and production orders;
- Undercover investigations, such as those involving the use of Covert Human Intelligence Sources or the interception of communications data under the Regulation of Investigatory Powers Act 2000 or Investigatory Powers Act 2016;
- Information rights and data protection law;
- Judicial review, including claims under the Human Rights Act 1998;
- Civil actions against the police;
- Firearms licensing applications and appeals;
- Inquests, including deaths in police custody; and
- Civil forfeiture.

Notable Police Law cases

Cambridgeshire Police v Latimer (2022)

Instructed by the police in misconduct proceedings against a former officer who targeted vulnerable women for the purposes of sexual gratification. The case was widely reported on BBC and ITV news.

Bedfordshire Police v XYZ (2022)

Instructed by the police in successfully resisting a high-value civil claim alleging a breach of the claimant's data protection rights.

ABC (2021)

Instructed by specialist counter terror police in care proceedings in the Family Division of the High Court relating to the daughter of a suspected terrorist who travelled to Syria to join ISIS

Inquest touching the death of RU (2021)

Represented the police in an inquest involving the death of a UKIP candidate, involving allegations of police corruption.

MM (2020)

Instructed by the police in judicial review proceedings brought by a suspected terrorist in respect of an alleged breach of the ISIL (Da'esh) and Al Qa-ida (Asset Freezing) Regulations 2011.

Metropolitan Police v LM (2020)

Represented the police in an asset forfeiture case involving a joint investigation with the FBI into the laundering of £0.5m in Bitcoin using the Dark Web.

Douherty v Chief Constable of Essex Police [2019] EWCA Civ 55

Represented the police in Court of Appeal proceedings against a finding of contempt of court, brought on the basis of alleged breaches of Article 6 and procedural unfairness arising from lack of legal representation.

Public Sector & Human Rights

Thom has a busy public law practice in prison law (including appeals from the Parole Board), local government law, costs law and the Victim's Right of Review. He has experience of running both discrimination and human rights claims. He is regularly instructed in judicial review cases concerning false imprisonment, data rights, breaches of Article 5 and appeals against decisions of the Parole Board. Thom also has extensive experience of cases brought under the Licensing Act 2003.

Thom has been instructed in a number of cases involving the right to public protest, both advising and representing protestors, local authorities, the police, and the CPS. He has had articles published on the Article 11 right to freedom of assembly and the leading case of DPP v Ziegler.

Notable Public Sector & Human Rights cases

R (on the application of CC) v London Borough of Croydon (2022)

Represented the claimant prisoner who was serving a life sentence for rape and murder in a complex judicial review as to which of three local authorities were responsible for funding his ongoing needs under the Care Act 2014. The claim was settled following the grant of permission.

R (on the application of AA) v Secretary of State for Justice (2019)

Represented the claimant who was serving a life sentence for murder, in a successful application for judicial review of a decision of the prison governor to refuse to allow her to attend the funeral of her grandson.

R (on the application of Haigh) v City of Westminster Magistrates' Court [2017] EWHC 232 (Admin)

Led by Alun Jones KC in a judicial review of a decision of the City of Westminster Magistrates' Court to award costs of £230,446 against Mr Haigh, following the withdrawal of his private prosecution. Mr Haigh had brought the prosecution against his former employers for human trafficking and conspiracy to defraud. Mr Haigh was imprisoned in Dubai following allegations of a \$5m fraud. The case received widespread media interest and was covered by the BBC, The Guardian and The Daily Mail.

R (on the application of Ashley) v Parole Board [2017] EWHC 3413

Judicial review of decision not to release a prisoner serving a life sentence. The court described Thom's submissions as made "concisely, forcefully, and attractively".

R (on the application of Usman) v Reading Magistrates' Court [2017] EWHC 2153 (Admin)

Judicial review of a decision concerning Article 6 and the procedural duties to ensure a fair trial.

R (on the application of Ram) v Director of Public Prosecutions [2016] EWHC 1426 (Admin)

Judicial review of the Victim's Right to Review scheme. The court praised Thom's "careful and elegant submissions".

R (on the application of Stubbs) v Parole Board [2016] EWHC 28 (Admin)

Judicial review of a refusal to transfer the claimant prisoner to open conditions, despite expert evidence recommending such a move.

R (on the application of Copp) v Basildon Crown Court [2016] EWHC 2416 (Admin)

Led by Alun Jones KC in a judicial review of a series of search warrants. The claim was brought on the basis that the warrants lacked specificity, were drafted too widely, and resulted in excessive search and seizure of property.

Education

- Diploma in Forensic Medical Sciences
- LLM Professional Legal Practice
- BVC (Very Competent), BPP Law School
- Graduate Diploma in Law (Distinction), College of Law
- MSc Political Theory, London School of Economics (Merit)
- BA Hons History & Philosophy (First Class) University of Sheffield

Memberships

- Criminal Bar Association
- Constitutional and Administrative Law Bar Association
- South Eastern Circuit
- Associate Member of the Faculty of Forensic & Legal Medicine of the Royal College of Physicians
- International Criminal Court Bar Association
- Association of Defence Counsel practicing before the International Courts and Tribunals (ADC-ICT)
- Fellow of the Royal Society of Arts

Appointments

- CPS Grade 4 Panel Advocate
- CPS Rape List Panel Advocate
- CPS Serious Crime Group Panel Advocate
- International Criminal Court's List of Counsel
- UN International Residual Mechanism for Criminal Tribunals (The 'Rule 43' List)
- Governing Bencher of the Inner Temple
- Inner Temple Advocacy Trainer
- Advisory board member of APPEAL
- Independent Adjudicator for the Legal Aid Agency's National Appeals Review Panel (2016-2019)

Awards

- Athens ALBA Conference Scholarship, Constitutional and Administrative Law Bar Association
- Pupillage Scholarship, Inner Temple
- Exhibition Scholarship, Inner Temple
- Paul Methven Prize, Inner Temple

Notable Cases

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Successfully prosecuted a neo-Nazi extremist who targeted prominent politicians, including Jeremy Corbyn MP, Dominic Grieve MP, Hilary Benn MP, and John Bercow MP, threatening them with “a *white tsunami of hate and revenge*”, as part of a sustained online campaign of virulently racist, anti-Semitic, and violent abuse.

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Accreditation Logos

