

Dominic Howells

Year of call: 2016
Degree: BA (Hons) (Oxon)



Dominic has a wide-ranging practice, encompassing all of the main areas of work undertaken in Chambers. He is currently instructed in a number of commercial, sports, music, employment and public law cases. Dominic is experienced in trial and applications advocacy; he balances sole instructions with larger cases where he works together with leading counsel or as part of a team.

Dominic is a member of the Attorney General's panel of counsel (C panel). Before coming to the bar, Dominic worked in investment banking as a Director in the London office of Perella Weinberg Partners.

EXPERIENCE

Commercial

Dominic's practice includes all areas of commercial work. He is regularly instructed in cases in the High Court and in arbitral tribunals, both with leading counsel and in his own right. Recently, Dominic has appeared in larger commercial trials together with leading counsel and has been instructed on commercial cases proceeding in the High Court concerning shareholder and joint venture disputes, breach of confidence, fraud, conspiracy and tax avoidance in sectors ranging from agriculture and industry to media and entertainment.

In 2024, Dominic was instructed in two substantial Commercial Court trials -- the Eclipse Litigation (one of the Lawyer's top 20 cases of the year in which Dominic led the expert cross-examination and related submissions) and ENRC v SFO (which settled on confidential terms on the second day of trial).

Cases

CAS Arbitration

2023-2024, ongoing

Acting for the former operator of a professional sporting franchise in relation to an ongoing commercial dispute with the franchisor. (With Nick de Marco KC)

Eurasian Natural Resources Corporation v Serious Fraud Office

Commercial Court, 2021-2024

Acted for the Serious Fraud Office (SFO) in relation to claims brought by Eurasian Natural Resources Corporation (ENRC) concerning the alleged leaking of confidential information relating to the SFO's criminal investigation into ENRC. The parties reached a confidential settlement on the second day of a 7-week trial. (With Jonathan Hough KC, Tom Richards, KC, Celia Rooney and George Molyneaux)

Upham v HSBC UK Bank Plc (the Eclipse litigation)

[2024] EWHC 849 (Comm)

Acting for the defendant, HSBC, in a £1.3bn legal challenge brought by a group of over 400 investors in a series of filming financing schemes known as the Eclipse Partnerships. The claims alleged fraudulent misrepresentation, unlawful means conspiracy and dishonest assistance in a breach of trust, among other causes of action. The claims were dismissed and the claimants were ordered to pay indemnity costs. (With Andrew Green KC and Simon Pritchard)

HKIAC Cryptocurrency Arbitration

2023

Acted for an investor in cryptocurrency derivatives in relation to margin calls from an exchange and related cross-claims for failure to execute liquidation instructions. (With Andrew Green KC, Tim Parker and Geoffrey Yeung)

European Banking Arbitration

2022

Acted for the private equity buyers of a European bank in relation to a dispute about the terms and operation of an SPA indemnity. Led by Andrew Green KC in a case which settled immediately prior to the final hearing.

LCIA Arbitration

2021-2024

Acted for the respondent in an LCIA Arbitration concerning claims worth approximately US\$300 million relating to the ownership of Russian media assets. (With Andrew Green KC and Sean Butler)

John West Foods v Marine Management Organisation

[2021] EWHC 1763 (QB); [2022] 1 WLR 137

Acted for the claimant importer in a damages claim against the MMO for fishery products wrongfully detained at port in purported reliance on EU law powers. A positive judgment for the claimant following a two-day hearing of preliminary issues was dispositive on all liability issues. (Led by Tom de la Mare QC)

Advetec Holdings v Shaw

(High Court, 2020-2021)

Instructed for the defendant, a former senior employee and founder of the claimant company in proceedings concerning alleged misuse of confidential information, unlawful competition, breach of covenants and conspiracy. The case involved an application for the delivery of documents and computers and an application for permission to bring committal proceedings.

Kumar v Camelot UK Lotteries

(High Court, 2020)

Acted for the defendant lottery operator, successfully resisting an application for Norwich Pharmacal relief to require disclosure of the identity of the lottery winner.

Donovan v Grainmarket Asset Management

[2020] EWHC 17 (Comm)

Acted for the successful claimant in a claim arising out of his participation in a property development joint venture. The claimant recovered over £1.2 million representing his unpaid share of the fees generated by the joint venture and the reimbursement of fees wrongly charged on his own investment. Led by Andrew Green QC at trial; appeared unled in various hearings for interim applications and consequential matters.

Alexander Zverev v ACE Group International

[2020] EWHC 3513 (Ch)

Acted for the defendant, a sports manager and agent in relation to a claim brought by a tennis player client. The claimant sought a declaration that the contract engaging the defendant was an unenforceable restraint of trade. Led by Nick de Marco QC in a case which settled on the first day of trial; appeared unled in various hearings for interim applications and case management.

Advice in relation to Commercial Arbitration

(2019-2020)

Advised the sellers of an online gambling business in relation to an arbitral claim against the buyers for earn-out consideration in which counterclaims were asserted for alleged breaches of warranties. Led by Andrew Green QC in a case which settled at mediation.

Mazandi v Booking.com and Vacationspot

(High Court, 2019)

Instructed by the second defendant (a booking agent) in a claim brought by a hotelier alleging fraud, breach of competition law and unfair contract terms. Appeared for the second defendant in a successful strike out application.

Commercial Arbitration

2019

Acted in an arbitration at the CI Arb in relation to a commercial vehicle rental agreement.

Green Deal Marketing Southern Ltd v Economy Energy Trading Ltd

[2019] EWHC 507 (Ch)

Acted for Economy Energy in relation to a claim for damages for breach of an agency contract and compensation pursuant to the Commercial Agents (Council Directive) Regulations 1993. The Claimant's claim was for approximately £21 million, of which it recovered £1 million. (Led by Andrew Green QC)

Film financing

Advised on jurisdiction, the enforceability of an arbitration agreement and the availability of anti-suit relief in relation to a dispute arising out of film financing arrangements (with Nick de Marco).

IESA Logistics v The Director of Border Revenue

TC/2017/05448

Appeared for the appellant hauliers in their challenge to a seizure decision by the Border Force.

Peak Gen and others v Gas and Electricity Markets Authority

(Administrative Court, 2018)

Appeared for the second interested party in support of the respondent to an application for interim relief in the Administrative Court. The dispute concerned the implementation of CMP264/265 changes to regulated charges for electricity transmission.

Mir v Malik

(Chancery Division, 2018)

Acted for the successful claimant in High Court proceedings to recover a sum lent to finance a property development venture. The defendant was subject to a freezing order to prevent the dissipation of his assets.

Civil Fraud, Asset Recovery & Injunctive Relief

Dominic accepts instructions in all areas of civil fraud work. Dominic has appeared both unled and with leading counsel in ex parte freezing order, search order and injunction proceedings. Dominic is regularly instructed to advise pre-action on applications for interim injunctions and other protective measures.

Cases

Upham v HSBC UK Bank Plc (the Eclipse litigation)

[2024] EWHC 849 (Comm)

Acting for the defendant, HSBC, in a £1.3bn legal challenge brought by a group of over 400 investors in a series of filming financing schemes known as the Eclipse Partnerships. The claims alleged fraudulent misrepresentation, unlawful means conspiracy and dishonest assistance in a breach of trust, among other causes of action. The claims were dismissed and the claimants were ordered to pay indemnity costs. (With Andrew Green KC and Simon Pritchard)

LCIA Arbitration

2021-2024

Acted for the respondent in an LCIA Arbitration concerning claims worth approximately US\$300 million relating to the ownership of Russian media assets. (With Andrew Green KC and Sean Butler)

Advetec Holdings v Shaw

(High Court, 2020-2021)

Instructed for the defendant, a former senior employee and founder of the claimant company in proceedings concerning alleged misuse of confidential information, unlawful competition, breach of covenants and conspiracy. The case involved an application for the delivery of documents and computers and an application for permission to bring committal proceedings.

Mir v Malik

(Chancery Division, 2018)

Acted for the successful claimant in High Court proceedings to recover a sum lent to finance a property development venture. The defendant was subject to a freezing order to prevent the dissipation of his assets.

Arbitration

Dominic accepts instructions in all arbitral matters. Recently, he has been instructed in financial services arbitral proceedings in the London Court of International Arbitration and Hong Kong International Arbitration Centre. Dominic is presently instructed in a sports arbitration proceeding before the Court of Arbitration for Sport.

Cases

CAS Arbitration

2023-2024, ongoing

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HKIAC Cryptocurrency Arbitration

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Film financing

Advised on jurisdiction, the enforceability of an arbitration agreement and the availability of anti-suit relief in relation to a dispute arising out of film financing arrangements (with Nick de Marco).

Commercial Arbitration

2019

Acted in an arbitration at the CI Arb in relation to a commercial vehicle rental agreement.

Public & Regulatory

Dominic has a varied public and regulatory practice and regularly accepts instructions both to act for regulators and to act for those affected by regulatory decisions. Recently, Dominic has acted as sole counsel for the Secretary of State for Education in a three-day independent school de-registration appeal; sole counsel for Ofsted in an appeal concerning an accommodation restriction imposed on a children's home; and junior counsel for a French banker subject to proceedings for breaches of the Takeover Code. Previously, Dominic appeared together with leading counsel in the High Court and Court of Appeal in a damages claim arising from the purported exercise by a public body of EU law powers relating to commercial fishing.

Cases

AP Care Homes Ltd v Ofsted

Care Standards Tribunal, 2024-01108.EY-MOU

Acted for Ofsted in relation to an appeal by the operator of a children's home against the decision of Ofsted to restrict accommodation at the home. The decision was upheld on appeal. The matter will return to the tribunal in 2025 for final disposal.

Re MWB Group Holdings plc

Takeover Panel Statement 2024/16

Acted for one of 11 individuals alleged to have misled the Takeover Panel in order to conceal a deliberate breach of Rule 9 of the Takeover Code (the mandatory offer requirement) which took place in 2010. Proceedings took the form of a three-week hearing before a Hearings Committee of the Panel. (With Andrew Green KC)

The Proprietor of Home School v The Secretary of State for Education

[2022] UKFTT 00435 (HESC)

Acted for the Secretary of State in relation to an appeal brought by an independent school against its removal from the register of schools. The appeal before the FTT, which took the form of a de novo hearing of evidence on disputed issues of fact, was dismissed on the third day of a trial originally listed for five days, following half-time submissions.

HMRC v Al-Waheeb and GTL Trading Ltd

(2022, Magistrates Court)

Acted for HMRC in proceedings brought in the Magistrates Court to enforce a Labour Market Enforcement Undertaking in relation to payment of the minimum wage.

John West Foods v Marine Management Organisation

[2021] EWHC 1763 (QB); [2022] 1 WLR 137

Acted for the claimant importer in a damages claim against the MMO for fishery products wrongfully detained at port in purported reliance on EU law powers. A positive judgment for the claimant following a two-day hearing of preliminary issues was dispositive on all liability issues. (Led by Tom de la Mare QC)

Solaria Energy v Dept for Business, Energy and Industrial Strategy

[2020] EWCA Civ 1625

Acted for the defendant Government department in relation to a claim for alleged interference with the claimant's rights under Article 1 Protocol 1 of the ECHR, arising out of a proposed change to the feed-in tariff for solar electricity. The defendant brought a successful application for summary judgment on limitation grounds and resisted an appeal to the Court of Appeal. Led by Tom Weisselberg QC.

Peak Gen and others v Gas and Electricity Markets Authority

(Administrative Court, 2018)

Appeared for the second interested party in support of the respondent to an application for interim relief in the Administrative Court. The dispute concerned the implementation of CMP264/265 changes to regulated charges for electricity transmission.

EDF & SSE v Gas and Electricity Markets Authority

(Competition and Markets Authority, 2018)

Acted for EDF and SSE in an appeal to the CMA under section 173 of the Energy Act 2004. The case concerned the interpretation of an EU Regulation on charges for electricity transmission and the application of public law principles of regulatory consistency (with Kieron Beal QC).

Financial Conduct Authority

Seconded to the Financial Conduct Authority to work on the transfer of claims management regulation from the Ministry of Justice to the FCA.

IESA Logistics v The Director of Border Revenue

TC/2017/05448

Appeared for the appellant hauliers in their challenge to a seizure decision by the Border Force.

Sport

Dominic is regularly instructed in sports cases both in the High Court and in arbitral tribunals. Dominic acts for players, managers, governing bodies and other participants in the world of sport. His current instructions include a professional sports franchise case being heard before CAS. Dominic frequently advises on contractual disputes in a sports context, player transfer disputes and regulatory and disciplinary matters.

Cases

CAS Arbitration

2023-2024, ongoing

Acting for the former operator of a professional sporting franchise in relation to an ongoing commercial dispute with the franchisor. (With Nick de Marco KC)

Alexander Zverev v ACE Group International

[2020] EWHC 3513 (Ch)

Acted for the defendant, a sports manager and agent in relation to a claim brought by a tennis player client. The claimant sought a declaration that the contract engaging the defendant was an unenforceable restraint of trade. Led by Nick de Marco QC in a case which settled on the first day of trial; appeared unled in various hearings for interim applications and case management.

England and Wales Cricket Board

(Cricket Discipline Commission, 2019)

Acted for the sports governing body, prosecuting two players for bringing the game into disrepute by their conduct off the field of play.

Doping sanctions advice

Advice in relation to sanctions for breaches of anti-doping rules under the World Anti-Doping Agency Code.

British Boxing Board Of Control

(Southern Area Council, 2019)

Appeared for a boxer in misconduct proceedings under Regulation 25 of the British Boxing Board of Control, heard before the Southern Area Council.

Media & Entertainment

Dominic is regularly instructed in media and entertainment disputes. He has acted for musicians, screenwriters, directors, agents/managers, record labels and film rights owners, among others, in disputes in the High Court, County Court and Intellectual Property Enterprise Court. Dominic also has experience acting in disputes related to gambling, counterfeit designer goods, fashion modelling and creative agency work. He accepts instructions in all media, entertainment and related areas.

Cases

High Technology Publishing Ltd v Senfter

Chancery Division, 2024 ongoing

Acting for the copyright owner of an original musical work incorporated without permission into a derivative work of electronic music recorded and released internationally by a major record label. (With Tom Richards KC)

Lant v Plastic Head Music Distribution

IPEC, 2024 ongoing

Acting for the former frontman and bassist of heavy metal band Venom in relation to an ongoing dispute in IPEC concerning the distribution of certain band merchandise and the ownership of copyright in related artworks.

Declan Colgan Music Limited v UMG Recordings Inc

[2023] EWHC 4 (Ch)

Acted for the defendant record company in relation to claims for royalties brought by the owner of the copyright in a sampled recording. (With Robert Howe KC. Appeared unled in a series of hearings concerning case management and permission to adduce expert evidence.)

Employment

Dominic accepts instructions in all areas of employment work. He is an experienced trial advocate in the employment tribunals, including in discrimination and whistleblowing cases. Dominic's practice also includes employee competition, contractual claims and work with an international aspect.

Cases

Page v Cathedral Controls

(Employment Tribunal, 2021)

Acted for the respondent employer in a one-day unfair dismissal hearing in which partial defences of contribution and Polkey reduction succeeded.

Beasley v Rainbow Trust Children's Charity

(Employment Tribunal, 2021)

Acted pro bono for the respondent charity in a seven-day trial, successfully defending claims of discrimination, whistleblowing detriment and unfair dismissal.

Khan and Ali v A Y Trading

(Employment Tribunal, 2021)

Appeared for the successful claimants at a six-day trial and subsequent remedy and costs hearing in relation to claims for sex and religious discrimination, sexual harassment and whistleblowing detriment.

Sithirapathy v PSI CRO

(Employment Tribunal, 2019-2021)

Acted for the successful respondent employer in a complex unfair dismissal, discrimination and whistleblowing case with a cross-border element. The case involved a two-day preliminary hearing on jurisdiction and a four-day substantive final hearing.

Advetec Holdings v Shaw

(High Court, 2020-2021)

Instructed for the defendant, a former senior employee and founder of the claimant company in proceedings concerning alleged misuse of confidential information, unlawful competition, breach of covenants and conspiracy. The case involved an application for the delivery of documents and computers and an application for permission to bring committal proceedings.

Foster v Contact Security

(Employment Tribunal, 2019)

Appeared for the respondent employer at a three-day trial, successfully defending claims of whistleblowing detriment and unfair dismissal in relation to alleged health-and-safety protected disclosures in the construction industry.

P v Q, R and S

(Employment Tribunal, 2019)

Appeared for the claimant in a four-day trial of claims for discrimination, sexual harassment and whistleblowing arising out of her employment. The case was made subject to anonymity orders in view of the content of the allegations.

Employee competition

Advice in relation to unlawful competition by a number of former employees including breaches of post-termination restrictive covenants, misuse of confidential information and conspiracy.

Employee competition, contractual dispute and unfair dismissal

2018

Advised on a case involving a complex set of claims made by and against a former employee which raised contractual, breach of confidence and statutory employment issues (Led by Robert Howe QC).

Financial Services & Banking

Dominic accepts instructions in all areas of financial services work. Recently he acted together with leading counsel in proceedings brought by the Takeover Panel. Previously, he has advised a number of clients in relation to FCA regulatory compliance, has appeared together with leading counsel in a case before the RDC and has been instructed in two sets of financial services arbitral proceedings.

While working in investment banking, Dominic advised on a number of transactions involving asset managers, private equity companies, life and non-life insurers and retail financial services. He also undertook “special committee” work, advising on conflicts of interest between shareholders and executive management in financial services firms.

In 2017, Dominic completed a secondment at the Financial Conduct Authority where he worked on the transfer of claims management regulation from the Ministry of Justice to the FCA.

Cases

Re MWB Group Holdings plc

Takeover Panel Statement 2024/16

Acted for one of 11 individuals alleged to have misled the Takeover Panel in order to conceal a deliberate breach of Rule 9 of the Takeover Code (the mandatory offer requirement) which took place in 2010. Proceedings took the form of a three-week hearing before a Hearings Committee of the Panel. (With Andrew Green KC)

European Banking Arbitration

2022

Acted for the private equity buyers of a European bank in relation to a dispute about the terms and operation of an SPA indemnity. Led by Andrew Green KC in a case which settled immediately prior to the final hearing.

FCA v Aviva plc

(RDC, 2020)

Instructed by the respondent company in enforcement proceedings brought by the FCA over a stock exchange announcement concerning the company's preference shares. Led by Javan Herberg QC in proceedings before the RDC.

Financial Conduct Authority

Seconded to the Financial Conduct Authority to work on the transfer of claims management regulation from the Ministry of Justice to the FCA.

Civil Liberties & Human Rights

Dominic accepts instructions in all areas of civil liberties and human rights work. Dominic has advised on a number of clients on human rights issues arising a regulatory or commercial context.

Cases

Solaria Energy v Dept for Business, Energy and Industrial Strategy

[2020] EWCA Civ 1625

Acted for the defendant Government department in relation to a claim for alleged interference with the claimant's rights under Article 1 Protocol 1 of the ECHR, arising out of a proposed change to the feed-in tariff for solar electricity. The defendant brought a successful application for summary judgment on limitation grounds and resisted an appeal to the Court of Appeal. Led by Tom Weissenberg QC.

ACHIEVEMENTS

Education

BA (Hons) (Oxon), Philosophy, Politics and Economics (First Class), Merton College

GDL (City Law School) (Distinction)

BPTC (City Law School) (Outstanding)

Prizes and Scholarships

Exhibition, awarded for distinction in preliminary exams, Merton College (2006)

Lord Bowen Scholarship, Lincoln's Inn (2014-15)

Jean Monnet Prize for best performance in EU Law finals, City Law School (2015)

Winner of Graduate Diploma in Law mooted competition, City Law School (2015)

Lord Denning Scholarship, Lincoln's Inn (2015-16)

VAT registration number: 275974742

Barristers regulated by the Bar Standards Board