

# Thom Dyke

Call: 2007



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Thom is a barrister specialising in criminal, human rights and public law.

He is 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 has expertise in a number of areas, including: Appeals Civil Law Criminal Law Inquests Public & Human Rights Law Thom brings a robust style of advocacy to representing clients and has obtained successful outcomes both in court and in negotiated settlement at mediation.

He has extensive experience of drafting pleadings in both civil and criminal cases and is happy to turn around work for clients in cases where time is of the essence. Thom prides himself on developing and maintaining exceptional standards of oral and written advocacy and continues to build a strong practice in serious crime, public law, inquests and civil and regulatory work.

Thom also accepts instructions from members of the public on a direct access basis.

## Areas of Expertise

### Crime

Thom has a busy criminal practice, both prosecuting and defending serious crime both as a leading and led junior. He is regularly instructed on complex and multi-handed cases, as well as those involving issues of human rights and public law.

Thom is a CPS Grade 3 Panel Advocate and has undertaken a secondment to work with the CPS Complex Casework Unit in the Rape and Serious Sexual Offences (RASSO) Unit. He has additional experience prosecuting on behalf of Royal Mail, the London Probation Trust, Department for Work and Pensions (DWP) and Office of the Immigration Services Commissioner (OISC).

Thom also has experience of defending in road traffic prosecutions, whether instructed directly or through insurers, in particular where death or serious injury has resulted.

### Notable Crime cases

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R v DE and others (2021) Snaresbrook Crown Court

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Leading junior prosecuting eight defendants for their role in an Organised Crime Group involving conspiracies to supply multi-kilo quantities of cocaine and money laundering.

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R v TT (2021) Snaresbrook Crown Court

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Prosecuted an individual who sent offensive messages to high-profile figures including the former Attorney General Dominic Grieve, the former Speaker of the House of Commons John Bercow MP, Jeremy Corbyn MP and the United States Embassy.

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R v RN (2021) Southwark Crown Court

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Successful prosecution of a case arising from Operation Venetic involving a conspiracy to supply multi-kilo quantities of cocaine, a submachinegun and automatic pistols.

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R v AH & DD (2020) Isleworth Crown Court

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Instructed to defend the first defendant in an allegation of attempted murder involving complex forensic and medical evidence.

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R v MM (2020) Wood Green Crown Court

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Prosecuted a drug dealer caught with 15 kilograms of cannabis and two loaded firearms, resulting in a sentence of 15 years' imprisonment after trial.

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R v BG (2020) Snaresbrook Crown Court

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Represented a defendant accused of possession of a Skorpion submachinegun. The defendant was acquitted.

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R v LB (2019) Harrow Crown Court

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Prosecution of historic sexual abuse by a step-sibling which took place in the 1970s. Defendant convicted after trial.

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R v CK and others (2019) Snaresbrook Crown Court

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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.

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R v TG (2018)

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Represented the defendant who was acquitted at trial, following an allegation he defrauded nearly half a million pounds from his elderly mother.

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R v UA (2018) Harrow Crown Court

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Successful prosecution of a defendant accused of the sexual abuse of a three-year-old girl at a trial involving extremely complex disclosure issues.

## Appeals

Thom is frequently instructed to advise and appear in the Court of Appeal and High Court in appeals from the lower courts. He has experience of appeals against conviction, sentence and matters arising out of confiscation proceedings. He has particular expertise in advising on the complex issues which often arise with the imposition of life sentences and sentences of Imprisonment for Public Protection (“IPP”). Thom also has experience of responding in cases where the Attorney General refers a sentence to the Court of Appeal as ‘unduly lenient’, under section 36 of the Criminal Justice Act 1988.

### Notable Appeals cases

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R v Dunn and King [2021] EWCA Crim 439

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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.

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

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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.

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R v Soloman [2019] EWCA Crim 1356

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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.

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

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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".

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R v Ward [2018] EWCA Crim 1464

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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.

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R v Phillips [2017] EWCA Crim 624

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

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

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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.

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

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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.

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

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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".

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

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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.

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## Public Law

Thom has a busy public law practice, especially in areas where there is an overlap with criminal proceedings, for example in cases concerning prison law, search warrants, costs law, and the Victim's Right of Review. Thom has experience of running both discrimination and human rights claims. He is regularly instructed in judicial review cases

concerning difficult questions of false imprisonment, breaches of Article 5 and Parole Board appeals. Thom also has extensive experience of cases brought under the Licensing Act 2003.

## Notable Public Law cases

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R (on the application of AA) v Secretary of State for Justice (C013324/2019)

Represented the claimant who was serving a life sentence for murder, in an application for judicial review of a decision of the prison governor to refuse to allow her to attend the funeral of her grandson. The claim was granted by Nicklin J without a hearing.

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

Led by Alun Jones QC 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.

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R (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 even attractively".

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R (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.

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R (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".

## Education

- 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 Hons.) University of Sheffield

## Memberships

- Criminal Bar Association
- 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 3 Panel Advocate
- CPS Rape List Panel Advocate
- Level 2 Serious Crime Group Panel Advocate
- International Criminal Court's List of Counsel
- Inner Temple Advocacy Trainer
- Advisory board member of APPEAL
- Independent Adjudicator for the Legal Aid Agency's National Appeals Review Panel (2016-2019)

## Awards



**RANKED IN**  
**Chambers**  

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**UK Bar**  
**2022**

**Thom Dyke**