BRICK COURT
CHAMBERS

Brick Court Chambers
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Richard Howell

YEAR OF CALL: 2018

"A titan of the Bar in the making"

Chambers & Partners 2026

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Practice Overview

Richard is a leading junior in public and administrative law, commercial judicial review, civil liberties and human rights, including financial sanctions and public international law. He has acted in a number of important and high-profile cases including *R (Miller) v Prime Minister* ; *All Saints Spring Park PCC v Church Commissioners* ; and *R (Volkswagen) v Competition and Markets Authority* . Richard also specialises in competition law, notably statutory judicial reviews in merger and subsidy control cases, and accepts instructions in commercial cases, particularly appellate work. He has appeared led at all levels up to the Supreme Court and unled in the Court of Appeal, High Court, Upper Tribunal, Competition Appeal Tribunal and Family Court.

Public and Administrative Law

Richard accepts instructions in all areas of public and administrative law, including constitutional and administrative law, commercial judicial review, trade, and subsidy and merger control. He regularly acts both for and against public authorities.

His notable instructions include:

Constitutional law

- *Carter-Ruck v Solicitors Regulation Authority* [2026] EWHC 2416 (KB) – principle of legality; whether SRA has power to override legal professional privilege under s.44B of Solicitors Act 1974 (leapfrog certificate granted).
- *All Saints Spring Park PCC v Church Commissioners* [2025] 1 All ER 1053 (PC) - junior counsel for Church Commissioners on effect of non-compliance with procedural requirements; and ambit of the Human Rights Act and public sector equality duty.

- *R (Volkswagen) v CMA* [2023] Bus LR 754 (High Court); [2024] Bus LR 1108 (CA) – presumption against extra-territoriality.
- *Quest Vocational Training v Department for Education* [2022] EWHC 3578 (KB) – interim relief against the Crown in civil proceedings; nature of executive agencies.
- Junior counsel for the Government in the English judicial reviews concerning the EU (Withdrawal) (No.2) Act 2019 ('the Benn Act'), including *R (Liberty) v Prime Minister* [2020] 1 WLR 1193 (prerogative powers, the frustration principle, and judicial comity between UK jurisdictions in public law cases).
- Junior counsel for the Government in *R (Miller) v Prime Minister* in the Divisional Court [2019] EWHC 2381 (QB) and Supreme Court [2020] AC 373 (prorogation, prerogative powers, justiciability, parliamentary sovereignty, and art. IX of the Bill of Rights).

General administrative law

- *R (Janicki) v Director of Legal Aid Casework* [2026] EWHC 814 (Admin) – academic/premature claims.
- *R (Taktouk) v HM Prison and Probation Service* [2025] EWHC 2238 (Admin) – judicial review of decision to refuse offender permission to travel overseas (unled).
- *R (Valentine) v Secretary of State for Justice* [2024] EWHC 1534 (Admin) – judicial review of decision to refuse prisoner transfer to open conditions (unled).
- *R (CMA) v Competition Appeal Tribunal* [2024] 2 All ER (Comm) 1095 – junior counsel for CMA in judicial review concerning search warrants (with Marie Demetriou KC).
- *Umbrella Interchange Fee Proceedings* [2023] CAT 59 (unled) – *vires* of Payment Systems Regulator to disclose documents for the purpose of civil litigation.
- *R (Bluebird Boats) v The Royal Parks Limited* [2020] EWHC 3647 (Admin) – junior counsel in challenge to management of boating in Royal Parks (with Maya Lester KC).

Civil liberties and human rights

- *Carter-Ruck v Solicitors Regulation Authority* [2026] EWHC 2416 (KB) – whether SRA has power to override legal professional privilege under s.44B of Solicitors Act 1974, and privilege and art.8 of the ECHR (leapfrog certificate granted).
- *All Saints Spring Park PCC v Church Commissioners* [2025] 1 All ER 1053 - junior counsel for Church Commissioners in an appeal to the Privy Council on the ambit of the Human Rights Act; Article 14 of the ECHR.
- *Phillips v Secretary of State for Foreign, Commonwealth and Development Affairs* [2024] 1 WLR 2277 – freedom of expression and financial sanctions.

Trade

- *R (Global Feedback) v HM Treasury* - junior counsel for the Government (with Malcolm Birdling) in proceedings challenging regulations implementing the UK-Australia free trade agreement; permission granted June 2024: [2024] EWHC 1810 (Admin).
- *R (British Sugar) v Secretary of State for International Trade* [2022] EWHC 393 (Admin) (judicial review of first post-Brexit autonomous tariff-rate quota, with Aidan Robertson KC and Tim Johnston).
- Richard has advised on threatened proceedings relating to the Export Control Act 2002.

Financial sanctions

Richard has advised on financial sanctions legislation and has been instructed in several proceedings under the Sanctions and Anti-Money Laundering Act 2018.

- *Troost v Secretary of State for Foreign, Commonwealth and Development Affairs* – acting for claimant in challenge to designation relating to trading in Russian-origin oil – with Maya Lester KC & Malcolm Birdling KC (heard October 2026).
- *Phillips v Secretary of State for Foreign, Commonwealth and Development Affairs* [2024] 1 WLR 2277 – principle of legality, freedom of expression and financial sanctions – led by Maya Lester KC & Malcolm Birdling.
- Richard regularly advises on designations for the purpose of financial sanctions, ship specifications, trade sanctions and licenses.

Utilities, transport and telecommunications

- *SmartestEnergy Business v Odeon Arcade* [2026] EWCA Civ 1412 – deemed contract provisions under the Electricity Act 1989 (acted unled for Intervener).
- *R (TikTok Information Technologies UK) v Ofcom* [2026] EWHC 2779 (Admin) – lawfulness of request for information for the purposes of Ofcom's online safety Monitoring & Evaluation programme (with Marie Demetriou KC).
- *R (Gatwick Airport) v Secretary of State for Transport* [2026] EWHC 1733 (Admin) – expedited judicial review of regulations providing for slot alleviation (with Malcolm Birdling KC).
- *Sky UK v Ofcom* [2025] EMLR 11 (CA) – scope of communications regulation under Chapter 1 of Part 2 of the Communications Act 2003 (with James McClelland KC).
- Richard acted in a judicial review for Ofgem defending a challenge to elements of the domestic energy price cap.
- Richard acted in an appeal concerning the compatibility of capital allowances for ships with

EU law.

Subsidy control

- *BEK Developments v Durham CC* [2026] CAT 47 – what constitutes a reviewable "*subsidy decision*" (unled).
- Junior counsel for the Respondent in *New Lottery Company v Gambling Commission* – review of alleged £70m subsidy under the Subsidy Control Act 2022: [2026] CAT 14.
- Junior counsel for Respondent in *The Durham Company v Durham CC* , the first case under the Subsidy Control Act 2022, concerning an alleged cross-subsidy; see the Court of Appeal judgment on cost capping ([2023] Costs LR 1177); and the Tribunal's judgment on the substantive application ([2023] PTSR 2128), with Aidan Robertson KC.
- Junior counsel for the Government in *R (British Sugar) v Secretary of State for International Trade* [2022] EWHC 393 (Admin) (the first judicial review concerning the State aid provisions of the Northern Ireland Protocol and subsidy control provisions of the Trade and Cooperation Agreement), led by Aidan Robertson KC and Tim Johnston.
- Junior counsel in a judicial review of whether contractual payments fell within the *Altmark* criteria or were unlawful State aids.

Merger and transaction control

- *Microsoft v CMA* – junior counsel for the CMA in a challenge to a decision to prohibit the anticipated merger between Microsoft and Activision (procedural judgments at [2023] CAT 40; [2023] CAT 48).
- *Meta Platforms v CMA* [2022] Bus LR 1162 – junior counsel for applicant, led by Daniel Jowell KC and Gerard Rothschild (dynamic competition, procedural fairness in merger inquiries, the duty to give reasons and the *Carltona* principle).
- Richard regularly advises on notifications and call-ins under the Nationality Security and Investment Act 2021.

Public international law

- Junior counsel for the Government in UKSC 2022/0117 *Dance v Barts Health NHS Trust* (Supreme Court consideration of domestic effect of interim measures granted by UN Committee, with Marie Demetriou KC and Tim Johnston).
- *R (British Sugar) v Secretary of State for International Trade* [2022] EWHC 393 (Admin) (effect of Northern Ireland Protocol and Trade and Cooperation Agreement, with Aidan Robertson KC and Tim Johnston)
- *Lane v Angell* (2021) – unled in High Court (recognition of foreign judgments at common law, natural justice and public policy bars to recognition).

Environment

- Acting in judicial review concerning the Deep Sea Mining Act 1981.
- *R (Global Feedback) v HM Treasury* - junior counsel for Government (with Malcolm Birdling) in judicial review challenging regulations implementing Australia free trade agreement on environmental grounds; permission judgment [2024] EWHC 1810 (Admin); Aarhus costs capping judgment [2024] Costs LR 1107 (Administrative Court); [2025] 4 All ER 187, CA (appeal to Supreme Court heard June 2026).
- Junior counsel in a judicial review of general licensing decision made under the Wildlife and Countryside Act 1981 and associated guidance.

Legal aid and advice

- *R (Szczurkowski) v Director of Legal Aid Casework* [2026] EWHC 1075 (Admin) (nature of duties arising out of an application for civil legal aid).
- *Smith v Lord Chancellor* [2025] 1 WLR 5127 - jurisdiction to make a non-party costs order against the Lord Chancellor under s.51 of the Senior Courts Act 1981 (unled).
- *R v Tredget* [2023] Crim LR 425 – Court of Appeal's jurisdiction to grant a representation order in criminal proceedings (unled).

Social security

- *DS v Secretary of State for Work and Pensions* [2026] 1 WLR 553 – whether date of entitlement to new state pension can be changed after an award is made (unled).
- *HYM v Secretary of State for Work and Pensions* [2026] UKUT 367 (AAC) – entitlement to mobility component of personal independence payment after pensionable age (unled).
- *Secretary of State for Work and Pensions v Buckley* [2026] UKUT 291 (AAC) & *AE v Secretary of State for Work and Pensions* [2025] UKUT 186 (AAC) – necessity of claiming child benefit for the purpose of entitlement to bereavement benefits (unled).
- *Watson v Secretary of State for Work and Pensions* [2025] UKUT 365 (AAC) – claims to industrial injuries benefit by former professional footballer (unled).
- *Secretary of State for Work and Pensions v SC* [2025] UKUT 299 (AAC) – prospective closed period supersession not permitted under s.10 of the Social Security Act 1998 (unled).
- *SO v Secretary of State for Work and Pensions* [2024] UKUT 305 (AAC) – whether Welsh Government Learning Grant is "*student income*" for the purposes of the Universal Credit Regulations 2013 (unled).
- *SM v Secretary of State for Work and Pensions* [2023] UKUT 176 (AAC) (unled) – meaning of "*care*" in size criteria rules in Schedule 4 to the Universal Credit Regulations 2013.

Child support maintenance

- *PB v Secretary of State for Work and Pensions* [2026] UKUT 61 (AAC) (unled) – valuation of assets for child support purposes and proper approach to variations (unled, heard before a 3-judge panel as a point of law of special difficulty).
- *R (Band) v Secretary of State for Work and Pensions* [2025] EWHC 3108 (Admin) – reimbursement of overpayments and power of supersession (unled).

Competition

Richard accepts instructions in competition cases (for his merger and subsidy control practice, see above), including in appellate proceedings before the Competition Appeal Tribunal and in private law claims. His notable instructions include:

- *Thomas v Durham CC* [2026] CAT 47 – standalone claim for breach of Chapter I and II prohibitions against local authority in connection with local regeneration struck out.
- Junior counsel for Defendants (led by Victoria Wakefield KC and Jennifer Macleod) in *Cabo Concepts v MGA Entertainment*: [2026] RPC 1 (claim for damages for up to £90m for breach of competition law and actionable threats of patent infringement proceedings dismissed following 6 week trial); see also [2026] EWHC 768 (Ch).
- *Allianz FX proceedings* (led by Marie Demetriou KC and Colin West KC) – [2023] 1 All ER (Comm) 20 - Court of Appeal judgment on avoided loss/pass on, standing to sue, reflective loss and effect of EU law post-Brexit.
- *OT Computers (In Liquidation) v Infineon Technologies* [2021] QB 1183 (led by Daniel Jowell KC) - major judgment on s.32(1)(b) of the Limitation Act 1980 in competition cases.
- *FP McCann v CMA* [2020] CAT 28 (led by Robert O'Donoghue KC) - challenge to the legality of the CMA's penalty guidance.
- *Gazprom Export v DDI Holdings* [2020] 4 CMLR 16 – led by Neil Calver KC - abuse of process by way of collateral attack on arbitration awards and the effectiveness of EU competition law.
- *Office Depot v Holdham* [2019] 4 WLR 120 (envelopes cartel led by Marie Demetriou KC).

Education, Publications and qualifications

Education and qualifications

2018-2019: Pupillage, Brick Court Chambers

2017-2018: BPTC, City Law School (Outstanding)

2014-2015: GDL, City Law School (Distinction)

2011-2014: BA, History, Wadham College, University of Oxford (1st class)

Publications

- "Who constitutes 'an enemy'?"; [2026] Crim LR 19.
- "Deprivation of citizenship: the limits of procedural fairness", (2025) 30(3) JR 175.
- "Statutory Review: The Need for Procedural Reform", (2024) 29(3) JR 151
- "Can procedural impropriety justify secret justice?", [2024] PL 590
- "Consequences of breaching time limits under UK merger control law", (2024) 45(8) ECLR 381-384
- "The first subsidy control challenge in the Competition Appeal Tribunal", (2024) 45(2) ECLR 47-51 (with Aidan Robertson KC)

Scholarships and Prizes

Honourable Society of Middle Temple:

Baron Dr Ver Heyden de Lancey Prize

City Law School:

Barstow Scholarship

Worshipful Company of Arbitrators Prize

Wadham College, University of Oxford:

Gibbs Book Prize

Cheney Prize

Undergraduate scholarships

Other experience

Before coming to the Bar, Richard worked for a year in politics, providing policy advice and assistance to cabinet ministers, MPs and peers.

Directory quotes

"He is the best junior in public law I've ever worked with. He deserves all the praise he can get. He writes extremely clearly, advises quickly and sees points others don't see." Chambers & Partners 2027

"He's extremely smart – if we have really tricky questions we know he'll be able to get to grips with them quickly. His written advice in particular has impressed us: it is spot on and well researched." Chambers & Partners 2027

"Richard has a very impressive command of public law principles." Chambers & Partners 2027

"He is very bright, very quick and, if you're looking for an impressive junior, who you need." Chambers & Partners 2027

"Richard is well on the way to being an adviser of choice. He is diligent and responsive." Chambers & Partners 2027

"He is the most capable junior I have ever worked with despite his years of call. He is a real star of the future. I recommend him highly to anyone and everyone." Chambers & Partners 2027

"He's absolutely amazing. He'll just find things that no-one else sees, he drafts amazingly, and speaks amazingly; I feel like he leads me! I have total confidence in him." Chambers & Partners 2027

"Richard is a go-to junior in Administrative and Public law. He has an encyclopedic knowledge of the law and an ability to cut through the issues and identify the killer point." Legal 500 2027

"Richard Howell is a highly regarded junior who regularly assists in complex civil liberties issues, such as freedom of expression, the extent of police powers and search warrants, and prisoners rights. He is a member of the Attorney General's C-Panel of counsel." Chambers & Partners 2026

"Richard Howell has amassed an impressive body of experience in judicial reviews focusing on trade policy and the regulation of markets. Among other notable cases, he has been involved in R (British Sugar) v Secretary of State for International Trade, a leading post-Brexit case on state aid." Chambers & Partners 2026

"If I had to use one word for Richard, it would be "brilliant"! He is very much a titan of the Bar in the making. His ability to pick things up and immediately get up to speed is really impressive." Chambers & Partners 2026

"Richard is one of the most talented people I've come across. He deals with very complex issues in short periods of time. He sees the arguments and difficult points much quicker than others." Chambers & Partners 2026

"He is superb, fearless and has excellent judgement. For his call, he is the most knowledgeable barrister in all fields that I have ever seen." Chambers & Partners 2026

"I love him. He is very down-to-earth and he has a massive brain." Chambers & Partners 2026

"He is a proper genius. He will get through twice as much work as anyone else and is one of the absolute top brains. He will go to the very top." Chambers & Partners 2026

"Richard is a very promising junior with an eye for detail. He is very responsive and user-friendly." Chambers & Partners 2026

"I was very impressed with Richard on a very complex and urgent case." Chambers & Partners 2026

"Richard is an exceptionally bright and technical lawyer." Chambers & Partners 2026

"Richard is extremely cerebral, has real intellect and will be a superstar. His written work is flawless." Chambers & Partners 2026

"Richard is one of the most talented people I've come across. He deals with very complex issues in short periods of time. He sees the arguments and difficult points much quicker than others." Chambers & Partners 2026

"'Richard is a fantastic public law junior – well-prepared, on-the-ball and tenacious." Legal 500 2026

"Richard is the cleverest junior we work with and he will be a huge star in years to come. He finds the angles that nobody else sees and he has fantastic understanding and precision." Chambers & Partners 2024