



# Nicholas Wilson (The Right Honourable Lord Wilson)

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Lord Wilson is a former Justice of the UK Supreme Court and joined Fountain Court as an arbitrator in 2020, having spent 27 years of his career on the Bench.

He was called to the Bar in 1967, after gaining the highest honours as a law student at Oxford and was appointed King's Counsel in 1987. In 1993, he became a judge of the Family Division of the High Court and in 2005 was appointed to the Court of Appeal, before being appointed Justice of the UK Supreme Court in 2011.

Lord Reed, President of the Supreme Court, paid tribute to Lord Wilson on his retirement from the Supreme Court, referring to his “many important judgments” in family law and his “notable judgments on a range of subjects, including tax law, employment law, social security law, and the law of contract” and “important judgments raising issues of constitutional and administrative law”.

He also commented that “an outstanding lawyer such as Nicholas can use his skills in any area of the law”.

Nicholas accepts appointments as arbitrator across a range of areas, both in the UK and overseas.

## Expertise

### Appointment to the Supreme Court 2011

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In his published Diaries Lord Hope, Deputy President of the Supreme Court, explained the decision of the Appointments Committee:

‘On sheer merit ... he was clearly well above the others. Such is the quality of his judgments and his engaging, caring personality.’

### Retirement from the Supreme Court 2020

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In his recorded Tribute Lord Reed, President of the Supreme Court, said:

'At the time of his appointment to the court, Nicholas expressed the hope that he would contribute wisely to development of the law. That hope has been amply fulfilled. In the field of family law, he has delivered many important judgments, but he has also demonstrated time and again that what is important in this court is not so much specialised experience as outstanding legal ability. We have comparatively few cases concerned with his specialisation of matrimonial finance, or even with family law more widely. But an outstanding lawyer such as Nicholas can use his skills in any area of the law. And he has done exactly that. He has delivered notable judgments on a wide range of subjects, including tax law, employment law, social security law, and the law of contract. He has made a particular contribution to immigration law ... He has also delivered a number of important judgments raising issues of constitutional and administrative law ... He has also delivered some trenchant dissenting judgments, for example in *Evans*, the case concerned with the legality of a Government decision to override a judicial decision ordering the disclosure of the Prince of Wales's letters to Government departments, and the case of *Privacy International*, which concerned the availability of judicial review in circumstances where an Act of Parliament had sought to exclude it.'

## Decisions of the UK Supreme Court

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Leading judgments given by Lord Wilson in the UK Supreme Court (or Judicial Committee of the Privy Council if marked \*), other than on family law, include:

- *Peninsula Securities v Dunnes Stores (Bangor)* [2020] 3 WLR 521: Restraint of Trade
- *Serafin v Malkiewicz* [2020] 1 WLR 2455: Libel
- *R (Palestine Solidarity) v Sec of State* [2020] 1 WLR 1774: Ultra Vires
- *AM (Zimbabwe) v Sec of State* [2020] 2 WLR 1152: Deportation: HIV
- *Jhuti v Royal Mail* [2020] 3 All ER 257: Unfair Dismissal
- *Egon Zehnder v Tillman* [2020] AC 154: Restraint of Trade
- *R (DA and DS) v Sec of State* [2019] 1 WLR 3289: State Benefits Cap
- *KV (Sri Lanka) v Sec of State* [2019] 1 WLR 1849: Scars as Evidence of Torture
- *Rhuppiah v Sec of State* [2018] 1 WLR 5536: Precarious Immigration Status
- *Pimlico Plumbers v Smith* [2018] 4 All ER 641: Meaning of 'Worker'
- *Reilly v Sandwell MBC* [2018] 3 All ER 477: Unfair Dismissal
- *Steel v NRAM* [2018] 1 WLR 1190: Duty of Care to Opposite Party
- *Goldtrail Travel v Onur Air* [2017] 1 WLR 3014: Conditional Permission to Appeal
- *R (Kiarie and Byndloss) v Sec of State* [2017] 1 WLR 2380 : Immigration: Appeals from Abroad
- *R (A and B) v Sec of State* [2017] 1 WLR 2492: NHS: Duty to Treat
- *General Pharmaceutical Council v Khan* [2017] 1 WLR 169: Disciplinary Powers
- *R (Lee-Hirons) v Sec of State* [2017] AC 52: Recall to Hospital
- *R (O) v Sec of State* [2016] 1 WLR 1717: Detention Pending Deportation
- *Mandalia v Sec of State* [2015] 1 WLR 4546: Student Visa: Process
- *Mathieson v Sec of State* [2015] 1 WLR 3250: State Benefits: Discrimination
- *Maharaj v Johnson* \* [2015] 6 WLUK 458: Duty of Care
- *Loveridge v LB of Lambeth* [2014] 1 WLR 4516: Statutory Construction
- *Telchadder v Wickland Holdings* [2014] 1 WLR 4004: Statutory Construction
- *R (Moseley) v LB of Haringey* [2014] 1 WLR 3947: Statutory Consultation
- *Hounga v Allen* [2014] 1 WLR 2889: Illegality
- *R(T) v Sec of State* [2015] AC 49: Rehabilitation of Offenders
- *Sec of State v Al-Jedda* [2014] AC 253: Statelessness

- *Crawford Adjusters v Sagicor*\* [2014] AC 366: Malicious Prosecution
- *Ebbvale v Hosking*\* [2013] 1 WLUK 646: Winding-up
- *R (Gujra) v CPS* [2013] 1 AC 484: Private Prosecution
- *Birmingham City Council v Abdulla* [2013] 1 ALL ER 649: Equal Pay
- *Ministry of Defence v AB* [2013] 1 AC 78: Limitation
- *R (Davies and Gaines-Cooper) v HMRC* [2011] 1 WLR 2625: Tax: Non-Residence
- *R (Quila) v Sec of State* [2012] 1 AC 621: Immigration; Marriage Visa

Further decisions of the UK Supreme Court, other than on family law, in which Lord Wilson gave a judgment or otherwise participated, include:

- *R (Miller) v Prime Minister* [2020] AC 373: Prorogation of Parliament
- *Sequent Nominees v Hautford* [2020] AC 28: Construction of Lease
- *R (Privacy International) v Investigatory Powers Tribunal* [2020] AC 491: Statutory Ouster of Judicial Review
- *R (Hallam) v Minister of Justice* [2020] AC 279: Presumption of Innocence
- *Rock Advertising v MWB* [2019] AC 119: No Oral Modification Clause
- *Four Seasons Holdings v Brownlie* [2018] 1 WLR 192: Service Out of Jurisdiction
- *Reyes v Al-Malki* [2019] AC 735: Diplomatic Immunity
- *Khuja v Times Newspapers* [2019] AC 161: Identification of Suspect
- *Macris v Financial Conduct Authority* [2017] 1 WLR 1095: Authority's Right to Identify
- *R (Miller) v Minister for Exiting the EU* [2018] AC 61: Parliament's Role in Exit
- *Mohammed v Minister of Defence* [2017] AC 821: Human Rights of Foreign Detainees
- *Willers v Joyce* [2018] AC 779: Malicious Prosecution
- *Patel v Mirza* [2017] AC 467: Illegality of Contract
- *R (Evans) v Attorney General* [2015] AC 1787: Disclosure of Prince Charles' Letters
- *R (Nicklinson) v Ministry of Justice* [2015] AC 657: Assisted Suicide
- *Kennedy v Information Commissioner* [2015] AC 455: Freedom of Information
- *VTB Capital v Nutritek International* [2013] 2 AC 337: Appropriate Forum
- *Geys v Societe Generale* [2013] 1 AC 523: Repudiation of Contract
- *Rainy Sky v Kookmin Bank* [2011] 1 WLR 2900: Interpretation of Contract

## Education

- Worcester College, Oxford
- BA (First Class Honours), Oxford (1966)

## Appointments, Memberships and Prizes

- Visiting Professor of Law, Oxford University (2021-2024)
- Appointed Justice of the UK Supreme Court (2011)
- Editor-in-Chief, Family Court Practice (2008-2019)
- Made Honorary Fellow, Worcester College, Oxford (2008)
- Made Privy Councillor (2005)



- Appointed to Court of Appeal, England & Wales (2005)
- President, Family Mediators Association (1998-2015)
- Appointed High Court Judge, Family Division, England & Wales (1993)
- Appointed King's Counsel (1987)
- Called to the Bar of England & Wales (1967)
- Lecturer, Northwestern University, Chicago (1966-1967)
- Martin Wronker Prize in Law (for highest First Class BA jurisprudence degree), Oxford (1966)
- Eldon Scholar, Oxford (1966)
- Gibbs Prize in Law, Oxford (1965)

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