

## Specialist Areas

### Competition Law

Ian has advised in competition matters arising out of a range of areas including licensing, vertical agreements, sports rights and coal and steel.

He has advised as a junior on the competition aspects of corporate hospitality at international rugby matches, matters arising out of agricultural agreements, disputes arising out of the EC Coal and Steel Treaty and the legislation affecting tour operators. He has also advised in cases arising out of the selling methods of the Television Shopping Channels, higher education, the licensing of scientific/engineering products, aviation, international licensing of publications and State aid.

From November 2001 to July 2002 Ian advised the BBC Regulatory Department on a full time basis. During this period he advised on a range of competition and State aid matters including the competition aspects of merchandising, sports broadcasting, interactive television, interactive gambling, the on-line provision of educational courses and licensing agreements. He also advised on competition/regulation issues arising from EU and domestic broadcasting legislation.

Ian has also advised on the effect of competition law in other legal areas; for example the relationship between competition law and European tax rules.

He has written a number of articles/conference papers on the subject of Competition law and is joint author of the the Competition Volume of Atkin's Court Practice.

Ian develops and teaches the Competition Law element of Nottingham Law School's LLM in Advanced Litigation which is specifically designed for experienced litigators both from this country and abroad.

He also develops and teaches other Competition Law courses (specialising in both the substantive elements of Competition law and specific problems of advocacy arising out of competition law) to many of the country's leading solicitors firms.

### European Law

Almost all of Ian's cases involve an aspect of European law and he advises on a very wide range of such matters.

He has been instructed in the the following European Court of Justice cases: C-448/07 The Royal Bank of Scotland Group Plc, C-162/07 Amplis Scientifica Srl, C- 235/07 Canterbury Hockey Club, C-484/2006 Koninklijke Ahold Nv, Joined Cases C-354/03, C-355/03 and C-484/03 Optigen, Fulcrum and Bond House.

Before the European Court of First Instance he has notably been currently involved in a case brought by ninety-five members of the Joint European Torus nuclear fusion project against discrimination by the European Commission (Case T-45/01, Sander and others v. the Commission of the European Communities).

He is also presently instructed in a similar case which is expected to come before the Civil Service Tribunal of the European Communities.

He has also recently appeared both for and against the Government in cases arising out of the fraudulent non-payment of customs duties and avoidance of anti-dumping duties.

Ian also advised the Hungarian Government on the legality of its proposed customs legislation.

He is the joint author (With Paul Lasok QC) of the "Atkin's Court Forms" volume covering procedure in the European Court of Justice and the European Court of First Instance.

### Public & Administrative Law

Ian is regularly asked represent both private clients and Government on a wide range of public law matters. He is particularly experienced in advising on the interrelationship between public and other areas of law. For example, public law and tax, public law and competition and immigration/asylum and European law.

Ian is regularly instructed by HMRC in Judicial Reviews arising out of tax matters (upcoming cases include



Accenture Services Limited (Co/6273/07) and Barclays Bank Plc (CO/6280/07)).

He also regularly appears in asylum and immigration cases (e.g. G Omerenma Obed; E Odunewu & Another; W Abdul; H Zargar; A Mohammad; K Mudiyansele; T Gilkes; A Gutu v. Secretary Of State for the Home Department, (2008) Court of Appeal) .

Ian's public law also practice covers a very wide range of other topics from European Community payments to agricultural suppliers to challenges to the prison service (e.g [Malcolm Edwards-Sayer V Secretary Of State For The Home Department \(2008\)](#)).

Ian has also advised the Isle of Man Government on public law challenges arising out of European law.

## **VAT & Customs Law**

Ian acts for both private clients and the Government in cases relating to VAT, Customs Law, stamp duty, excise duties and direct taxes. Leading cases in which Ian has been instructed include Lex Services Plc [2003] UKHL 67 in the House of Lords, Telewest [2005] EWCA Civ 102 in the Court of Appeal, The Arena Corporation Ltd [2004] EWCA Civ 371 in the Court of Appeal, Riverside [2006] EWHC 2383 in the High Court and Redcats and Kingfisher in the Tribunal.

He has been instructed in the following ECJ tax cases:

- C-448/07 The Royal Bank of Scotland Group Plc;
- C-162/07 Ampliscentifica Srl;
- C- 235/07 Canterbury Hockey Club;
- C-484/2006 Koninklijke Ahold Nv;
- Joined Cases C-354/03, C-355/03 and C-484/03 Optigen, Fulcrum and Bond House.

He has also recently been instructed in many high profile cases involving the alleged employment of football agents by Premiership football clubs: the appeals of Newcastle FC and Birmingham FC have thus far come before the courts. The importance of these cases to the football industry was reflected in numerous newspaper reports: The Times, 25 August 2005; The Guardian, 6 September 2006; Accountancy Age, 6 September 2006; The Guardian, 6 September 2006.

Ian is an expert in all aspects of VAT fraud. He represented the UK in the seminal case of Bond House before the ECJ and is presently instructed in the appeals of Carphone Warehouse, The Accessory People and Shelford 365 which are among the largest and most complex MTIC cases to date. He was instructed in the Group Litigation Order action concerning a Francovich damages following Bond House and has experience of Group Litigation Orders in both direct and indirect tax.

Ian also advises on excise duties and customs code matters (recent successes include Tomy (UK) Limited [2007] EWHC 1889 (Ch)) and judicial reviews arising out of indirect tax (including the upcoming challenges of Accenture Services Limited (Co/6273/07) and Barclays Bank Plc (CO/6280/07)).

Ian is regularly instructed by the Isle of Man Government on indirect tax matters.