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+44 (0)20 7583 1770

Emily Neill

"Emily Neill is an outstanding barrister."
– CHAMBERS AND PARTNERS, 2025



Year of call:	**2008**
Degree:	**BA (Oxon) Law with Legal Studies in Europe (France) (First Class, Proxime Accessit to Wronker Prize for highest mark in Oxford Law Finals); Université de Paris II (Certificat Supérieur de Droit Français, Mention Très Bien); BCL (Oxon) (distinction)**
Languages:	**French (fluent), Spanish (working knowledge)**

Emily was named Competition Law Junior of the Year in the Chambers UK Bar Awards 2024. She has been shortlisted for International Law Junior of the Year in the Legal 500 Bar Awards 2025 and Competition Law Junior of the Year in the Legal 500 Bar Awards 2024.

She is highly recommended as a leading junior in multiple categories by the independent directories. She practises in EU, Public and Commercial law. The cross-over between those core areas is the foundation for her expertise in Competition, State aid, Procurement, Regulatory and Energy law.

Emily is a true multi-jurisdictional practitioner, with an established and active practice at the Bars of Ireland and Northern Ireland, in addition to her London practice. This cross-jurisdictional expertise is of particular value in the context of Brexit and in regulated services and utilities work. Emily worked on secondment in the Chambers of Judge Vajda at the Court of Justice of the European Union in 2013. Early in her career, she was awarded the traditional red bag for excellence as a junior by Lord Woolf, the only such award he has given.

Emily is on the Attorney General's Panel of Counsel (A Panel (NI); B Panel (E&W)). She is a member of the counsel panel of the Irish Commission for Communications Regulation.

Emily is recognised as a leading junior in the latest editions of both the leading legal directories, Legal 500 and Chambers UK. Recent comments include:

- "Commercially-minded and pragmatic, she is really at the top of her game."- Legal 500, 2025
- "Emily Neill is an outstanding barrister."- Chambers & Partners, 2025

Earlier comments include:

- "Emily is exceptionally insightful and strategically out of this world."- Legal 500, 2024
- "Emily is a brilliant junior barrister. She's very personable, great with clients, very forensic and incredibly diligent. She is a complete star."- Chambers & Partners, 2024

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- "She is very unflappable, calm, charming, intelligent and has a nice court manner."- Chambers UK, 2023
- "Emily is an exemplar junior counsel. Her knowledge and attention to detail is outstanding."- Legal 500, 2023
- "A meticulous, high-calibre junior with an approachable manner and a good understanding of the area.", "She combines a razor-sharp intellect with a relentless focus on helping the client achieve their objectives."- Legal 500, 2022

EXPERIENCE

Competition

Emily is a leading senior junior in Competition Law, recommended by Chambers Global, Chambers UK and Legal 500.

Emily has experience in all aspects of competition litigation. This is seen in the broad range of her competition work in recent years, ranging across:

- complex interlocking individual claims in the CAT (such as the ongoing Trucks Wave II litigation and the Visa Umbrella Proceedings);
- appeals in the European Courts against cartel findings by the EU Commission (Natixis);
- group litigation (both as Claimant – in the "Dieselgate" litigation – and Defendant – for example in the Water Collective Proceedings, Musical Instruments Collective Proceedings; Aldermore Collective Proceedings and Commercial Cards Collective Proceedings);
- arbitrations (for example, acting in a confidential arbitration of a competition law dispute between two international blue-chip names);
- litigation involving competition law based regulation (for example acting for Ryanair in the judicial review of 2023-2026 price control of charges at Dublin Airport; acting for and advising regulatory authorities including Ofgem and the Northern Ireland Utility Regulator on price control decisions; acting for one of the largest electricity generators in the UK in a judicial review to challenge capacity market decisions; acting for the BBC in a judicial review relating to the development of the BBC Sounds App); and
- urgent injunctions/applications (for example, acting against Google in an urgent injunction to prevent a change to Adwords terms on the basis of an alleged abuse of dominance and acting on an urgent basis to restrict use of documents seized as part of a dawn raid by the Italian Competition Authority).

Emily's competition experience builds on her expertise in EU law and complements her practice in subsidy control, telecomms and energy regulation (see below). Emily worked in the Cabinet of UK Judge Vajda at the Court of Justice of the European Union in 2013, as part of which she was involved in a range of Competition and State aid cases.

> ***"Emily is absolutely a leader in the field. She understands that which is hugely important for clients, is highly intelligent and really understands regulation and subsidy control."***
>
> — CHAMBERS AND PARTNERS, 2025

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Cases

"Umbrella" Interchange Litigation (ongoing)

Acting for Visa to defend hundreds of claims relating to Visa and Mastercard's interchange fees. The claims are being determined in the Competition Appeal Tribunal pursuant to the first Umbrella Proceedings Order.

The "Trucks Wave II Litigation" (1521/5/7/22 (T) WM Morrison Supermarkets Limited & Others v Volvo Group UK Limited & Others (ongoing)

Acting (with Alan McClean QC) in a follow-on damages claim in the Competition Appeal Tribunal against Volvo and DAF truck manufacturers, arising out of the European Commission's decision that certain manufacturers had engaged in an unlawful cartel in relation to the manufacture and sale of trucks.

The "Water" Collective Proceedings (1630/7/7/23 Professor Carolyn Roberts v (1) Northumbrian Water Limited and Ors) (ongoing)

Acting for the Northumbrian Water Defendants to a collective proceedings claim in the Competition Appeal Tribunal relating to an alleged abuse of dominance by multiple water companies in (allegedly) providing misleading information to Ofwat and the Environment Agency in relation to discharges of untreated sewage.

The "Musical Instruments" Collective Proceedings (1531/7/7/22 Elisabetta Sciallis v Yamaha Music Europe GmbH and Yamaha Corporation) (ongoing)

Acting for Yamaha to defend an Opt-Out collective proceedings claim brought by purchasers of musical instruments in the Competition Appeal Tribunal, alleging a breach of competition law in Yamaha's pricing structures.

The "Commercial Cards" Collective Proceedings (Claims 1441-1442/7/7/22 Commercial and Interregional Cards Claims v Visa and Mastercard) (ongoing)

Acting for Visa to defend opt in and opt out collective proceedings claims on behalf of merchants in the Competition Appeal Tribunal relating to an alleged abuse of competition law in the interchange fees of Visa and Mastercard.

The "Car Finance" Collective Proceedings (1598/7/7/23 Doug Taylor Class Representative v Santander Consumer (UK) plc; Black Horse Limited; and Motonovo Finance Limited and Ors) (ongoing)

Acting for the Motonovo/Aldermore Defendants to a collective proceedings claim in the Competition Appeal Tribunal relating to alleged breaches of competition law in the provision of point of sale finance agreements.

"Dieselgate" Group Litigation (ongoing)

Acting for the Claimants in group litigation bringing a claim against the Mercedes group of companies in competition law (and which raises various EU law issues) relating to the well-known "dieselgate" scandal.

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Appeal of the Commission Decision in European Government Bonds Cartel (ongoing)

Acting for Natixis (a French bank) in an appeal against the Commission's finding of participation in a cartel in the European Government Bonds markets. Judgment is awaited following an oral hearing at which Emily appeared in June 2023.

Appeals relating to Dublin Airport price control (2023-2026) (ongoing)

Acting for Ryanair in the Irish High Court in a challenge to the Irish Aviation Authority's price control determination for airport charges at Dublin Airport for the period 2023-2026. The case is due to be subject of a multi-week trial in early 2025.

Ryanair challenge to dawn raid by Italian Competition Authority (2024, ongoing)

Acting for Ryanair in the Irish Court of Appeal in a challenge to the conduct of and use of documents by the Italian Competition Authority pursuant to a dawn raid in Summer 2024 at Ryanair's Head Office (relating to an investigation into Ryanair's distribution policy and practices). The case raises complex EU law issues relating to jurisdiction and mutual cooperation between competition authorities.

Confidential copyright and licensing competition law dispute (2024)

Acting for the Defendant in a complex dispute relating to copyright and licensing in which breaches of competition law (as well as various EU law provisions relating to copyright and sectoral regulation) are alleged.

On the Beach Limited v Ryanair UK Limited; Ryanair DAC (Claim CP-2021-000009) (settled 2024)

Acted for Ryanair to defend a competition law damages claim (as well as claims in consumer and contract law) brought by On the Beach Limited in the English High Court, alleging abuse of dominance in Ryanair's approach to flight sales. The claim settled before trial.

FX Litigation (Allianz Global Investors and others v Bank of America and others) (2020-2023)

Acted (with Kieron Beal QC) for Bank of America/Merrill Lynch to defend a standalone competition law claim relating to the foreign exchange market. The claim was brought in the Competition Appeal Tribunal by 175 investment management firms, hedge funds and other enterprises engaged in foreign exchange activities against various banks and trading organisations. It settled in 2023.

CreditFix Limited and Ors v Google Ireland Limited [2022] 12 WLUK 42 (settled 2023)

Acted for Creditfix Limited in a claim alleging abuse of a dominant position by Google in relation to a revision to the terms and conditions for Google AdWords. The litigation involved an application for an urgent interim injunction to "hold the ring" in respect of Google's proposed new policy to only allow organisations authorised by the Financial Conduct Authority to advertise individual voluntary arrangements. The case settled in 2023.

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Tech-sector abuse of dominance arbitration (2023)

Acting for an international household-name company in a claim against an international tech giant, alleging breach of a settlement agreement which had resolved a claim of abuse of dominance by the tech company. The arbitration was seated in Dublin.

Ryanair's european litigation against online travel agents (ongoing)

Assisting Ryanair in multiple claims relating to screenscraping by online travel agents, including claims in Ireland involving Skyscanner, Vola and Ypsilon and On the Beach. The claims raise complex issues of competition, EU, contract and copyright law.

R (on the application of Radiocentre Ltd) v British Broadcasting Corporation (2023)

[2023] EWHC 1977 (Admin)

Acted for the BBC as the interested party in a judicial review brought by certain commercial radio operators, challenging Ofcom's decision to permit the BBC to launch the Radio1 Dance stream on the BBC Sounds App without a public interest assessment. The claim involved issues of regulatory competition law.

BBC Charter

(ongoing)

Emily advised the BBC during the drafting of the current BBC Charter, which appointed Ofcom as the regulator of the BBC with competition and regulatory powers to impose restrictions on the BBC's activities. Emily continues to regularly advise the BBC as sole counsel on various confidential competition and regulatory issues which have arisen under the regime under Ofcom.

Brockaghboy Wind Farm Limited v Utility Regulator for Northern Ireland

Settled 2022

Acted for the Defendant in a high value commercial claim relating to connection charges brought by a wind farm developer. The claim before the High Court in Northern Ireland raised issues of contract, EU and competition law.

RIIO-2 Price Control Appeals (2021)

Acted for Ofgem in eight appeals brought by electricity and gas transmission and distribution providers against Ofgem's decision setting the prices to be recovered from consumers from 2021.

Ryanair v Commissioner for Aviation Regulation

2021 and 2022

Acted as sole counsel for Ryanair in separate statutory appeals to the Aviation Appeals Panel from the decision of the Commission for Aviation Regulation determining the price control of airport charges for landing in Dublin Airport, and then redetermining those charges further to the Covid-19 Pandemic.

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EU Law

Emily is ranked as a leading junior in European law in Chambers UK and Legal 500.

Emily has experience in a wide range of fields of EU law having worked as a judicial assistant for UK Judge Vajda in the Court of Justice of the European Union (2013). That work included cases in the fields of the EU sanctions regimes, State aid, appeals against Commission fines for cartel activity, taxation, customs duties, VAT, EU Constitutional law and equality law.

She has a detailed knowledge of the post-Brexit legal arrangements and is Vice Chair of the Bar Council's Working Group on Retained EU Law.

Emily's active practice at the Irish Bar (where she was established prior to, and independently of considerations relating to, Brexit) brings the benefit of a regularly updated understanding of EU law as applied in current Member States and an ongoing familiarity with European Court procedures (including preliminary reference applications and appeals).

Emily is particularly well placed to deal with Brexit and cross-border regulatory and trade issues, given her practices at each of the Bars of England, Ireland and Northern Ireland. Her practice in Northern Ireland results in regular work relating to the Windsor Framework.

Within her wider EU law practice, Emily has specialisms in competition, procurement law, telecommunications and State aid (see the separate entries).

Emily sits on the Members Committee of the Irish Centre for European Law and the Northern Ireland Steering Group of the Irish Centre for European Law.

Emily is the European Circuit representative for the Inner Temple.

> *"Emily is very thoughtful and considered in her approach to written and oral advocacy. She is incredibly smart, an excellent drafter and is always extremely pleasant and professional to work with."*
>
> — LEGAL 500, 2025

Cases

Acted for a Member State in dispute relating to EU budget (2024)

Acted for a Member State in a dispute relating to the EU budget and the EU's powers to redistribute funds earmarked for particular purposes.

daa plc v Fingal County Council (2024, ongoing)

Acting for an airline in a judicial review of the Council's decision to take enforcement action against Dublin Airport for breach of planning conditions in (allegedly) operating more landing slots to be used than is permitted under the planning conditions relating to the North Runway. The case involves complex issues relating to the EU Slot Regulation and the rights of airline operators thereunder (and under the EU Charter), and the interaction of those rights with domestic planning law, in light of the doctrine of supremacy of EU law. A number of parties are seeking a preliminary reference to the CJEU. Trial of the claims commenced at a seven day hearing in April 2024, but have been adjourned pending further developments at the airport.

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Appeal of the Commission Decision in European Government Bonds Cartel (ongoing)

Acting for Natixis (a French bank) in an appeal against the Commission's finding of participation in a cartel in the European Government Bonds markets. Judgment is awaited following an oral hearing at which Emily appeared in June 2023.

EPUK Investments Limited v (1) Environmental Protection Agency and (2) Commission for Regulation of Utilities (2023)

2023 IEHC 138

Acted for EPUKI (one of the largest generators in UK and Ireland) in two judicial review claims heard in the Dublin High Court relating to the interpretation by public authorities of complex EU environmental law instruments relating to emissions. The claims alleged that the incorrect interpretation of EU law was distorting the operation of the capacity market in the All-Island Single Electricity Market, in that Northern Irish and Irish authorities had adopted differing interpretations of the same EU measures in their approach to licensing of power plants.

The Royal Mail VAT Group Litigation, Harrier and others v The Royal Mail Group

settled 2024

Acted for Royal Mail in long running litigation defending an extremely high value group litigation claim (comprising hundreds of claims worth approx. £0.5 billion) for VAT alleged to have been paid on postal services since the UK's entry into the EU in the 1970s. Royal Mail's services were once all considered exempt from VAT. Following a ruling from the CJEU some were held to be VATable. The Claimants claim the VAT alleged to have been unknowingly paid on postal services. The claim raises extremely complicated issues of EU VAT law, EU and domestic law regulating postal services and Francovich liability.

It was one of the Lawyer's Top 20 cases for 2017.

The claim was being tried as a series of mini-trials, the first of which (in which Royal Mail succeeded) produced a significant ruling on the private law actionability of the duty to provide a VAT invoice. This first mini trial was unsuccessfully appealed to the Court of Appeal in 2021 and the claim settled prior to an appeal to the Supreme Court on the discrete question of the application of limitation periods to a claim for an injunction.

The second mini trial (in which Royal Mail succeeded) involved complex issues of EU law relating to the regulation of postal services and the VAT regime ([2022] EWHC 704 (Ch)) and is on appeal to the Court of Appeal.

Emily's work on this private damages claim followed earlier work acting for Royal Mail in judicial review proceedings relating to the correct interpretation of EU VAT law relating to postal services: see R (Whistl UK Ltd (formerly TNT Post UK Ltd)) v HM Revenue and Customs Royal Mail Group Ltd (Interested party) [2014] EWHC 4118 (Admin)

Ryanair challenge to dawn raid by Italian Competition Authority (2024, ongoing)

Acting for Ryanair in the Irish Court of Appeal in a challenge to the conduct of and use of documents by the Italian Competition Authority pursuant to a dawn raid in Summer 2024 at Ryanair's Head Office (relating to an investigation into Ryanair's distribution policy and practices). The case raises complex EU law issues relating to jurisdiction and mutual cooperation between competition authorities.

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R (on the application of Aught Wind Farm Limited) v Utility Regulator for Northern Ireland (settled 2024)

Acted as sole counsel for the Regulator in a long running judicial review challenge to the Regulator's approach to the regulatory requirements which apply to a Wind Farm located in the Republic of Ireland, but connected to the grid in Northern Ireland.

The claim was made on the basis that the Regulator acted inconsistently with EU energy regulation law (which continues to apply in Northern Ireland).

R (on the application of Altgolan Wind Farm Limited) v Utility Regulator for Northern Ireland

Settled 2024

Acted as sole counsel for the Regulator in a judicial review challenge to the Regulator's decision determining a dispute relating to the amount of connection charges between the Wind Farm and Northern Ireland Electricity Limited (the operator of the distribution grid). The claim was made on the basis that the Regulator has failed to act consistently with EU energy regulation law.

Ryanair's european litigation against online travel agents (ongoing)

Assisting Ryanair in multiple claims relating to screenscraping by online travel agents, including claims in Ireland involving Skyscanner, Vola and Ypsilon and On the Beach. The claims raise complex issues of competition, EU, contract and copyright law.

Confidential copyright and licensing competition law dispute (2024)

Acting for the Defendant in a complex dispute relating to copyright and licensing in which breaches of competition law (as well as various EU law provisions relating to copyright and sectoral regulation) are alleged.

Pharmaceutical arbitration (Dublin) (2023)

Acted for a large international pharma company in a commercial arbitration seated in Dublin which involved complex issues of EU pharmaceutical regulation and the interaction of such regulation with private contractual obligations.

Various Airlines v Airport Coordination Limited (ACL)

(2015 to date)

Emily has successfully acted for the airline slots regulator, ACL, in multiple high value challenges brought by various airlines to the exercise of ACL's competition and EU law-based powers.

In each of these challenges Emily appeared as sole counsel for the regulator, pitched against experienced aviation silks.

"Dieselgate" Group Litigation (ongoing)

Acting for the Claimants in group litigation bringing a claim against the Mercedes group of companies in competition law (and which raises various EU law issues) relating to the well-known "dieselgate" scandal.

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"The Licence Fee Restitution Claim": Vodafone and others v Ofcom

[2020] EWCA Civ 183

Successfully acted in the Commercial Court and later Court of Appeal for Vodafone as the lead claimant in a claim under domestic and EU law for repayment of fees for use of mobile phone spectrum, following a ruling by the Court of Appeal that Ofcom had acted unlawfully when setting the fees.

The claim resulted in a judgment of £214 million (plus interest) against Ofcom and raised complex issues of EU and domestic restitution law.

Legal Opinion on Hungarian Covid-19 legislation

(2020)

Prepared an opinion for the Open Society Justice Initiative (together with Tim Otty QC, Tom de la Mare QC and George Molyneaux) regarding the compatibility with EU law of emergency legislation introduced in Hungary in the context of the coronavirus pandemic. The opinion concluded that Act XII of 2020 on the containment of coronavirus, and certain Decrees issued thereunder, violate the foundational values of the EU (as set out in Article 2 of the Treaty on European Union) and various specific provisions of EU law and the Charter of Fundamental Rights and was relied upon in discussions with the EU Commission.

EU landing slot advice

(ongoing)

Advised a household name airline in relation to potential avenues of challenge to a decision to reduce landing slots (which are governed by EU Council Regulation 95/93) at an EU airport

Brockaghboy Wind Farm Limited v Utility Regulator for Northern Ireland

Settled 2022

Acted for the Defendant in a high value commercial claim relating to connection charges brought by a wind farm developer. The claim before the High Court in Northern Ireland raised issues of contract, EU and competition law.

Brexit restructuring

(2020)

Advised a magic circle firm on establishment in Ireland or Northern Ireland and the retention of EU rights of audience and privilege.

Ryanair v Irish State

(2019)

Acted for Ryanair in a high value claim against the Irish State for breach of state aid law and free movement provisions arising out of the imposition of a differential air travel tax. The case was resolved shortly before a 12 week trial listed in the Irish High Court in October 2019.

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EE Ltd and Vodafone v Office of Communications

[2018] 1 W.L.R. 1868

Successfully acted for Vodafone in the Court of Appeal to challenge Ofcom's revision of annual licence fees for radio spectrum. The appeal (and the first instance judicial review, in which Emily also appeared) raised issues of EU and public law and resulted in Ofcom's direction setting licence fees being held ultra vires.

R. (on the application of Ezz) v HM Treasury

[2016] EWHC 1470 (Admin)

Acted for the applicant (with Brian Kennelly QC) in this leading case on the basis for calculating permissible legal expenses for foreign proceeding under the EU sanctions regime. Emily acted at both first instance and in the Court of Appeal until the case was discontinued following the successful de-listing of Mr Ezz.

Commercial

Emily acts in substantial commercial disputes, both as junior and as sole counsel. She has experience of high value commercial litigation and arbitration, including group litigation orders, commercial litigation in overseas jurisdictions and of applications under the Companies Act 2006 (including unfair prejudice applications).

She has extensive experience of handling fraud cases as sole counsel, including applications for a variety of injunctions including ex parte search orders, freezing injunctions, Norwich Pharmacal orders and related applications such as committal for contempt of court.

Cases

“Dieselgate” Group Litigation (ongoing)

Acting for the Claimants in group litigation bringing a claim against the Mercedes group of companies in competition law (and which raises various EU law issues) relating to the well-known “dieselgate” scandal.

On the Beach Limited v Ryanair UK Limited; Ryanair DAC (Claim CP-2021-000009) (settled 2024)

Acted for Ryanair to defend a competition law damages claim (as well as claims in consumer and contract law) brought by On the Beach Limited in the English High Court, alleging abuse of dominance in Ryanair’s approach to flight sales. The claim settled before trial.

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The claim was being tried as a series of mini-trials, the first of which (in which Royal Mail succeeded) produced a significant ruling on the private law actionability of the duty to provide a VAT invoice. This first mini trial was unsuccessfully appealed to the Court of Appeal in 2021 and the claim settled prior to an appeal to the Supreme Court on the discrete question of the application of limitation periods to a claim for an injunction.

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Emily's work on this private damages claim followed earlier work acting for Royal Mail in judicial review proceedings relating to the correct interpretation of EU VAT law relating to postal services: see R (Whistl UK Ltd (formerly TNT Post UK Ltd)) v HM Revenue and Customs Royal Mail Group Ltd (Interested party) [2014] EWHC 4118 (Admin)

R (Havant Biogas Limited and others) v OFGEM

(2021, ongoing)

Acting for Ofgem in a high value challenge to Ofgem's refusals to accredit certain renewable energy installations under a state subsidy scheme.

Judgment was given by Mr Justice Fordham in a judicial review in 2021 ([2021] EWHC 84 (Admin)) and a claim for damages for breach of the right to property is now proceeding in the High Court (TCC).

The claim involves arguments relating to EU regulation of renewable energy and EU and European Convention property rights (which it was alleged were infringed by the regulatory decision which revoked accreditation).

Brockaghboy Wind Farm Limited v Utility Regulator for Northern Ireland

Settled 2022

Acted for the Defendant in a high value commercial claim relating to connection charges brought by a wind farm developer. The claim before the High Court in Northern Ireland raised issues of contract, EU and competition law.

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"The Licence Fee Restitution Claim": Vodafone and others v Ofcom

[2020] EWCA Civ 183

Successfully acted in the Commercial Court and later Court of Appeal for Vodafone as the lead claimant in a claim under domestic and EU law for repayment of fees for use of mobile phone spectrum, following a ruling by the Court of Appeal that Ofcom had acted unlawfully when setting the fees.

The claim resulted in a judgment of £214 million (plus interest) against Ofcom and raised complex issues of EU and domestic restitution law.

Breyer Group v Department of Energy & Climate Change

[2016] EWHC 763 (Comm)

Acted for the Government in a high value claim for damages in relation to an alleged breach of Article 1 of the First Protocol to the European Convention on Human Rights. The case was one of The Lawyer's Top Cases for 2018 and settled in January 2018 shortly before the start of a 10 week trial.

BG International v (1) Petros Umali (2) McPine Constructions Ltd (3) Nalbert Sinclair and others

[2015] EWHC 1702 (QB) and related proceedings

Successfully acted for BG International (part of the British Gas group) in multiparty fraud litigation, which involved multiple applications, for ex parte freezing orders and Norwich Pharmacal orders, bench warrants, applications for attendance for cross-examination, applications for judgment and the successful committal to prison for contempt of court of two defendants (including, in relation to one, in his capacity as a director of a company in breach of a freezing order, and for a sentence of 9 months).

Belgravia International Bank & Trust Company Ltd (2) Experta Trust Company (Bahamas) Ltd v CIBC Trust Company (Bahamas) Limited

Supreme Court of the Bahamas, Common Law and Equity Division (2014-2016)

Junior Counsel for trustees Belgravia and Experta in a high value claim against a third trustee, CIBC, for failures in its duties as a trustee, gross negligence and for recovery of trust assets (led by Pushpinder Saini QC).

Apex Global Management Ltd v (1) HRH Prince Abdulaziz Bin Mishal Bin Abdulaziz Al Saud (2) HRH Prince Mishal Bin Aboul Aziz Saud and ors

[2013] EWHC 587 (Ch)

Acted for Prince Mishal and Prince Abdulaziz in a high value commercial dispute, in which the Princes claimed sovereign immunity and challenged service out of the jurisdiction (led by Tim Otty QC).

Energy

"Commercially-minded and pragmatic, she is really at the top of her game."

— LEGAL 500, 2025

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She has appeared in some of the most significant energy litigation in recent years, including Breyer (one of The Lawyer's Top Cases 2018), Buick (relating to the key interconnector needed for the Single Electricity Market), and the Renewable Heat Incentive Inquiry (addressing the botched energy scheme which caused the fall of Government in Northern Ireland).

She is regularly instructed on highly confidential matters by Ofgem, by the Oil and Gas Authority (energy regulators in Great Britain) and by the Northern Ireland Authority for Utility Regulation; as well as for commercial entities including large multinational energy companies active in the UK and Irish markets.

Emily has wide ranging energy experience including:

- regulatory issues (for example, REMIT obligations and the conduct of REMIT investigations; advising on obligations under generation/transmission/storage/exploration licences);
- regulatory competition issues (for example, advising on and challenging decisions relating to the capacity market; advising on financeability obligations);
- issues relating to renewables schemes (for example, advising on entitlement to accreditation; advising on alterations to accredited stations);
- pure commercial disputes in the energy sector;
- advising on state aid and subsidy control issues in the energy sector.

Emily's expertise in EU and competition law underpins her energy practice. Emily is particularly well placed to act in issues which arise in the context of the Single Electricity Market, because of her cross-jurisdictional expertise: she actively practises in all three relevant jurisdictions (Northern Ireland, Ireland and GB) and has a detailed knowledge of the working of the SEM and the interaction between the NIUR and CRU (including the jurisdictional complexities of litigation in that context).

Emily spent over six months on secondment to Ofgem in the first year of her practice, gaining experience in a wide range of energy matters.

Cases

The "Energy Tariff Cap" litigation (R (Fuel Poverty Action) and others v Ofgem) (2022)

Acting for Ofgem to defend multiple judicial reviews of Ofgem's approach to decision making relating to the the tariff cap on energy rates, which had increased as a result of the invasion of Ukraine.

EPUK Investments Limited v (1) Environmental Protection Agency and (2) Commission for Regulation of Utilities (2023)

2023 IEHC 138

Acted for EPUKI (one of the largest generators in UK and Ireland) in two judicial review claims heard in the Dublin High Court relating to the interpretation by public authorities of complex EU environmental law instruments relating to emissions. The claims alleged that the incorrect interpretation of EU law was distorting the operation of the capacity market in the All-Island Single Electricity Market, in that Northern Irish and Irish authorities had adopted differing interpretations of the same EU measures in their approach to licensing of power plants.

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R (on the application of Altgolan Wind Farm Limited) v Utility Regulator for Northern Ireland

Settled 2024

Acted as sole counsel for the Regulator in a judicial review challenge to the Regulator's decision determining a dispute relating to the amount of connection charges between the Wind Farm and Northern Ireland Electricity Limited (the operator of the distribution grid). The claim was made on the basis that the Regulator has failed to act consistently with EU energy regulation law.

R (on the application of Aught Wind Farm Limited) v Utility Regulator for Northern Ireland (settled 2024)

Acted as sole counsel for the Regulator in a long running judicial review challenge to the Regulator's approach to the regulatory requirements which apply to a Wind Farm located in the Republic of Ireland, but connected to the grid in Northern Ireland.

The claim was made on the basis that the Regulator acted inconsistently with EU energy regulation law (which continues to apply in Northern Ireland).

Energy arbitration

(2023)

Acted in a high value arbitration between generator and agent in relation to obligations under an agency agreement and the proportion of entitlement of the respective parties to a share of renewable subsidies.

Brockaghboy Wind Farm Limited v Utility Regulator for Northern Ireland

Settled 2022

Acted for the Defendant in a high value commercial claim relating to connection charges brought by a wind farm developer. The claim before the High Court in Northern Ireland raised issues of contract, EU and competition law.

RIIO-2 Price Control Appeals (2021)

Acted for Ofgem in eight appeals brought by electricity and gas transmission and distribution providers against Ofgem's decision setting the prices to be recovered from consumers from 2021.

R. (on the application of Gravis Solar 1 Ltd) v Ofgem

[2021] EWHC 490 (Admin)

Successfully acted (with Sam Grodzinski QC) at first instance and in the Court of Appeal to defend a challenge to a decision by Ofgem to revoke the accreditation of certain electricity generation stations under a renewable subsidy scheme on the basis that their accreditation was founded on inaccurate information. The challenge was brought by a hedge fund which had subsequently purchased the stations and who had not been involved in the original application. The case involved arguments relating to the EU regulation of renewable energy and EU and European Convention property rights.

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R (Havant Biogas Limited and others) v OFGEM

(2021, ongoing)

Acting for Ofgem in a high value challenge to Ofgem's refusals to accredit certain renewable energy installations under a state subsidy scheme.

Judgment was given by Mr Justice Fordham in a judicial review in 2021 ([2021] EWHC 84 (Admin)) and a claim for damages for breach of the right to property is now proceeding in the High Court (TCC).

The claim involves arguments relating to EU regulation of renewable energy and EU and European Convention property rights (which it was alleged were infringed by the regulatory decision which revoked accreditation).

R (on the application of SEAT) v Department for Infrastructure (2020, ongoing)

Acting for the interested party to defend a challenge to the grant of planning permission for a large energy infrastructure project. The challenge is brought on the basis that the Minister for Infrastructure did not have power under the Northern Ireland Act 1998 (as amended) to make the decision without the consent of the Executive.

Renewable Heat Incentive Inquiry

(2017 - 2020)

Emily acted for Ofgem in the statutory inquiry into the "cash for ash" scandal which resulted in the dissolution of government in Northern Ireland. Ofgem is one of three Core Participants in the inquiry, having acted as the administrator of the renewable heat incentive scheme in Northern Ireland.

(1) Action Renewables (2) Emerald Isle Solar Energy Limited v Northern Ireland Utility Regulator

Claim No. 2018/0877/01, (Northern Ireland Queen's Bench Division)

Acted as sole counsel for the Northern Ireland Utility Regulator in a high value claim brought by industry bodies representing various microgenerators, relating to the calculation of payments for solar energy sold back to the grid by microgenerators.

In the matter of an application by Colin Buick as Chairperson of NoARC 21

[2018] NICA 26

Acted in the Northern Ireland Court of Appeal for SONI, the electricity grid operator for Northern Ireland. The case was referred to the Supreme Court but made redundant by the passing of primary legislation to address the issues.

The case is an important authority in constitutional and devolution law: determining whether the civil service can continue to act in the absence of a power-sharing government in Stormont.

SONI was granted planning permission for the North-South Electricity Interconnector (the largest infrastructure project on the Island of Ireland and a fundamental requirement of the Single Electricity Market) at a time when no government was in place in Stormont. Permission for the interconnector was challenged on the basis that civil servants were not able to act without a government in place.

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Pigeon Top Windfarm Limited v OFGEM

[2017] NIQB 119

Successfully acted as sole counsel for Ofgem in a high value commercial judicial review by a renewables energy developer of Ofgem's approach to accreditation of wind turbines under the Northern Ireland Renewables Obligation Scheme. Emily also acted in the Northern Ireland Court of Appeal proceedings, which were ultimately discontinued by the applicant. The case raised difficult issues of EU and public law.

Breyer Group v Department of Energy & Climate Change

[2016] EWHC 763 (Comm)

Acted for the Government in a high value claim for damages in relation to an alleged breach of Article 1 of the First Protocol to the European Convention on Human Rights. The case was one of The Lawyer's Top Cases for 2018 and settled in January 2018 shortly before the start of a 10 week trial.

Telecommunications

Emily is ranked as a leading junior in Telecommunications by both Legal 500 and Chambers & Partners. She is on the Standing Counsel Panel to the Irish Commission for Communications Regulation.

She has an in-depth understanding of the law and regulatory framework governing the telecommunications sector (and analogous communications sectors, particularly postal services and broadcasting).

Much of Emily's advice in this context is highly confidential. Issues upon which she has advised include:

- Ofcom's regulatory powers (including price control matters; Ofcom's dispute resolution functions; Ofcom's market reviews);
- Regulatory duties (including spend cap implementation; metering and billing obligations; Ofcom investigations and penalties for breach of regulatory obligations);
- EU law obligations on telecoms providers (and the UK equivalent) (including consumer rights to exit and roaming obligations);
- public service provision;
- universal service obligations;
- the development and regulation of on-demand platforms;
- spectrum auction and licensing;
- State aid/subsidy control advice in the context of telecoms regulatory measures;
- The Online Safety Act 2023;
- The EU Digital Markets Act and the Digital Markets, Competition and Consumers Act 2024.

> *"Emily has every quality you could look for in a senior junior. She is clever and knowledgeable in the telecoms field, and has excellent judgement. She works extremely well as part of a team."*
>
> — LEGAL 500, 2025

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Emily has acted for both regulated entities (fixed line and mobile telecommunications providers, the BBC and Royal Mail) and for regulators including both Ofcom and the Competition and Markets Authority. She often acts for regulated entities and market operators in the context of discussions with Ofcom or consultations relating to regulatory decision making and market reviews.

Emily's communications practice is underpinned by the cross-over between her expertise in EU and Competition law, Public and Commercial law.

Emily successfully appeared in four important telecommunications appeals heard by the Court of Appeal between 2017-2020: the Spectrum Fee Judicial Review (for Vodafone), the Ethernet Appeals (for Ofcom), the 5G Auction Appeal (for Telefonica) and the Spectrum Fee Restitution Claim (for Vodafone).

She is a contributor to the Media and Communications Chapter in Bacon, EU Law of State Aid.

Cases

222/39759/01 R (Carlin) v OFCOM (2022)

Acted for Ofcom in a judicial review challenge to Ofcom's decision to revoke the broadcasting licence of the Russia Today TV channel in the United Kingdom, following the Russian invasion of Ukraine.

Metering and Billing Direction Advice

2021-2023

Advising a regulated provider on compliance with Ofcom's metering and billing direction and the related regulatory regime (with its roots in EU law).

BBC Charter

(ongoing)

Emily advised the BBC during the drafting of the current BBC Charter, which appointed Ofcom as the regulator of the BBC with competition and regulatory powers to impose restrictions on the BBC's activities. Emily continues to regularly advise the BBC as sole counsel on various confidential competition and regulatory issues which have arisen under the regime under Ofcom.

Golden mobile number fraud

2021

Advising a high profile victim of a "theft" of a valuable golden mobile number on regulatory and private law avenues for redress. The case involved various EU law issues (for example, the regime relating to number portability).

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"The Licence Fee Restitution Claim": Vodafone and others v Ofcom

[2020] EWCA Civ 183

Successfully acted in the Commercial Court and later Court of Appeal for Vodafone as the lead claimant in a claim under domestic and EU law for repayment of fees for use of mobile phone spectrum, following a ruling by the Court of Appeal that Ofcom had acted unlawfully when setting the fees.

The claim resulted in a judgment of £214 million (plus interest) against Ofcom and raised complex issues of EU and domestic restitution law.

(1) TalkTalk; (2) Vodafone v OFCOM ("the BCMR Appeals")

(Case 1330/3/3/19) (2019)

Acted as sole counsel for the Competition and Market Authority in an appeal against Ofcom's control of BT's pricing for wholesale business internet services.

Follow on civil claim

(2020)

Advising a telecomms operator on the prospects of a claim against a third party supplier following a high value fine for regulatory breach.

EE Ltd and Vodafone v Office of Communications

[2018] 1 W.L.R. 1868

Successfully acted for Vodafone in the Court of Appeal to challenge Ofcom's revision of annual licence fees for radio spectrum. The appeal (and the first instance judicial review, in which Emily also appeared) raised issues of EU and public law and resulted in Ofcom's direction setting licence fees being held ultra vires.

Roaming Regulation Enforcement Proceedings

(2018)

Advised a mobile network operator in response to threatened enforcement proceedings by Ofcom for breach of the EU Roaming Regulation.

The Dark Fibre Appeals

[2017] CAT 17

Acted as sole counsel for the Competition and Markets Authority (CMA) in two separate challenges by TalkTalk and City Fibre to Ofcom's price control decisions in the Business Connectivity Market Review, controlling the prices which BT can charge for its Dark Fibre access product.

The CMA overturned Ofcom's price control decision in TalkTalk's challenge and maintained it in City Fibre's challenge. Neither of the CMA's decisions were successfully challenged in the CAT.

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5G Spectrum Auction Appeal

[2017] EWHC 3376 (Admin)

Successfully acted for Telefonica UK Limited in the High Court and Court of Appeal in claims brought against Ofcom's decision on the competition measures to be imposed in the auction of 2.3 and 3.4 GHz spectrum.

Telefonica subsequently won the largest volume of spectrum in the 5G auction.

Broadcasting: free movement of services and EU Charter rights advice

(2015)

Advising in the context of media and broadcasting on free movement of services, State aid and EU Charter rights.

Postal Services Directive advice

(2012-2015)

Advising on various matters governed by the Postal Services Directive and the Postal Services Act 2011, following the coming into effect of the new regulatory regime governing Royal Mail.

"The Ethernet Appeals": British Telecommunications PLC v OFCOM; (1) British Sky Broadcasting Limited and (2) TalkTalk Group PLC v OFCOM; (1) Cable & Wireless Worldwide PLC, (2) Virgin Media Limited and (3) Verizon UK Limited v OFCOM

[2017] EWCA Civ 330

Successfully acted in the Court of Appeal for OFCOM in three separate appeals against Ofcom's determination that BT overcharged for Ethernet services by £95 million between 2005-2011. Emily also acted at first instance in the Competition Appeal Tribunal.

Public & Regulatory

Emily has a broad practice in Public, Human Rights and Constitutional law. She has acted for a wide range of clients, including individuals, various UK Government Departments, a number of foreign governments and various household name corporations including the BBC, Royal Mail Group, The Times Newspapers Limited, Vodafone and Telefonica.

Emily is on the Attorney General's Panel of Counsel (A Panel (NI); B Panel (E&W)).

There is considerable cross-over between Emily's Public and Regulatory practice and her EU and Competition and sectoral regulatory expertise (see separate entries relating to energy and telecoms). In her regulatory practice she acts for both regulators and public bodies (including OFCOM, OFGEM, the Competition and Markets Authority, the Northern Ireland Utilities Regulator, OFQUAL, the Airport Slot Coordinator and the General Medical Council) and regulated entities.

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For aspects of Emily's public law practice which involve civil liberties, see the separate cv section.

Cases

daa plc v Fingal County Council (2024, ongoing)

Acting for an airline in a judicial review of the Council's decision to take enforcement action against Dublin Airport for breach of planning conditions in (allegedly) operating more landing slots to be used than is permitted under the planning conditions relating to the North Runway. The case involves complex issues relating to the EU Slot Regulation and the rights of airline operators thereunder (and under the EU Charter), and the interaction of those rights with domestic planning law, in light of the doctrine of supremacy of EU law. A number of parties are seeking a preliminary reference to the CJEU. Trial of the claims commenced at a seven day hearing in April 2024, but have been adjourned pending further developments at the airport.

222/39759/01 R (Carlin) v OFCOM (2022)

Acted for Ofcom in a judicial review challenge to Ofcom's decision to revoke the broadcasting licence of the Russia Today TV channel in the United Kingdom, following the Russian invasion of Ukraine.

20/082067/01 On the application of Belfast International Airport (settled 2022)

Acted for Belfast International Airport in a judicial review challenging a decision of the Planning Appeals Committee to grant planning permission for car parking facilities on agricultural land close to the airport.

As well as planning law issues, the case raised standard public law issues such as error of law, failure to give reasons and failure to take into account relevant considerations and a breach of the Tameside duty.

The matter settled in January 2022.

EU landing slot advice

(ongoing)

Advised a household name airline in relation to potential avenues of challenge to a decision to reduce landing slots (which are governed by EU Council Regulation 95/93) at an EU airport

R (on the application of Altgolan Wind Farm Limited) v Utility Regulator for Northern Ireland

Settled 2024

Acted as sole counsel for the Regulator in a judicial review challenge to the Regulator's decision determining a dispute relating to the amount of connection charges between the Wind Farm and Northern Ireland Electricity Limited (the operator of the distribution grid). The claim was made on the basis that the Regulator has failed to act consistently with EU energy regulation law.

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Ryanair v Commissioner for Aviation Regulation

2021 and 2022

Acted as sole counsel for Ryanair in separate statutory appeals to the Aviation Appeals Panel from the decision of the Commission for Aviation Regulation determining the price control of airport charges for landing in Dublin Airport, and then redetermining those charges further to the Covid-19 Pandemic.

R (on the application of Radiocentre Ltd) v British Broadcasting Corporation (2023)

[2023] EWHC 1977 (Admin)

Acted for the BBC as the interested party in a judicial review brought by certain commercial radio operators, challenging Ofcom's decision to permit the BBC to launch the Radio1 Dance stream on the BBC Sounds App without a public interest assessment. The claim involved issues of regulatory competition law.

R (on the application of Aught Wind Farm Limited) v Utility Regulator for Northern Ireland (settled 2024)

Acted as sole counsel for the Regulator in a long running judicial review challenge to the Regulator's approach to the regulatory requirements which apply to a Wind Farm located in the Republic of Ireland, but connected to the grid in Northern Ireland.

The claim was made on the basis that the Regulator acted inconsistently with EU energy regulation law (which continues to apply in Northern Ireland).

R (on the application of SEAT) v Department for Infrastructure (2020, ongoing)

Acting for the interested party to defend a challenge to the grant of planning permission for a large energy infrastructure project. The challenge is brought on the basis that the Minister for Infrastructure did not have power under the Northern Ireland Act 1998 (as amended) to make the decision without the consent of the Executive.

R. (on the application of Gravis Solar 1 Ltd) v Ofgem

[2021] EWHC 490 (Admin)

Successfully acted (with Sam Grodzinski QC) at first instance and in the Court of Appeal to defend a challenge to a decision by Ofgem to revoke the accreditation of certain electricity generation stations under a renewable subsidy scheme on the basis that their accreditation was founded on inaccurate information. The challenge was brought by a hedge fund which had subsequently purchased the stations and who had not been involved in the original application. The case involved arguments relating to the EU regulation of renewable energy and EU and European Convention property rights.

Exam results algorithm (2020)

Acting (with Sir James Eadie QC) for Ofqual responding to various judicial reviews to challenge the exam results algorithm initially adopted to set grades for A-Levels in 2020 in light of the impact of Covid-19. The challenges were not pursued following a change in policy.

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Sanctions advice to a regulator

(2022, ongoing)

Advising an international regulatory body on the impact of Russian sanctions on their UK and international regulatory activities.

R (Havant Biogas Limited and others) v OFGEM

(2021, ongoing)

Acting for Ofgem in a high value challenge to Ofgem's refusals to accredit certain renewable energy installations under a state subsidy scheme.

Judgment was given by Mr Justice Fordham in a judicial review in 2021 ([2021] EWHC 84 (Admin)) and a claim for damages for breach of the right to property is now proceeding in the High Court (TCC).

The claim involves arguments relating to EU regulation of renewable energy and EU and European Convention property rights (which it was alleged were infringed by the regulatory decision which revoked accreditation).

BBC Charter

(ongoing)

Emily advised the BBC during the drafting of the current BBC Charter, which appointed Ofcom as the regulator of the BBC with competition and regulatory powers to impose restrictions on the BBC's activities. Emily continues to regularly advise the BBC as sole counsel on various confidential competition and regulatory issues which have arisen under the regime under Ofcom.

Abortion reform

(2018-2020)

Advising a foreign government on reform of the law on abortion.

Advising a regulator on procedural fairness

(2020)

Advising a regulator on the design of investigative procedures in a manner compliant with EU and domestic requirements of procedural fairness.

Brexit restructuring

(2020)

Advised a magic circle firm on establishment in Ireland or Northern Ireland and the retention of EU rights of audience and privilege.

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Legal Opinion on Hungarian Covid-19 legislation

(2020)

Prepared an opinion for the Open Society Justice Initiative (together with Tim Otty QC, Tom de la Mare QC and George Molyneaux) regarding the compatibility with EU law of emergency legislation introduced in Hungary in the context of the coronavirus pandemic. The opinion concluded that Act XII of 2020 on the containment of coronavirus, and certain Decrees issued thereunder, violate the foundational values of the EU (as set out in Article 2 of the Treaty on European Union) and various specific provisions of EU law and the Charter of Fundamental Rights and was relied upon in discussions with the EU Commission.

(1) Action Renewables (2) Emerald Isle Solar Energy Limited v Northern Ireland Utility Regulator

Claim No. 2018/0877/01, (Northern Ireland Queen's Bench Division)

Acted as sole counsel for the Northern Ireland Utility Regulator in a high value claim brought by industry bodies representing various microgenerators, relating to the calculation of payments for solar energy sold back to the grid by microgenerators.

In the matter of an application by Colin Buick as Chairperson of NoARC 21

[2018] NICA 26

Acted in the Northern Ireland Court of Appeal for SONI, the electricity grid operator for Northern Ireland. The case was referred to the Supreme Court but made redundant by the passing of primary legislation to address the issues.

The case is an important authority in constitutional and devolution law: determining whether the civil service can continue to act in the absence of a power-sharing government in Stormont.

SONI was granted planning permission for the North-South Electricity Interconnector (the largest infrastructure project on the Island of Ireland and a fundamental requirement of the Single Electricity Market) at a time when no government was in place in Stormont. Permission for the interconnector was challenged on the basis that civil servants were not able to act without a government in place.

Times Newspapers Limited and Kennedy v United Kingdom

App No 64367/14, 8 December 2018

Acted for Times Newspapers Limited and Mr Kennedy, a journalist, in a challenge before the European Court of Human Rights to the exemption under the Freedom of Information Act 2000 to disclosure of information held for the purpose of an inquiry, following the judgment of the Supreme Court ([2014] UKSC 20).

5G Spectrum Auction Appeal

[2017] EWHC 3376 (Admin)

Successfully acted for Telefonica UK Limited in the High Court and Court of Appeal in claims brought against Ofcom's decision on the competition measures to be imposed in the auction of 2.3 and 3.4 GHz spectrum.

Telefonica subsequently won the largest volume of spectrum in the 5G auction.

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Renewable Heat Incentive Inquiry

(2017 - 2020)

Emily acted for Ofgem in the statutory inquiry into the "cash for ash" scandal which resulted in the dissolution of government in Northern Ireland. Ofgem is one of three Core Participants in the inquiry, having acted as the administrator of the renewable heat incentive scheme in Northern Ireland.

EE Ltd and Vodafone v Office of Communications

[2018] 1 W.L.R. 1868

Successfully acted for Vodafone in the Court of Appeal to challenge Ofcom's revision of annual licence fees for radio spectrum. The appeal (and the first instance judicial review, in which Emily also appeared) raised issues of EU and public law and resulted in Ofcom's direction setting licence fees being held ultra vires.

Pigeon Top Windfarm Limited v OFGEM

[2017] NIQB 119

Successfully acted as sole counsel for Ofgem in a high value commercial judicial review by a renewables energy developer of Ofgem's approach to accreditation of wind turbines under the Northern Ireland Renewables Obligation Scheme. Emily also acted in the Northern Ireland Court of Appeal proceedings, which were ultimately discontinued by the applicant. The case raised difficult issues of EU and public law.

The Dark Fibre Appeals

[2017] CAT 17

Acted as sole counsel for the Competition and Markets Authority (CMA) in two separate challenges by TalkTalk and City Fibre to Ofcom's price control decisions in the Business Connectivity Market Review, controlling the prices which BT can charge for its Dark Fibre access product.

The CMA overturned Ofcom's price control decision in TalkTalk's challenge and maintained it in City Fibre's challenge. Neither of the CMA's decisions were successfully challenged in the CAT.

Haix®-Schuhe, Produktions- und Vertriebs GmbH v (1) Ministry of Defence; (2) Leidos Supply Ltd; and (3) Leidos Europe Ltd

2016

Acted for the incumbent supplier in a challenge to the procurement for the supply of boots to the British Army, in contracts worth £84million.

R. (on the application of Ezz) v HM Treasury

[2016] EWHC 1470 (Admin)

Acted for the applicant (with Brian Kennelly QC) in this leading case on the basis for calculating permissible legal expenses for foreign proceeding under the EU sanctions regime. Emily acted at both first instance and in the Court of Appeal until the case was discontinued following the successful de-listing of Mr Ezz.

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Various Airlines v Airport Coordination Limited (ACL)

(2015 to date)

Emily has successfully acted for the airline slots regulator, ACL, in multiple high value challenges brought by various airlines to the exercise of ACL's competition and EU law-based powers.

In each of these challenges Emily appeared as sole counsel for the regulator, pitched against experienced aviation silks.

R (O) v Secretary of State for International Development

(2015)

Acted for the Secretary of State as junior to James Eadie QC in this challenge to the assessment of Ethiopia's commitment to human rights and other international obligations for the purpose of the grant of aid to the country.

Dr Siddiqui v General Medical Council

[2015] EWHC 1996 (Admin)

Successfully resisted a challenge to the decision of the General Medical Council to erase Dr Siddiqui from the Medical Register. The judgment of the High Court concludes with a commendation of Emily's work.

Advice to Integrated Education Fund

(2015)

Advised the Integrated Education Fund on the statutory duties of the Northern Ireland Government to promote integrated education. The Department for Education ultimately changed its policy for funding schools, in light of criticisms that it was in breach of those duties.

Advice on constitutionality of pension reform

(2015)

Emily advised a foreign government on the constitutionality of reform to pensions and retirement age (with Sir Jeffrey Jowell QC).

Gibraltar Betting & Gambling Association v Secretary of State for Culture Media and Sport

[2014] EWHC 3236 (Admin)

Acted for the Gibraltar Gambling Commissioner in a challenge to the Gambling (Licensing and Advertising) Act 2014 as contrary to Article 56 TFEU.

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R (Whistl UK Ltd, formerly TNT Post) v HMRC

[2014] EWHC 4118 (Admin) and Court of Appeal

Successfully acted for Royal Mail at first instance and in the Court of Appeal proceedings (which were eventually discontinued) in Whistl's judicial review challenge to the legality of the Royal Mail's VAT exemption for alleged incompatibility with EU VAT legislation (CJEU reference in Case C-357/07).

Harassment claims by Liberal Democrat Party members

(2014)

Acted for a group of women who alleged they had been sexually harassed by the Liberal Democrat peer Lord Rennard and who sought to rely on public law principles and the Party Constitution to challenge their treatment by the Party, including representing the women at a mediation with the Party and Lord Rennard.

Belgravia International Bank & Trust Company Ltd v CIBC Trust Company (Bahamas) Limited

Court of Appeal of the Bahamas, July 2014

Acted for Belgravia Bank in an application for the Judgment of the Court of Appeal to be set aside on the grounds of apparent bias (with Pushpinder Saini QC).

Overseas Constitutional Law Advice

(2013 - ongoing)

Emily regularly advises the Governments of two foreign jurisdiction in relation to various highly confidential constitutional and administrative law matters (with Sir Jeffrey Jowell QC and Lord Pannick QC).

State Aid

Emily's particular experience in State aid law and subsidy control has been noted in the comments in her Competition law rankings in Chambers UK and in Legal 500. She is the contributor of the Media and Communications Chapter in Bacon, EU Law of State Aid and is on the steering committee of the UK State Aid Lawyers Association. She is regularly invited to speak and give training on issues of State aid law. Much of Emily's work in the State aid context is highly confidential.

Cases

Advice on subsidy control in renewables subsidy context (2023)

Advising on subsidy control in the renewables context, including on interaction with the relevant state bodies and the prospects of challenge.

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Advice on subsidy control in Levelling Up Fund context (2023)

Advising on subsidy control and the potential for challenge in the context of awards of LUF funding.

Regulatory/State aid advice (2021)

Confidential advice to a household name services provider on the compatibility of an approach to regulation with preceding grants of State aid.

Covid-19 aid to transport sector

(2020)

Acting for a transport company in a judicial review of measures said to have been adopted to address security of supply issues caused by Covid-19 on the grounds of incompatibility with EU State aid and procurement rules.

Covid-19 aid to Sport

(2020)

Advising a sporting association in relation to Covid-19 aid granted to a competing organisation.

State aid post-Brexit

(2020)

Advising on the impact of the Northern Ireland Protocol within the Withdrawal Agreement on UK wide aid measures after the end of the transition period.

Telecoms State aid advice

(2020)

Advising a telecommunications operator in relation to the impact of State aid law on certain measures favouring an incumbent.

Challenges to planning rules

(2019)

Assisting a market disruptor to challenge amendments to planning rules which advantage an incumbent on the grounds of breach of competition law.

Ryanair v Irish State

(2019)

Acted for Ryanair in a high value claim against the Irish State for breach of state aid law and free movement provisions arising out of the imposition of a differential air travel tax. The case was resolved shortly before a 12 week trial listed in the Irish High Court in October 2019.

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Procurement

Emily is ranked as a leading junior in Procurement Law by Legal 500 and Chambers UK. Her EU, Competition and Public Law expertise underpin her practice in public procurement law. She regularly advises on procurement matters and much of this work is highly confidential.

"Erudite, calm and authorative. Emily is confident making complex legal submissions and addressing the court's detailed questioning."

— LEGAL 500, 2025

Cases

2021 No 23884 IMAC v The Housing Executive of Northern Ireland

Acted for the Housing Executive to defend a claim for breach of procurement law in excluding a bidder in a high value competition for maintenance and repairs of social housing (worth £0.5 billion).

The matter settled in June 2021.

2021 No 000114 QMAC v The Housing Executive of Northern Ireland

[2021] NIQC 41

Acted for the Housing Executive to defend a claim for breach of procurement law in excluding a bidder from a high value competition for maintenance and repairs of social housing (worth £0.5 billion).

2020 No 63956 Woodvale Construction Company Limited v Education Authority of Northern Ireland

Acted for the Education Authority of Northern Ireland defending a challenge to an exclusion of a bidder for breach of the rules of the competition relating to reliance on subcontractors.

The contract was for the maintenance and repair works in primary and secondary schools in Northern Ireland, with a value of £240 million.

The matter settled in June 2021.

2020 No 39204 Regen Waste Limited v Armagh, Banbridge and Craigavon Borough Council

Acted for the Claimant in a claim for breaches of procurement legislation in the tender of contracts for waste collection and management.

The matter settled in November 2021.

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2020 No. 82899 Scott & Ewing Limited v Education Authority

Acted for the Education Authority of Northern Ireland defending a challenge to an exclusion of a bidder for breach of the rules of the competition.

The contract is for the maintenance and repair works in primary and secondary schools in Northern Ireland,.

The matter settled in June 2021.

Bolinda UK Limited v Education Authority

(2021)

Acting for the Education Authority in a challenge to the tender of an e-book service for Libraries NI (a public body which sits within the Education Authority).

The matter was settled in March 2021.

Contract for cleaning services

(2020)

Advising a public authority on a significant procurement exercise for cleaning services and on two challenges issued in relation thereto.

Contract for translation services

(2020)

Advising a public authority on a significant procurement exercise for translation services and on threatened challenges thereto.

Future Ticketing Limited v Trinity College Dublin

High Court 2019/948 JR

Acting for the incumbent supplier to challenge the award of a contract for Book of Kells ticketing and visitor services to a new operator. The Book of Kells is one of Ireland's most visited tourist attractions.

Boyne Waste Services v Irish Water

Claim No 2019/516 JR High Court, 2019 -2020

Acted for the winning tenderer in a challenge by a disappointed bidder to a significant procurement exercise by Irish Water for pipe cleaning services across Ireland.

Haix®-Schuhe, Produktions- und Vertriebs GmbH v (1) Ministry of Defence; (2) Leidos Supply Ltd; and (3) Leidos Europe Ltd

2016

Acted for the incumbent supplier in a challenge to the procurement for the supply of boots to the British Army, in contracts worth £84million.

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Fujitsu Services Limited v Department for Transport

2014

Acted for Fujitsu in a High Court claim concerning changes to one of the largest public contracts in the UK, the DVLA's contract for IT services. The case settled shortly before trial.

R (Jansons West London and Thames Valley Ltd) v Ministry of Defence

July 2014 CO/191/2014

Acted for the developer interested party in a judicial review of the disposal of public land.

Civil Liberties & Human Rights

By reason of her broad Public and Constitutional Law practice, Emily has substantial experience in cases involving issues of civil liberties. Prior to coming to the Bar, Emily worked at the AIRE ("Advice on Individual Rights in Europe") Centre, advising on the European Convention on Human Rights and European Union free movement and citizenship issues.

Cases

222/39759/01 R (Carlin) v OFCOM (2022)

Acted for Ofcom in a judicial review challenge to Ofcom's decision to revoke the broadcasting licence of the Russia Today TV channel in the United Kingdom, following the Russian invasion of Ukraine.

R (on the application of Radiocentre Ltd) v British Broadcasting Corporation (2023)

[2023] EWHC 1977 (Admin)

Acted for the BBC as the interested party in a judicial review brought by certain commercial radio operators, challenging Ofcom's decision to permit the BBC to launch the Radio1 Dance stream on the BBC Sounds App without a public interest assessment. The claim involved issues of regulatory competition law.

R. (on the application of Gravis Solar 1 Ltd) v Ofgem

[2021] EWHC 490 (Admin)

Successfully acted (with Sam Grodzinski QC) at first instance and in the Court of Appeal to defend a challenge to a decision by Ofgem to revoke the accreditation of certain electricity generation stations under a renewable subsidy scheme on the basis that their accreditation was founded on inaccurate information. The challenge was brought by a hedge fund which had subsequently purchased the stations and who had not been involved in the original application. The case involved arguments relating to the EU regulation of renewable energy and EU and European Convention property rights.

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Exam results algorithm (2020)

Acting (with Sir James Eadie QC) for Ofqual responding to various judicial reviews to challenge the exam results algorithm initially adopted to set grades for A-Levels in 2020 in light of the impact of Covid-19. The challenges were not pursued following a change in policy.

Legal Opinion on Hungarian Covid-19 legislation

(2020)

Prepared an opinion for the Open Society Justice Initiative (together with Tim Otty QC, Tom de la Mare QC and George Molyneaux) regarding the compatibility with EU law of emergency legislation introduced in Hungary in the context of the coronavirus pandemic. The opinion concluded that Act XII of 2020 on the containment of coronavirus, and certain Decrees issued thereunder, violate the foundational values of the EU (as set out in Article 2 of the Treaty on European Union) and various specific provisions of EU law and the Charter of Fundamental Rights and was relied upon in discussions with the EU Commission.

Times Newspapers Limited and Kennedy v United Kingdom

App No 64367/14, 8 December 2018

Acted for Times Newspapers Limited and Mr Kennedy, a journalist, in a challenge before the European Court of Human Rights to the exemption under the Freedom of Information Act 2000 to disclosure of information held for the purpose of an inquiry, following the judgment of the Supreme Court ([2014] UKSC 20).

Abortion reform

(2018-2020)

Advising a foreign government on reform of the law on abortion.

Breyer Group v Department of Energy & Climate Change

[2016] EWHC 763 (Comm)

Acted for the Government in a high value claim for damages in relation to an alleged breach of Article 1 of the First Protocol to the European Convention on Human Rights. The case was one of The Lawyer's Top Cases for 2018 and settled in January 2018 shortly before the start of a 10 week trial.

R. (on the application of Ezz) v HM Treasury

[2016] EWHC 1470 (Admin)

Acted for the applicant (with Brian Kennelly QC) in this leading case on the basis for calculating permissible legal expenses for foreign proceeding under the EU sanctions regime. Emily acted at both first instance and in the Court of Appeal until the case was discontinued following the successful de-listing of Mr Ezz.

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R (O) v Secretary of State for International Development

(2015)

Acted for the Secretary of State as junior to James Eadie QC in this challenge to the assessment of Ethiopia's commitment to human rights and other international obligations for the purpose of the grant of aid to the country.

Seldon v Clarkson Wright & Jakes

[2014] ICR 1275

Acted for the successful respondent in the Supreme Court (with Tom Croxford QC) and later the Employment Tribunal and Appeal proceedings in an age discrimination claim arising out of a mandatory retirement age in a partnership agreement, raising issues under the Equal Treatment Framework Directive.

UK overseas aid advice

(2014)

Advised the UK Government in relation to the spending of UK overseas aid and human rights obligations.

Harassment claims by Liberal Democrat Party members

(2014)

Acted for a group of women who alleged they had been sexually harassed by the Liberal Democrat peer Lord Rennard and who sought to rely on public law principles and the Party Constitution to challenge their treatment by the Party, including representing the women at a mediation with the Party and Lord Rennard.

Public International Law

Emily advises on issues of Public International Law, including the international law obligations of the European Union. Emily tutored in Public International Law at the University of Oxford in 2008-2009.

Cases

R (O) v Secretary of State for International Development

(2015)

Acted for the Secretary of State as junior to James Eadie QC in this challenge to the assessment of Ethiopia's commitment to human rights and other international obligations for the purpose of the grant of aid to the country.

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Advice on EU tax legislation

(2015)

Advising the government of a non-EU jurisdiction on EU legislation governing tax avoidance and automatic information exchange.

Apex Global Management Ltd v (1) HRH Prince Abdulaziz Bin Mishal Bin Abdulaziz Al Saud (2) HRH Prince Mishal Bin Aboul Aziz Saud and ors

[2013] EWHC 587 (Ch)

Acted for Prince Mishal and Prince Abdulaziz in a high value commercial dispute, in which the Princes claimed sovereign immunity and challenged service out of the jurisdiction (led by Tim Otty QC).

Overseas Constitutional Law Advice

(2013 - ongoing)

Emily regularly advises the Governments of two foreign jurisdiction in relation to various highly confidential constitutional and administrative law matters (with Sir Jeffrey Jowell QC and Lord Pannick QC).

Private International Law

In connection with Emily's Commercial practice, she is regularly instructed to act or advise on a broad range of aspects of Private International Law including applicable law and jurisdiction.

Cases

Apex Global Management Ltd v (1) HRH Prince Abdulaziz Bin Mishal Bin Abdulaziz Al Saud (2) HRH Prince Mishal Bin Aboul Aziz Saud and ors

[2013] EWHC 587 (Ch)

Acted for Prince Mishal and Prince Abdulaziz in a high value commercial dispute, in which the Princes claimed sovereign immunity and challenged service out of the jurisdiction (led by Tim Otty QC).

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ACHIEVEMENTS

Education

BA (Oxon) Law with Legal Studies in Europe (France) (First Class, Proxime Accessit to Wronker Prize for highest mark in Oxford Law Finals); Certificat Supérieur de Droit Français (Mention Très Bien), Université de Paris II; BCL (Distinction).

Prizes & Scholarships

- First Place, Comparative Public Law, BCL, Oxford University (2009).
- Arts and Humanities Research Board Highest Award Scholarship for Postgraduate Study (2008-2009).
- Major Scholar, Inner Temple (2007-2008).
- Proxime Accessit to the Wronker Prize for the Overall Best Performance in Final Examinations 2007, Oxford University.
- Field Fisher Waterhouse Prize for Highest Mark in European Community Law, Oxford University (2007).
- Manches Prize for Highest Mark in Family Law, Oxford University (2007).
- Lovells' Prize for Exceptional Academic Performance in Second Year of Legal Studies at Oxford (2005).
- Norton Rose Prize for Highest Result in Law Moderations, Magdalen College (2004).
- Scholar, Magdalen College, Oxford (each academic year between 2003- 2007).
- The Weil Award 2004 from the Northern Ireland Modern Languages Association/University of Ulster for Achievement in Multiple Modern Languages.

Publications

- Bacon, EU State Aid Law (3rd edition): Chapter on Media and Communications.
- Goulding, Employee Competition (3rd edition): Chapter on Competition Law.
- Sport: Law and Practice (Lewis and Taylor) (3rd Edition): Chapter on Sport and Discrimination.
- Tolley's Discrimination Law Handbook (Sections on: Jurisdiction and Limitation Period, Contract Workers, Job Applicants, Partnerships, Trade Associations, and Individual Liability.)
- CRD3 Remuneration rules and existing agreements: an English perspective (with Simon Pritchard). Butterworths Journal of International Banking & Financial Law (Vol 26 No3)

Tutoring

Emily tutored in Public International Law at the University of Oxford during her BCL.

Appointments

Junior Counsel to the Crown (C Panel).

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Memberships

- Bar European Group
- Steering Committee of UK State Aid Lawyers Association
- Editorial Committee of European Advocate
- Constitutional and Administrative Law Bar Association
- Employment Lawyers Association

Selected earlier reported cases

EU & Competition

- Work at the CJEU (Cabinet of Judge Vajda), involving a broad range of EU procedural and substantive law including: the EU sanctions regimes, State aid, appeals against Commission fines for cartel activity, taxation, customs duties, VAT, EU Constitutional law and equality law (Summer Term 2013).
- Nokia Corporation v HMRC (EU:C:2011:796 Joined cases C-466/09 and C-495/09) assisting Tom de la Mare QC for HMRC (copyright and Trade Marks Directive).
- Lucy Stewart (EUC:2011:500 Case C-503/09) and related domestic litigation, assisting Tom de la Mare QC for DWP (EU Citizenship, free movement, social security).
- FIFA and UEFA v European Commission (EU:T:2011:42 Cases T-68/08, T-385/07 and T-55/08) assisting Tom de la Mare QC and Brian Kennelly (challenge to the Commission's approval of the UK notification of events to be broadcast for free).
- Advised Ofgem on the transposition of the third package of EU legislation on electricity and gas markets intended to further liberalise European energy markets (2011).
- Advised the Competition Commission (now CMA) throughout the stages of a Market Investigation under Part V of the Enterprise Act (2013-2014).
- Advised a merging entity as to the satisfaction of conditions placed on the merger by the European Commission (2013-14).
- Apollo Property Services Group Limited v Office of Fair Trading [2011] CAT 7 (challenge to OFT cartel decision in construction industry, assisting Tom de la Mare QC).
- Chemistree Homecare Ltd v Teva Pharmaceuticals Ltd [2011] EWHC 2979 (Ch) (abuse of dominance).
- Chemistree Homecare Ltd v Roche Products Ltd [2011] EWHC 1579 (Ch) (abuse of dominance).

Commercial

- Merlin Mineral Resources Limited and Hugh Brown and Associates (PTY) Limited v Kermas Limited (Eastern Caribbean Supreme Court, 2011) - Junior counsel for Claimants in an application for a $57 million freezing injunction arising out of the exploitation of African mining concessions, following termination of arbitration proceedings (led by Stanley Brodie QC).
- Serious Organised Crime Agency v Perry (2010) - A high value Proceeds of Crime Act case in the High Court, which included experience of ex parte search and freezing orders (assisting Tom Weisselberg QC and Tony Peto QC).
- Weavering Capital (UK) Ltd v Peterson and others (2010) - A claim arising from the collapse of the $500 million Weavering hedge fund, raising issues of deceit/misrepresentation, breach of fiduciary duty, negligence, and breach of statutory duty (assisting Tom de la Mare QC).

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- The Sugababes Litigation (2010) - partnership dispute between former band members (assisting Tom Weisselberg QC).
- Taylor v Le Bon and others (2010) - partnership dispute between former band members (assisting Tom Weisselberg QC).

Public & Regulatory

- The Woolf Inquiry: LSE's links with Libya (2011) - Junior to Lord Woolf in his Inquiry into the London School of Economics' links with Libya, published November 2011 (www.woolflse.com). In recognition of her work on the Inquiry Lord Woolf presented Emily with the traditional red bag for excellence as a Junior Counsel; the only such bag which Lord Woolf has given.
- R v Waya [2013] 1 AC 249 (with Lord Pannick QC).
- Serious Organised Crime Agency v Gale [2011] UKSC 49 (with Tony Peto QC).
- R (Sinclair Collins) v Secretary of State for Health [2012] 2 W.L.R. 304 (assisting Tom de la Mare QC).
- Scopelight & Ors v Chief Constable of Northumbria Police & Federation Against Copyright Theft [2009] EWCA Civ 1156 (assisting Tom Weisselberg QC).
- Prior to coming to the Bar, Emily worked at the AIRE ("Advice on Individual Rights in Europe") Centre, advising on the European Convention on Human Rights and European Union free movement and citizenship issues.

Telecommunications

- Vodafone v BT [2010] EWCA Civ 39 - Court of Appeal litigation concerning the ex ante nature of Ofcom's powers when dealing with mobile call termination rates imposed by Ofcom using its powers to impose conditions to combat the misuse of SMP (assisting Tom de la Mare QC).

Civil Liberties & Human Rights

- R v Waya [2013] 1 AC 249 (with Lord Pannick QC).
- Serious Organised Crime Agency v Gale [2011] UKSC 49 (with Tony Peto QC).
- X v TATA (2014) - successfully acted as sole counsel resisting a multi-day race discrimination claim.

Public International Law

- Acted in a dispute relating to sovereign immunity of a Head of State (assisting Maurice Mendelson QC) (2010).

Private International Law

- Unit Export v Pennelli Veicoli Speciali (2011) - Sole counsel for the Claimant in a jurisdiction dispute in the High Court, related to a claim arising out of a contract for the supply of water trailers to the South Sinai Regional Development Programme in Egypt, which involved a number of issues of private international law.

Sport

- FIFA and UEFA v European Commission (EU:T:2011:42 Cases T-68/08, T-385/07 and T-55/08), assisting Tom de la Mare QC and Brian Kennelly (challenge to the Commission's approval of the UK notification of events to be broadcast for free).

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