BRICK COURT
CHAMBERS

Brick Court Chambers
7-8 Essex Street, London WC2R 3LD
DX 302 London Chancery Lane

Aidan Robertson KC

YEAR OF CALL: ENGLAND AND WALES: 1995; IRELAND: 2018

YEAR OF SILK: 2009

"Aidan is outstanding in every way. His advice is invariably precise and on point, and his advocacy skills are second to none."

Chambers & Partners 2017

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Practice Overview

Aidan Robertson KC specialises in competition, EU and public law. He has appeared in numerous cases in the Competition Appeal Tribunal, High Court, Court of Appeal and Supreme Court in England and in the General Court and Court of Justice of the European Union, as well as appearing at oral hearings before competition and regulatory authorities. He has acted as counsel, expert witness and arbitrator in arbitrations. He also has an extensive advisory practice. He has a broad client base, acting for both private clients and public authorities.

His EU expertise extends to the fields of state aid, agriculture, regional develpment funding (ERDF), food, healthcare, public procurement, telecommunications, pharmaceuticals, direct and indirect taxation, free movement, financial services and international trade.

He has acted for both applicants and respondents in judicial review proceedings in EU, competition and regulatory matters.

Aidan Robertson KC has been identified as a leading Silk in EU and competition law since taking Silk in 2009, and before that had been identified as one of the leading juniors in those fields for the previous 10 years by both the Legal 500 and Chambers and Partners.

Aidan Robertson was called to the Bar of Ireland in 2018.

He is a Visiting Professor at the University of Oxford, where he has taught competition law since 1990.

Aidan was appointed to the Sport Resolutions' Panel of Arbitrators and Mediators in 2018 and was a member of the panel that decided the *Saracens v Premiership Rugby (Salary Cap breach)* case in 2019.

Competition & State aid law

Aidan Robertson KC specialises in competition, EU and public law. He has appeared in numerous cases in the Competition Appeal Tribunal, High Court, Court of Appeal and Supreme Court in England and in the General Court and Court of Justice of the European Union, as well as appearing at oral hearings before competition and regulatory authorities. He has acted as counsel and as expert witness in arbitrations. He also has an extensive advisory practice. He has a broad client base, acting for both private clients and public authorities.

His practice includes all aspects of competition law, including antitrust, abuse of dominance, joint ventures and mergers, market investigations and criminal investigations. He has acted and continues to act in a number of follow-on damages claims in both the CAT and High Court for both claimants and defendants arising out of EU cartel decisions in Vitamins, LCD Panels, Copper Tubes, Copper Fittings, Refrigeration Compressors, CRT Glass, TV and Computer Monitor Tubes, Air Cargo Fuel Surcharges, Polyurethane Foam, Automotive Glass, Power Cables, Trucks and Forex.

He has appeared in many leading competition cases including iiyama (extraterritorial application of EU competition law), MasterCard (interchange fees), FA Premier League v QC Leisure and Murphy v Media Protection Services (broadcast rights to Premier League football matches), BSkyB, Merger Action Group and IBA Health (merger challenges). He acted for over 20 construction companies in the largest ever UK cartel investigation and in 8 subsequent successful appeals to the CAT and Court of Appeal including the Tomlinson, Francis, GMI and Interclass cases.

His expertise extends to the fields of state aid, agriculture, regional development funding (ERDF), food, healthcare, public procurement, telecommunications, pharmaceuticals, direct and indirect taxation, free movement, financial services and international trade.

He acted in successful follow-on Francovich claims for damages for farmers' producer organisations against the UK and Scottish governments for breach of the Common Agricultural Policy, having acted in several successful appeals against withdrawal of agricultural subsidies, including SPL v DEFRA Nos 1 and 2 and Angus Growers v Scottish Ministers.

He has acted for both applicants and respondents in judicial review proceedings involving challenges based upon both EU and English law. He has particular expertise in judicial review in EU, competition and regulatory matters.

Aidan Robertson KC has been identified as a leading Silk in EU and competition law since taking Silk in 2009, and before that had been identified as one of the leading juniors in those fields for the previous 10 years by both the Legal 500 and Chambers and Partners.

He is co-editor (with the late David Vaughan CBE QC) of the multi-volume encyclopaedia "Law of

the European Union" (OUP). He has contributed to a large number of books and journals as well as lecturing extensively. He has taught the postgraduate competition law course at Oxford University since 1990, where he is a Visiting Professor, having formerly been a full-time university lecturer and fellow of Wadham College.

Competition and State aid law

- *Weis v Greater Manchester Combined Authority* [2026] EWCA Civ 825, dismissing appeal from [2025] CAT 41 (Subsidy Control Act 2022)
- Cases C-245/24 and C-260/24 *Lukoil Bulgaria*, ECLI:EU:C:2025:987, 988 (Article 102 TFEU, refusal to supply and margin squeeze)
- *Rowntree v Performing Rights Society* [2025] CAT 49 (Chapter II prohibition, damages claim, application for collective proceedings order, 'black box' royalties)
- *Roberts v Severn Trent Water and others* [2025] CAT 17 (Chapter II prohibition, damages claim, application for collective proceedings order, water and sewerage pricing)
- *Tereos v CMA* [2024] CAT 62 (merger judicial review).
- C-164/19 P *Niche v Commission* ECLI:EU:C:2024:547 and C-166/19 P *Unichem Laboratories v Commission* ECLI:EU:C:2024:548 (Article 101, 'pay for delay' settlement agreements)
- *Lexon v CMA* [2024] CAT 36 (Chapter I prohibition, alleged market exclusion agreement)
- *The Durham Company (t/a Max Recycle) v Durham County Council* [2023] CAT 50 (Subsidy Control Act 2022)
- *Evans v Barclays Bank and others* [2023] EWCA Civ 876; [2022] CAT 16, [2020] CAT 9 (Article 101, damages claim, application for collective proceedings order, FX cartel)
- *Sportradar v Football Dataco, Soft Construct intervening* [2022] CAT 37 (competition damages claim, ruling on disclosure)
- *Genius Sports Technologies v Soft Construct (Malta)* [2022] EWHC 2308 (Ch) (competition damages claim, ruling on costs and case management)
- *Belle Lingerie v Wacoal* [2022] CAT 22, 23 (competition damages claim, rulings on fast-track application and pleadings)
- *R (British Sugar) v Secretary of State for International Trade* [2022] EWHC 393 (Admin), Foxton J (State aid, Northern Ireland Protocol, subsidy control, UK/EU Trade and Cooperation Agreement)
- *The Durham Company Ltd v Durham County Council* [2022] EWCA Civ 66, dismissing appeal from [2020] EWHC 3200 (Ch), HHJ Keyser KC (State aid and *Francovich* damages claim, reverse summary judgment)
- C-594/18 P *Austria v Commission, UK intervening (Hinkley Point C nuclear power station)*, ECLI:EU:C:2020:742, 22 September 2020, dismissing Austria's appeal from T-356/15

ECLI:EU:T:2018:439, 12 July 2018 (State aid, Euratom Treaty)

- *JD Sports v CMA (Frasers Group intervention)* [2020] CAT 17 (application to intervene in merger judicial review)
- *Tobii v CMA* [2020] CAT 1 (merger judicial review).
- *Credit Suisse v HMRC* [2019] EWHC 1922 (Ch), Falk J (State aid and *Francovich* damages claim)
- *Vattenfall v Prysmian and NKT* [2018] EWHC 1694 (Ch) (Article 101, damages claim)
- *iiyama v Schott* [2018] EWCA Civ 220; [2016] EWHC 1207 (Ch), [2017] UKCLR 16, (Article 101 damages claim, extra-territorial application of EU law)
- *ABF (Silentnight) v Recticel*, [2017] EWHC 3610 (Ch) (Article 101, follow-on damages claim)
- *Peninsula Securities v Dunnes Stores (Bangor)* [2017] NIQB 59 (common law doctrine of restraint of trade, restrictive covenant in land agreement)
- Joined Cases C-164/15 P & C-165/15 P *Commission v Aer Lingus & Ryanair*, ECLI:EU:C:2016:990, 21 December 2016 (State aid)
- *Zantra v BASF* [2016] EWHC 3578 (Ch), Barling J, (Article 101 and Chapter I prohibition, *Norwich Pharmacal* order)
- *Choice International v Post Office*, Norris J, 3 November 2016 (unrep) (Article 102 and Chapter II prohibition, refusal to supply, interim injunction)
- *AXA PPP v CMA, BMA intervening* [2015] CAT 5, [2015] CompAR 172 (market investigation, judicial review)
- C-382/12 P *MasterCard v Commission*, 11 September 2014, on appeal from T-111/08 *MasterCard v Commission,* 24 May 2012, acting for British Retail Consortium intervening in support of the European Commission (Article 101)
- *Carewatch Care Services v Focus Caring Services* [2014] EWHC 2313 (Ch) (Chapter I prohibition, franchising)
- *WH Newson v IMI* [2013] EWHC 3788 (Ch), [2014] UKCLR 306 (Article 101, follow-on damages claim)
- *John Lewis v OFT* [2013] CAT 7, [2013] CompAR 301 (market investigation, judicial review of remedy)
- *Interclass v OFT* [2012] EWCA Civ 1056 (Chapter I prohibition)
- *Nokia v AU Optronics & others* [2012] EWHC 731 (Ch), [2012] UKCLR 245 (Article 101 damages claim)
- Joined Cases C-403/08 & 429/08 *FA Premier League and Murphy*, judgment of 4 October 2011 (Article 101 and free movement of services)

- *Chemistree Homecare v Roche* [2011] EWHC 1579 (Ch) (Ch II prohibition, refusal to supply)
- *GMI v OFT* [2011] CAT 12, [2011] CompAR 427 (Chapter I prohibition)
- *Francis, GAJ, Hobson & Porter & JH Hallam v OFT* [2011] CAT 9, [2011] CompAR 294 (Chapter I prohibition)
- *Interclass, Seddon & Tomlinson v OFT* [2011] CAT 7, [2011] CompAR 118 (Chapter I prohibition)
- *BSkyB v Competition Commission* [2010] EWCA Civ 2, on appeal from [2008] CAT 25 (merger judicial review)
- *BCL Old Co & ors v BASF; Grampian Country Food Group & ors v Sanofi-Aventis & ors* [2009] CAT 29, [2010] CompAR 1 (Article 101 damages claims)
- *Merger Action Group v Secretary of State for Business, Enterprise and Regulatory Reform, Lloyds TSB and HBOS* [2008] CAT 36 (merger judicial review)
- *BCL Old Co & ors v BASF* [2009] EWCA Civ 434, on appeal from [2008] CAT 24 (Article 101 damages claim)
- *Vodafone v Ofcom (Mobile Number Portability)* [2008] CAT 22 (Communications Act 2003 appeal)
- *Murphy v Media Protection Services* [2007] EWHC 3091 (Admin), [2008] EWHC 1666 (Admin) (Article 101 and free movement issues)
- *FA Premier League v QC Leisure* [2008] EWHC 1411 (Ch), [2008] UKCLR 329, and [2008] EWHC 44 (Ch), [2008] UKCLR 65, summary judgment (Article 101 and free movement issues)
- *British Nuclear Group Sellafield v E.ON* [2007] EWHC 2245 (Ch) (interim Article 102 issues only)
- *AAH & ors v Pfizer & UniChem*, [2007] EWHC 565 (Ch), [2007] UKCLR 1561, David Richards J (Articles 101 & 102, Chapter I & II prohibitions)
- *SanDisk v Philips & ors* [2007] EWHC 332 (Ch), [2007] UKCLR 1539, Pumfrey J (Articles 101 & 102, Chapter I & II prohibitions)
- *Dŵr Cymru v Corus* [2007] EWCA Civ 285 (Chapter II prohibition)
- *Makers v OFT* [2007] CAT 11, [2007] CompAR 699 (Chapter I prohibition)
- *CEMEX v DEFRA, DTI, Castle Cement, Buxton Lime Industries and Lafarge Cement* [2006] EWHC 3207 (Admin), Sullivan J (environmental regulation)
- *R (GNER) v Office of Rail Regulation, Hull Trains and Grand Central Railway* [2006] EWHC 1942 (Admin), Sullivan J (rail regulation)
- *MasterCard v OFT* , Competition Appeal Tribunal, 2005-2006, decision set aside and remitted to OFT (Article 101 and Chapter I prohibition)

- *Somerfield v Competition Commission* [2006] CAT 4, [2006] CompAR 390 (merger control, Enterprise Act 2002)
- *Albion Water v OFWAT and Dŵr Cymru* [2005] CAT 40, [2006] CompAR 269 (Chapter II prohibition)
- *Genzyme v OFT* [2005] CAT 32, [2006] CompAR 195 and [2004] CAT 4, [2004] CompAR 358 (Chapter II prohibition)
- *BCL Old Co & ors v Aventis and Roche* [2005] CAT 1 & 2, [2005] CompAR 470 & 485 (first claim for damages under section 47A Competition Act 1998)
- *The Wireless Group v RAJAR* [2004] EWHC 2925 (Ch), [2005] UKCLR 203, Lloyd J (Article 102/Chapter II prohibition)
- *Pernod v OFT* [2004] CAT 10, [2004] CompAR 707 (Chapter II prohibition)
- C-308/01 *GIL Insurance v Customs & Excise*, [2004] ECR I-4777; reference from *Customs & Excise v GIL* [2001] EuLR 401, VAT Tribunal and see also [2000] STC 204, High Court (State aid/IPT)
- *IBA Health v OFT*, Court of Appeal, [2004] 4 All ER 1103, [2004] UKCLR 683 & Competition Appeal Tribunal, [2003] CAT 27 (first challenge to an OFT merger decision under section 120 Enterprise Act 2002)
- *Frazer v Nissan* [2004] EuLR 445, Sir Andrew Morritt V-C (Article 101/motor vehicles distribution block exemption)
- *Land Rover v UPF (in administrative receivership)* [2003] 2 BCLC 222, HHJ Norris QC, Birmingham Mercantile Court (Article 102/Chapter II prohibition)
- *HJ Banks & Co v Coal Authority & Secretary of State for Trade and Industry* [2002] EuLR 483, Court of Appeal, following reference to ECJ, Case C-390/98 *HJ Banks & Co v Coal Authority & Secretary of State for Trade and Industry* [2001] ECR I-6117; on appeal from High Court [1997] EuLR 610 (state aid - ECSC Treaty)
- *IIB & ABTA v Director General of Fair Trading and GISC* [2001] CAT 4; [2001] Comp AR 62 Competition Commission Appeal Tribunal (first full appeal hearing under the Competition Act 1998)
- *R v Competition Commission and Secretary of State for Trade and Industry ex p Interbrew* , [2001] UKCLR 954, 2002] LLR 109, Moses J (merger review)
- C-344/98 *Masterfoods* [2000] ECR I-11369 (Article 101)
- *Ordnance Survey v AA* [2001] EuLR 80, High Court (Article 102)
- *R v Customs & Excise ex p Lunn Poly* [1999] STC 350, Court of Appeal, [1998] STC 649, Divisional Court (State aid)
- *Courage v Crehan* [1999] EuLR 834, Court of Appeal (Article 101)

- *Passmore v Morland* [1999] 3 All ER 1005, Court of Appeal (Article 101)
- *Huggins v Capital Radio Restaurants*, 6 May 1999, High Court (Article 101)
- *Alphasense v City Technology Ltd*, 1999, High Court (Article 102)
- *ICI v Kalon*, 1999, High Court (Article 102)
- *R v OFTEL ex p Cellcom* [1999] ECC 314, [1999] COD 105, High Court (Telecommunications Act 1984)
- *Norbain v Dedicated Micros* [1998] EuLR 266, High Court (Article 102)
- *R v OFTEL ex p BT*, 20 December 1996, Divisional Court (Telecommunications Act 1984)

Aidan Robertson has brought and defended complaints before, and advised those under investigation by, the European Commission, the Competition and Markets Authority, the Financial Conduct Authority, Ofcom, the Office of Rail and Road Regulation, the Competition Commission and the Office of Fair Trading, including:

- *Veterinary Services for Household Pets* (CMA, market investigation) March 2026.
- *Suspected anti-competitive conduct by certain housebuilders* (CMA, suspected Chapter I prohibition breach, commitments) October 2025.
- *Anti-competitve conduct in relation to vehicle recycling and advertising of recycling-related features* (CMA, Chapter I prohibition breach, settlement) April 2025
- *Anti-competitive behaviour in relation to the sale of Leicester City FC-branded products and merchandise* (CMA, Chapter I prohibition breach, settlement) July 2023
- *Rangers FC-branded branded replica football kit* (CMA, Chapter I prohibition breach, settlement) September 2022
- *Construction Services* (CMA, Chapter I prohibition breach, settlement) June 2022
- *Parcel delivery and pick-up services* (Ofcom, alleged Chapter I prohibition breach) investigation, 2019-2021, closed with no finding of infringement
- *Financial Conduct Authority investigation into alleged breach of Chapter I prohibition in financial services sector by Artemis,* 2016-2019, closed with no finding of infringement
- *Cleanroom laundry services and products* (CMA, Chapter I prohibition breach), December 2017
- *Interchange fees* (OFT, closed by CMA) 2004-2015
- *Private healthcare* (CMA, market investigation, acted for the BMA), April 2014
- *Retail practices for tobacco products in the UK* (OFT, Chapter I prohibition breach, acted for Somerfield), April 2010
- *Investigation into the grocery retail sector* (OFT, alleged Chapter I prohibition breach), case

closed against client, November 2009

- *Construction Recruitment Forum* (OFT, Chapter I prohibition breach, acted for Fusion People), September 2009
- *Bid Rigging in the Construction Industry in England* (OFT, Chapter I prohibition breach, acted for 19 of the 112 construction firms in receipt of the OFT's statement of objections), September 2009
- *Thermo Electron/GV Instruments* (Competition Commission, May 2007, merger inquiry)
- *Scottish Processing Dairies* (OFT, alleged Chapter I prohibition breach, case closed) October 2008
- *Independent Schools information exchange* [2007] UKCLR 361 (OFT final decision, 20th November 2006, breach of Chapter I prohibition, acted for 10 of the 50 schools and the Independent Schools Council)
- *Store Card Credit Services* (Competition Commission, March 2006, market investigation)
- *DS Smith/LINPAC Containers* (Competition Commission, October 2004) for DS Smith (merger inquiry)
- *Genzyme* (see *Genzyme v OFT* above)
- *General Insurance Standards Council Rules application for clearance/exemption under the Competition Act* [2001] UKCLR 331 & 838 (see *IIB & ABTA v Director General of Fair Trading and GISC* [2001] Comp AR 62 above)
- *Supermarket Prices* (Competition Commission, October 2000, Cm 4842), for Somerfield (complex monopoly reference)
- *New Motor Vehicles* (Competition Commission, April 2000, Cm 4660) for Vauxhall (complex monopoly reference)
- *BA/CityFlyer* (Competition Commission, Cm 4346, 1999) for Virgin Atlantic Airways (merger inquiry)
- *Anglo-American/Lonrho* (European Commission, OJ 1998 L149/21), for third party (merger inquiry)
- *British Digital Broadcasting Plc* (European Commission, OJ 1997 C 291/11), for complainant subsidiary of NTL (complaint of breach of Articles 101 & 102).

Extensive competition law advisory work on every aspect of the EU and UK competition rules, Particularly in proceedings before the European Commission, Competition and Markets Authority, Competition Commission and the Office of Fair Trading. Clients include public and private companies, trade associations, government departments, competition authorities and sectoral regulators.

EU law

Notable cases include:

- T-147/18, T-179/18, T-188/18, T-196/18 and T-208/18 ***APG Intercon and others v European Central Bank, Council of Ministers and Commission*** (claims for damages arising out of Cypriot banking crisis), claims withdrawn
- T-245/17 ***ViaSat v Commission*** EU:T:2021:128 (mobile satellite services regulation)
- ***Angus Growers v Scottish Ministers*** [2012] EuLR 539, Scottish Land Court (appeal, recognition as a producer organisation under Regulation 2200/96 on the common organisation of the market in fruit and vegetables), follow-on ***Francovich*** damages claim settled after liability established [2016] CSOH 26
- T-350/09 ***ICO Satellite v European Commission*** (mobile satellite services regulation) ECLI:EU:T:2012:341
- T-212/06 ***Bowland Dairy Products v European Commission*** [2009] ECR II-4073 (food hygeine, claim for damages). See also T-212/06R ***Bowland Dairy Products v European Commission***, Order of the Court of First Instance 12 September 2006 (successful application for interim relief)
- ***R (Speciality Produce) v DEFRA*** [2009] EWHC 1245 (Admin), [2010] EuLR 136, Ian Dove QC, sitting as a deputy High Court judge (judicial review, recognition as producer organisation under Regulation 2200/96 on the common organisation of the market in fruit and vegetables)
- ***JB Leadbitter & Co v Devon County*** Council, Sir Andrew Morritt, Chancellor, 4 March 2009 (public procurement - successful application for interim injunction)
- ***FA Premier League v QC Leisure*** [2008] EWHC 1411 (Ch), [2008] UKCLR 329, and [2008] EWHC 44 (Ch), [2008] UKCLR 65, summary judgment (Article 101 and free movement issues)
- ***Murphy v Media Protection Services*** [2007] EWHC 3091 (Admin), [2008] EWHC 1666 (Admin) (free movement of goods - appeal by case stated)
- ***Lion Apparel v FireBuy*** [2007] EWHC 2179 (Ch), [2008] EuLR 191, Morgan J (public procurement - application for interim injunction)
- ***R (GNER) v Office of Rail Regulation, Hull Trains and Grand Central Railway*** [2006] EWHC 1942 (Admin), Sullivan J, 27 July 2006
- ***R (Fuji) v Department of Health***, Wilkie J, 25 May 2005 (public procurement)
- ***DEFRA v Maltco 3***, [2004] EWCA Civ 82, Court of Appeal, on appeal from Davis J, [2003] EWHC 469 (QB), (Common Agricultural Policy, export refunds)

- *NWP v Department of Finance and Personnel* , Kerr J, 4 April 2003, NI High Court (public procurement)
- C-27/00 *R v Secretary of State ex p Omega Air Ltd* , [2002] ECR I-2569 (challenge to the EU's "Hushkits Regulation"), referred by High Court [2000] EuLR 254
- T-165/99 *Omega and 7Q7 v Council of the European Union* (damages claim for loss arising out Hushkits Regulation)
- C-380/98 *R v HM Treasury ex p University of Cambridge* [2000] ECR I-8035 and final judgment in High Court [2001] EWHC 978 (Admin) (public procurement)
- *Park Lane v DETR*, High Court, 2001 (free movement of goods damages claim)

Aidan Robertson has also drafted pleadings and/or appeared at oral hearings on behalf of the United Kingdom in a number of cases before the Court of Justice of the European Union, including:

- C-594/18 P *Austria v Commission, UK intervening (Hinkley Point C nuclear power station)* , ECLI:EU:C:2020:742, 22 September 2020, dismissing Austria's appeal from T-356/15 ECLI:EU:T:2018:439, 12 July 2018 (State aid, Euratom Treaty)
- C-275/15 *ITV Broadcasting v TV Catchup* , ECLI:EU:C:2017:144, 1 March 2017 (EU broadcasting regulation)
- C-175/06 *Tedesco*, case subsequently withdrawn (judicial co-operation in taking evidence)
- C-195/02 *Commission v Spain* [2004] ECR I-7857 (free movement of persons)
- C-8/01 *Taksatorringen* [2003] ECR I-13711 (VAT)
- C-437/00 *Pugliese* [2003] ECR I-3573 (Civil jurisdiction and enforcement of judgments)
- C-144/00 *Matthias Hoffmann* [2003] ECR I-2921 (VAT)
- C-411/00 *Felix Swoboda*, [2002] ECR I-10567 (public procurement)
- C-167/00 *Henkel*, [2002] ECR I-8111 (Civil jurisdiction and enforcement of judgments)
- C-246/99 *Commission v Denmark*, case removed from register by Order of 11th September 2002 (free movement of goods - the Danish can ban)
- C-174/00 *Kennemer* [2002] ECR I-3293, [2002] QB 1252 (VAT)
- C-380/99 *Bertelsmann* [2001] ECR I-5163 (VAT)
- C-191/99 *Kvaerner* [2001] ECR I-4447 (free movement of services)
- C-150/99 *Stockholm Lindpark v Sweden* [2001] ECR I-493 (VAT)
- C-344/98 *Masterfoods* [2000] ECR I-11369 (competition)
- C-3/99 *Cidrerie Ruwet S.A. v Cidre Stassen S.A. & H.P. Bulmer Ltd* [2000] ECR I-8749 (free

movement of goods)

Advised on cases covering just about every aspect of EU law, for clients including public and private companies, government departments, sectoral regulators and even a political party during the 1997 General Election campaign.

Public Law

Aidan Robertson has acted for both applicants and respondents in judicial review proceedings involving challenges based upon both EU and English law. He has particular expertise in judicial review in EU, competition and regulatory matters.

- *R (British Sugar) v Secretary of State for International Trade* [2022] EWHC 393 (Admin), Foxton J (State aid, Northern Ireland Protocol, subsidy control, UK/EU Trade and Cooperation Agreement)
- *AXA PPP v CMA, BMA intervening* [2015] CAT 5, [2015] CompAR 172 (market investigation, judicial review*)*
- *John Lewis v OFT* [2013] CAT 7 (market investigation, judicial review of remedy)
- *BSkyB v Competition Commission* [2010] EWCA Civ 2, on appeal from [2008] CAT 25 (merger review)
- *R (Speciality Produce) v DEFRA* [2009] EWHC 1245 (Admin) Ian Dove QC sitting as a deputy High Court judge (common agricultural policy)
- *Merger Action Group v Secretary of State for Business, Enterprise and Regulatory Reform, Lloyds TSB and HBOS* [2008] CAT 36 (merger judicial review)
- *CEMEX v DEFRA, DTI, Castle Cement, Buxton Lime Industries and Lafarge Cement* [2006] EWHC 3207 (Admin), Sullivan J (environmental regulation)
- *R (GNER) v Office of Rail Regulation, Hull Trains and Grand Central Railway* [2006] EWHC 1942 (Admin), Sullivan J (rail regulation)
- *Somerfield v Competition Commission* [2006] CAT 4, [2006] CompAR 390 (merger review)
- *R (Fuji) v Department of Health*, Wilkie J, 25 May 2005 (public procurement)
- *IBA Health v OFT*, Court of Appeal, [2004] 4 All ER 1103, [2004] UKCLR 683 & Competition Appeal Tribunal, [2003] CAT 27 (first ever challenge to an OFT merger decision under section 120 Enterprise Act 2002)
- C-27/00 *R v Secretary of State ex p Omega Air Ltd* , [2002] ECR I-2569 (challenge to the EU's "Hushkits Regulation"), referred by High Court [2000] EuLR 254

- C-380/98 *R v HM Treasury ex p University of Cambridge* [2000] ECR I-8035 and final judgment [2001] EWHC 978 (Admin) (public procurement)
- *R v Competition Commission and Secretary of State for Trade and Industry ex p Interbrew* , [2001] UKCLR 954, Moses J (mergers)
- *R v University of West of England ex p Maddock* [2001] The Independent, 12 February, Court of Appeal (education)
- *R v Customs & Excise ex p Lunn Poly* [1999] STC 350, Court of Appeal, [1998] STC 649, Divisional Court (state aid)
- *R v OFTEL ex p Cellcom* [1999] ECC 314, [1999] COD 105, High Court (telecommunications)
- *R v University of West of England ex p Sharples*, 14th July 2000, Burton J (education)
- *R v SS ETR ex p BIMTA*, 1999 (EU free movement of goods)
- *R v Customs & Excise ex p Littlewoods* [1998] The Times, 3 March, Court of Appeal (VAT)
- *AG v Blake* [1998] EMLR 309
- *R v OFTEL ex p BT*, 20th December 1996, Divisional Court (telecommunications)

Agriculture, fishing and food

- *Tereos v CMA* [2024] CAT 62 (merger judicial review).
- *R (British Sugar) v Secretary of State for International Trade* [2022] EWHC 393 (Admin), Foxton J (State aid, Northern Ireland Protocol, subsidy control, UK/EU Trade and Cooperation Agreement)
- *Angus Growers v Scottish Ministers* [2012] EuLR 539, Scottish Land Court (appeal, recognition as a producer organisation under Regulation 2200/96 on the common organisation of the market in fruit and vegetables), follow-on *Francovich* damages claim settled after liability established [2016] CSOH 26
- *BCL Old Co & ors v BASF; Grampian Country Food Group & ors v Sanofi-Aventis & ors* [2009] CAT 29, [2010] CompAR 1 (Article 101 damages claims)
- T-212/06 *Bowland Dairy Products v European Commission* [2009] ECR II-4073 (food hygeine, claim for damages). See also T-212/06R *Bowland Dairy Products v European Commission*, Order of the Court of First Instance 12 September 2006 (successful application for interim relief)
- *R (Speciality Produce) v DEFRA* [2009] EWHC 1245 (Admin), [2010] EuLR 136, Ian Dove QC, sitting as a deputy High Court judge (judicial review, recognition as producer organisation under Regulation 2200/96 on the common organisation of the market in fruit and vegetables)

- *BCL Old Co & ors v BASF* [2009] EWCA Civ 434, on appeal from [2008] CAT 24 (Article 101 damages claim)
- *Somerfield v Competition Commission* [2006] CAT 4, [2006] CompAR 390 (merger review)
- *BCL Old Co & ors v Aventis and Roche* [2005] CAT 1 & 2, [2005] CompAR 470 & 485 (first claim for damages under section 47A Competition Act 1998)
- *DEFRA v Maltco 3*, [2004] EWCA Civ 82, Court of Appeal, on appeal from Davis J, [2003] EWHC 469 (QB), (Common Agricultural Policy, export refunds)
- *Pernod v OFT* [2004] CAT 10, [2004] CompAR 707 (Chapter II prohibition)
- *R v Competition Commission and Secretary of State for Trade and Industry ex p Interbrew* , [2001] UKCLR 954, Moses J (mergers)
- C-344/98 *Masterfoods* [2000] ECR I-11369 (Article 101)
- C-3/99 *Cidrerie Ruwet S.A. v Cidre Stassen S.A. & H.P. Bulmer Ltd* [2000] ECR I-8749 (free movement of goods)
- *Passmore v Morland* [1999] 3 All ER 1005, Court of Appeal (Article 101)
- *Scottish Processing Dairies* (OFT, alleged Chapter I prohibition breach, case closed) October 2008
- *Supermarket Prices* (Competition Commission, October 2000, Cm 4842), for Somerfield (complex monopoly reference)

Aviation

- Joined Cases C-164/15 P & C-165/15 P *Commission v Aer Lingus & Ryanair* , ECLI:EU:C:2016:990, 21 December 2016 (State aid)
- C-27/00 *R v Secretary of State ex p Omega Air Ltd* , [2002] ECR I-2569 (challenge to the EU's "Hushkits Regulation"), referred by High Court [2000] EuLR 254
- T-165/99 *Omega and 7Q7 v Council of the European Union* (damages claim for loss arising out Hushkits Regulation)
- *BA/CityFlyer* (Competition Commission, Cm 4346, 1999) for Virgin Atlantic Airways (merger inquiry)

Banking and finance

- *Evans v Barclays Bank and others* [2022] CAT 16, [2020] CAT 9 (Article 101, damages claim, application for collective proceedings order, FX cartel)
- *Credit Suisse v HMRC* [2019] EWHC 1922 (Ch), Falk J (State aid and *Francovich* damages claim)
- T-147/18, T-179/18, T-188/18, T-196/18 and T-208/18 *APG Intercon and others v European Central Bank, Council of Ministers and Commission* (claims for damages arising out of Cypriot banking crisis), claims withdrawn
- *Choice International v Post Office*, Norris J, 3 November 2016 (unrep) (Article 102 and Chapter II prohibition, refusal to supply, interim injunction)
- C-382/12P *MasterCard v Commission*, 11 September 2014, on appeal from T-111/08 *MasterCard v Commission,* 24 May 2012, acting for British Retail Consortium intervening in support of the European Commission (Article 101)
- *Merger Action Group v Secretary of State for Business, Enterprise and Regulatory Reform, Lloyds TSB and HBOS* [2008] CAT 36 (merger judicial review)
- *MasterCard v OFT*, Competition Appeal Tribunal, 2005-2006, decision set aside and remitted to OFT (Article 101 and Chapter I prohibition)
- *IIB & ABTA v Director General of Fair Trading and GISC* [2001] CAT 4; [2001] Comp AR 62 Competition Commission Appeal Tribunal (first full appeal hearing under the Competition Act 1998)
- Financial Conduct Authority investigation into alleged breach of Chapter I prohibition in financial services sector, opened 2016, ongoing
- *Store Card Credit Services* (Competition Commission, March 2006, market investigation)
- *General Insurance Standards Council Rules application for clearance/exemption under the Competition Act* [2001] UKCLR 331 & 838 (see *IIB & ABTA v Director General of Fair Trading and GISC* [2001] Comp AR 62 above)

Chemicals

- *Zantra v BASF* [2016] EWHC 3578 (Ch), Barling J, (Article 101 and Chapter I prohibition, *Norwich Pharmacal* order)

Education

- C-380/98 *R v HM Treasury ex p University of Cambridge* [2000] ECR I-8035 and final judgment in High Court [2001] EWHC 978 (Admin) (public procurement)
- *R v University of West of England ex p Sharples*, 14th July 2000, Burton J (education)
- *Independent Schools information exchange* [2007] UKCLR 361 (OFT final decision, 20th November 2006, breach of Chapter I prohibition, acted for 10 of the 50 schools and the Independent Schools Council)

Energy and natural resources

- Cases C-245/24 and C-260/24 *Lukoil Bulgaria,* judgments pending (Article 102 TFEU, refusal to supply and margin squeeze
- C-594/18 P *Austria v Commission, UK intervening (Hinkley Point C nuclear power station)* , ECLI:EU:C:2020:742, 22 September 2020, dismissing Austria's appeal from T-356/15 ECLI:EU:T:2018:439, 12 July 2018 (State aid, Euratom Treaty)
- *British Nuclear Group Sellafield v E.ON* [2007] EWHC 2245 (Ch) (interim Article 102 issues only)
- *Dŵr Cymru v Corus* [2007] EWCA Civ 285 (Chapter II prohibition)
- *Albion Water v OFWAT and Dŵr Cymru* [2005] CAT 40, [2006] CompAR 269 (Chapter II prohibition)
- *HJ Banks & Co v Coal Authority & Secretary of State for Trade and Industry* [2002] EuLR 483, Court of Appeal, following reference to ECJ, Case C-390/98 *HJ Banks & Co v Coal Authority & Secretary of State for Trade and Industry* [2001] ECR I-6117; on appeal from High Court [1997] EuLR 610 (state aid - ECSC Treaty)
- *Anglo-American/Lonrho* (European Commission, OJ 1998 L149/21), for third party (merger inquiry)

Environment

- *CEMEX v DEFRA, DTI, Castle Cement, Buxton Lime Industries and Lafarge Cement* [2006] EWHC 3207 (Admin), Sullivan J (environmental regulation)
- *NWP v Department of Finance and Personnel* , Kerr J, 4th April 2003 (Northern Irish High Court)
- C-246/99 *Commission v Denmark*, case removed from register by Order of 11th September

2002 (free movement of goods - the Danish can ban)

Government and local authority

- *The Durham Company Ltd v Durham County Council* [2020] EWCA Civ 66, dismissing appeal from [2020] EWHC 3200 (Ch), HHJ Keyser KC (State aid and *Francovich* damages claim, reverse summary judgment)
- *SPL v DEFRA*, claim for *Francovich* damages in ChD, liability conceded, claim withdrawn on agreed terms 2019.
- *Angus Growers v Scottish Ministers* [2012] EuLR 539, Scottish Land Court (appeal, recognition as a producer organisation under Regulation 2200/96 on the common organisation of the market in fruit and vegetables), follow-on *Francovich* damages claim settled after liability established [2016] CSOH 26
- *R (Speciality Produce) v DEFRA* [2009] EWHC 1245 (Admin), [2010] EuLR 136, Ian Dove QC, sitting as a deputy High Court judge (judicial review, recognition as producer organisation under Regulation 2200/96 on the common organisation of the market in fruit and vegetables)
- *JB Leadbitter & Co v Devon County* Council, Sir Andrew Morritt, Chancellor, 4 March 2009 (public procurement - successful application for interim injunction)
- *Merger Action Group v Secretary of State for Business, Enterprise and Regulatory Reform, Lloyds TSB and HBOS* [2008] CAT 36 (merger judicial review)
- *CEMEX v DEFRA, DTI, Castle Cement, Buxton Lime Industries and Lafarge Cement* [2006] EWHC 3207 (Admin), Sullivan J (environmental regulation)
- *R (Fuji) v Department of Health*, Wilkie J, 25 May 2005 (public procurement)
- *R v Competition Commission and Secretary of State for Trade and Industry ex p Interbrew* , [2001] UKCLR 954, 2002] LLR 109, Moses J (merger review)
- *DEFRA v Maltco 3*, [2004] EWCA Civ 82, Court of Appeal, on appeal from Davis J, [2003] EWHC 469 (QB), (Common Agricultural Policy, export refunds)
- *NWP v Department of Finance and Personnel* , Kerr J, 4 April 2003, NI High Court (public procurement)
- C-27/00 *R v Secretary of State ex p Omega Air Ltd* , [2002] ECR I-2569 (challenge to the EU's "Hushkits Regulation"), referred by High Court [2000] EuLR 254
- *Park Lane v DETR*, High Court, 2001 (free movement of goods damages claim)
- C-380/98 *R v HM Treasury ex p University of Cambridge* [2000] ECR I-8035 and final judgment in High Court [2001] EWHC 978 (Admin) (public procurement)

Healthcare

- *AXA PPP v CMA, BMA intervening* [2015] CAT 5, [2015] CompAR 172 (market investigation, judicial review)
- *Carewatch Care Services v Focus Caring Services* [2014] EWHC 2313 (Ch) (Chapter I prohibition, franchising)
- *AAH & ors v Pfizer & UniChem*, [2007] EWHC 565 (Ch), [2007] UKCLR 1561, David Richards J (Articles 101 & 102, Chapter I & II prohibitions)
- *Genzyme v OFT* [2005] CAT 32, [2006] CompAR 195 and [2004] CAT 4, [2004] CompAR 358 (Chapter II prohibition)
- *R (Fuji) v Department of Health*, Wilkie J, 25 May 2005 (public procurement)
- *Private healthcare* (CMA, market investigation, acted for the BMA), April 2014

Industrial and manufacturing

- *iiyama v Schott* [2018] EWCA Civ 220; [2016] EWHC 1207 (Ch), [2017] UKCLR 16, (Article 101 damages claim, extra-territorial application of EU law)
- *ABF (Silentnight) v Recticel*, Rose J, 4 October 2017 (Article 101, follow-on damages claim)
- *WH Newson v IMI* [2013] EWHC 3788 (Ch), [2014] UKCLR 306 (Article 101, follow-on damages claim)
- *Interclass v OFT* [2012] EWCA Civ 1056 (Chapter I prohibition)
- *Nokia v AU Optronics & others* [2012] EWHC 731 (Ch), [2012] UKCLR 245 (Article 101 damages claim)
- *GMI v OFT* [2011] CAT 12, [2011] CompAR 427 (Chapter I prohibition)
- *Francis, GAJ, Hobson & Porter & JH Hallam v OFT* [2011] CAT 9, [2011] CompAR 294 (Chapter I prohibition)
- *Interclass, Seddon & Tomlinson v OFT* [2011] CAT 7, [2011] CompAR 118 (Chapter I prohibition)
- *Lion Apparel v FireBuy* [2007] EWHC 2179 (Ch), [2008] EuLR 191, Morgan J (public procurement - application for interim injunction)
- *SanDisk v Philips & ors* [2007] EWHC 332 (Ch), [2007] UKCLR 1539, Pumfrey J (Articles 101 & 102, Chapter I & II prohibitions)
- *Makers v OFT* [2007] CAT 11, [2007] CompAR 699 (Chapter I prohibition)

- *CEMEX v DEFRA, DTI, Castle Cement, Buxton Lime Industries and Lafarge Cement* [2006] EWHC 3207 (Admin), Sullivan J (environmental regulation)
- *Frazer v Nissan* [2004] EuLR 445, Sir Andrew Morritt V-C (Article 101/motor vehicles distribution block exemption)
- *Land Rover v UPF (in administrative receivership)* [2003] 2 BCLC 222, HHJ Norris QC, Birmingham Mercantile Court (Article 102/Chapter II prohibition)
- *Alphasense v City Technology Ltd*, 1999, High Court (Article 102)
- *ICI v Kalon*, 1999, High Court (Article 102)
- *R v SS ETR ex p BIMTA*, 1999 (EU free movement of goods)
- *Norbain v Dedicated Micros* [1998] EuLR 266, High Court (Article 102)
- *Cleanroom laundry services and products* (CMA, alleged Chapter I prohibition breach), December 2017
- *Construction Recruitment Forum* (OFT, Chapter I prohibition breach, acted for Fusion People), September 2009
- *Bid Rigging in the Construction Industry in England* (OFT, Chapter I prohibition breach, acted for 19 of the 112 construction firms in receipt of the OFT's statement of objections), September 2009
- *Thermo Electron/GV Instruments* (Competition Commission, May 2007, merger inquiry)
- *DS Smith/LINPAC Containers* (Competition Commission, October 2004) for DS Smith (merger inquiry)
- *New Motor Vehicles* (Competition Commission, April 2000, Cm 4660) for Vauxhall (complex monopoly reference)

Media and entertainment

- C-275/15 *ITV Broadcasting v TV Catchup* , ECLI:EU:C:2017:144, 1 March 2017 (EU broadcasting regulation)
- Joined Cases C-403/08 & 429/08 *FA Premier League and Murphy*, judgment of 4 October 2011 (Article 101 and free movement of services)
- *Murphy v Media Protection Services* [2007] EWHC 3091 (Admin), [2008] EWHC 1666 (Admin) (Article 101 and free movement issues)
- *FA Premier League v QC Leisure* [2008] EWHC 1411 (Ch), [2008] UKCLR 329, and [2008] EWHC 44 (Ch), [2008] UKCLR 65, summary judgment (Article 101 and free movement issues)

- *BSkyB v Competition Commission* [2010] EWCA Civ 2, on appeal from [2008] CAT 25 (merger judicial review)
- *The Wireless Group v RAJAR* [2004] EWHC 2925 (Ch), [2005] UKCLR 203, Lloyd J (Article 102/Chapter II prohibition)
- *British Digital Broadcasting Plc* (European Commission, OJ 1997 C 291/11), for complainant subsidiary of NTL (complaint of breach of Articles 101 & 102).

Mining

- *HJ Banks & Co v Coal Authority & Secretary of State for Trade and Industry* [2002] EuLR 483, Court of Appeal, following reference to ECJ, Case C-390/98 *HJ Banks & Co v Coal Authority & Secretary of State for Trade and Industry* [2001] ECR I-6117; on appeal from High Court [1997] EuLR 610 (state aid - ECSC Treaty)
- *Anglo-American/Lonrho* (European Commission, OJ 1998 L149/21), for third party (merger inquiry)

Pharmaceuticals

- C-164/19 P *Niche v Commission* ECLI:EU:C:2024:547 and C-166/19 P *Unichem Laboratories v Commission* ECLI:EU:C:2024:548 (Article 101, 'pay for delay' settlement agreements)
- *Lexon v CMA* [2024] CAT 36 (Chapter I prohibition, alleged market exclusion agreement)
- *AAH & ors v Pfizer & UniChem*, [2007] EWHC 565 (Ch), [2007] UKCLR 1561, David Richards J (Articles 101 & 102, Chapter I & II prohibitions)
- *Genzyme v OFT* [2005] CAT 32, [2006] CompAR 195 and [2004] CAT 4, [2004] CompAR 358 (Chapter II prohibition)

Public procurement

Aidan frequently advises UK government departments and agencies as well as the private sector on all aspects of compliance and enforcement within the field of Public Procurement. He has litigated public procurement cases in both the national and European courts. His cases include:

- *JB Leadbitter & Co v Devon County Council*, Sir Andrew Morritt, Chancellor, 4th March 2009 (successful application for interim injunction)
- *Lion Apparel v FireBuy* [2007] EWHC 2179 (Ch), [2008] EuLR 191, Morgan J (application for

interim injunction)

- *R (Fuji) v Department of Health*, Wilkie J, 25th May 2005 (English High Court)
- *NWP v Department of Finance and Personnel* , Kerr J, 4th April 2003 (Northern Irish High Court)
- C-411/00 *Felix Swoboda*, [2002] ECR I-10567 (European Court of Justice)
- C-380/98 *R v HM Treasury ex p University of Cambridge* [2000] ECR I-8035 (European Court of Justice) and final judgment in English High Court, 15th November 2001.

Major advisory work includes:

- Advising a major logistics operator on various questions arising out of its operation of procurement services for a central government department.
- Advising a leading protective clothing manufacturer on the validity of a challenge to a contract award under a mini competition.
- Advising a supplier of motor vehicle immobilisation, removal, storage and disposal services on the validity of a challenge to a contract award.
- Jointly advising a central government department and a logistics operator on various questions arising out of the operation of procurement services.
- Advising a government agency on the procurement of legal services.
- Advising a major trade association on various potential challenges to the procurement practices of a central government department.
- Advising a major utility on procurement implications of a restructuring of one of its core business activities.

Retail

- *JD Sports v CMA (Frasers Group intervention)* [2020] CAT 17 (application to intervene in merger judicial review)
- *John Lewis v OFT* [2013] CAT 7, [2013] CompAR 301 (market investigation, judicial review of remedy)
- *Somerfield v Competition Commission* [2006] CAT 4, [2006] CompAR 390 (merger control, Enterprise Act 2002)
- *Frazer v Nissan* [2004] EuLR 445, Sir Andrew Morritt V-C (Article 101/motor vehicles distribution block exemption)
- *Retail practices for tobacco products in the UK* (OFT, Chapter I prohibition breach, acted for

Somerfield), April 2010

- *Investigation into the grocery retail sector* (OFT, alleged Chapter I prohibition breach), case closed against client, November 2009
- *Supermarket Prices* (Competition Commission, October 2000, Cm 4842), for Somerfield (complex monopoly reference)

Tax

Aidan Robertson has acted in a number of cases in the Court of Justice of the European Union, English Courts and the First-tier and Upper Tribunals. Cases include:

- *S&I Electronics v HM Revenue & Customs* [2015] UKUT 162 (TCC), [2013] UKFTT 296 (TC), on remittal from [2012] UKUT 87 (TCC), on appeal from [2009] UKFTT 108 (TC)
- *WHA v HMRC* [2013] UKSC 24, Supreme Court, upholding Court of Appeal [2007] STC 1695 (final judgment) and [2004] STC 1081 (interim judgment)
- *Moorbury v HM Revenue & Customs* [2010] UKUT 360 (TCC), on appeal from [2009] UKFTT 180 (TC)
- *St Andrews Healthcare v HM Revenue & Customs* [2007] UK VAT 20499
- C-308/01 *GIL Insurance v Customs & Excise* , 29th April 2004; reference from Customs & Excise v GIL [2001] EuLR 401, VAT Tribunal and see also [2000] STC 204, High Court (state aid/IPT)
- C-8/01 *Taksatorringen*, [2003] ECR I-13711
- C-144/00 *Matthias Hoffmann* [2003] ECR I-2921
- C-174/00 *Kennemer* [2002] ECR I-3293, [2002] QB 1252
- C-380/99 *Bertelsmann* [2001] ECR I-5163
- C-150/99 *Stockholm Lindpark v Sweden* [2001] ECR I-493
- *McNicholas Construction v Customs & Excise* , High Court, [2000] STC 553, and VAT Tribunal,12th January 1999
- *R v Customs & Excise ex p Littlewoods* [1998] The Times 3 March, Court of Appeal

Telecoms

Aidan has considerable experience in the competition and regulatory aspects of telecommunications. He has acted for both fixed and mobile networks, as well as for regulatory

authorities in the UK and overseas. He has successfully defended Competition Act 1998 investigations brought by the regulator, including oral hearings. He has been involved in a number of cases including potential appeals to the Competition Appeal Tribunal, and has advised widely on regulatory matters. Cases include: *Vodafone v OFCOM* (Mobile Number Portability) [2008] CAT 22.

- T-245/17 ***ViaSat v Commission*** EU:T:2021:128 (mobile satellite services regulation),
- T-350/09 ***ICO Satellite v European Commission*** (mobile satellite services regulation) ECLI:EU:T:2012:341
- ***Vodafone v Ofcom (Mobile Number Portability)*** [2008] CAT 22 (Communications Act 2003 appeal)
- ***R v OFTEL ex p Cellcom*** [1999] ECC 314, [1999] COD 105, High Court (Telecommunications Act 1984)
- ***Norbain v Dedicated Micros*** [1998] EuLR 266, High Court (Article 102)
- ***R v OFTEL ex p BT***, 20 December 1996, Divisional Court (Telecommunications Act 1984)

Transport and infrastructure

- C-594/18 P ***Austria v Commission, UK intervening (Hinkley Point C nuclear power station)*** , ECLI:EU:C:2020:742, 22 September 2020, dismissing Austria's appeal from T-356/15 ECLI:EU:T:2018:439, 12 July 2018 (State aid, Euratom Treaty)
- ***R (GNER) v Office of Rail Regulation, Hull Trains and Grand Central Railway*** [2006] EWHC 1942 (Admin), Sullivan J (rail regulation)

Publications

- Co-editor of Vaughan & Robertson's Law of the European Union (looseleaf, OUP)
- Contributor to Competition litigation: UK practice and procedure (OUP, second edition 2019)
- Co-author with Nicholas Green QC of second edition of Commercial Agreements and Competition Law (1997, pub Kluwer Law International)
- Co-editor with Nicholas Green QC of The Europeanisation of UK Competition Law (1999, pub Hart Publishing)
- Series Editor Edward Elgar Publishing 'Competition Law and Practice' series (with Elizabeth Morony, Clifford Chance)

- Member of the Editorial Board of the European Competition Law Review (ECLR)
- Member of the Editorial Board of the UK Competition Law Reports (UKCLR)
- Numerous articles, case notes and book reviews in professional and academic journals, including
- Is the Licensee Estoppel Rule Good Law? Was it ever? [1991] EIPR 373
- Compulsory copyright licensing under EC law? (1992) 108 LQR 39
- Recent Developments in EEC intellectual property legislation (1992) 12 YEL 175
- Enforcement of the UK Restrictive Trade Practices Act: judicial limitations and legislative proposals [1992] ECLR 82
- The South Yorkshire Transport case: a matter of no substance? [1992] ECLR 180
- Substantial: What's in a word? [1993] ECLR 217
- Effective Remedies in EEC Law Before the House of Lords (1993) 109 LQR 27
- But that was in another country (1994) 43 ICLQ 417 (with M Demetriou)
- An ice cream war: the law and economics of freezer exclusivity [1995] ECLR 7 (with M Williams)
- Corporate liability for contempt of court under the Resrictive Trade Practices Act 1976 [1995] ECLR 196
- US extra-territorial jurisdiction in antitrust matters: recent developments [1995] ECLR 461 (with M Demetriou)
- Does the United Kingdom or European Community Need an Unfair Competition Law? [1995] EIPR 568 (with A Horton)
- The existence and exercise of copyright: can it bear the abuse? (1995) 111 LQR 588
- Annual surveys of European intellectual property law (1995) 15 YEL 409, (1996) 16 YEL 559 and (1997) 17 YEL 423
- The Reform of United Kingdom Competition Law - Again? [1996] ECLR 210
- Technology transfer agreements: an overview of how Regulation 240/96 changes the law [1996] ECLR 157
- Recent developments in UK competition law [1997] JBL 358
- Restrictive Trade Practices: the Baines and Net Book Agreement cases (1997) 141 SJ 517
- University Challenge [2000] JR 251
- "They think it's all over... :": the implications of the Restrictive Practices Court's decision in the Premier League/BSkyB case [2000] ISLR 23
- Judicial review of competition law decisions [2001] JR 84

- Judicial review of competition law decisions: the Interbrew case [2002] JR 88
- Challenging state aid in the courts [2002] JR 91
- Professional Rules under the Competition Act 1998 [2002] Comp Law 93
- Litigating under the Competition Act 1998: the early case law [2002] Comp Law 335
- Litigating under the Competition Act 1998: recent case law [2004] Comp Law 85
- State aid and reference policy after GIL Insurance [2004] ECLR 603
- The first claims for damages in the Competition Appeal Tribunal [2005] ECLR 365 (with F Randolph)
- R (Fuji Photofilm v Secretary of State for Health) case note (2005) 14 PPLR NA150
- Competition law in the courts [2006] Comp Law 5
- The application of European competition law to sports broadcasting (2006) 25 World Comp 423
- Judicial Review in the United Kingdom of Competition and State Aid Decisions Part I [2007] ECLR 553 and Part II [2007] ECLR 585 (with M Lester and S Love)
- Article 81 EC: the rule of reason revisited [2007] Comp Law 318
- Competition law in the UK courts - a review of the last three years [2009] Comp Law 79
- Consistent application of EU and domestic competition law: the UK experience, 2009/4 Zeitschrift für Wettbewerbsrecht 427 (Journal of Competition Law)
- UK competition litigation: from Cinderella to Goldilocks? [2010] Comp Law 275
- Developments in Commercial Regulation and Judicial Review 2010 [2011] JR 94
- Minimum Unit Pricing for Alchohol in the Court of Justice [2014] EJRR 459
- Pulling the Twigger: directors and employees back in the firing line for damages after Jetivia in the Supreme Court? [2015] ECLR 325
- Agriculture and competition law - some recent developments [2018] ECLR 293
- Skanska Industrial Solutions: what does the Court of Justice's landmark judgment mean for cartel damages litigation? [2019] ECLR 347
- Time-barred DRAMs cartel damages claims: the generosity of the English courts has its limits [2020] ECLR 269
- The common law doctrine of restraint of trade - will it rise up again unshackled by Brexit and reformed by the Supreme Court? [2021] ECLR 62
- The New UK Subsidy Control Regime [2021] ECLR 230
- Sumal SL v Mercedes Benz Trucks España: another landmark Court of Justice judgment for cartel damages litigation [2022] ECLR 186

- The first subsidy control challenge in the Competition Appeal Tribunal [2024] ECLR 47 (with R Howell)
- Judicial and legislative developments to the extraterritorial application of UK anti-trust law: if you can't beat them, join them [2024] ECLR 287
- The Commercial Market Operator Principle under the Subsidy Control Act 2022 in the Competition Appeal Tribunal: Weis v Greater Manchester Combined Authority [2026] ECLR 79

Qualifications

- Called to the Bar of England and Wales: July 1995 Middle Temple
- Silk: March 2009
- Called to the Bar of Ireland: July 2018 King's Inns
- Visiting Professor in Law, Oxford University 2015 - present
- Visiting Lecturer in Law, Oxford University 2003 - 2015
- Fellow and Tutor in Law, Wadham College, Oxford 1990-1999
- University Lecturer, Oxford University 1990-1996
- Solicitor of the Supreme Court of England and Wales 1988-1995
- 1988-90 Solicitor, Eversheds, Leeds
- 1986-88 Articled Clerk, Boodle Hatfield, London
- 1985-86 Law Society Final Examination, Newcastle upon Tyne Polytechnic
- 1984-85 LLM, Jesus College, Cambridge (1st class)
- 1981-84 BA Hons, Law, Jesus College, Cambridge (1st class all parts)

Directory Quotes

- "Peerless." (Chambers & Partners 2027)
- "Aidan Robertson KC is terribly experienced and lovely to work with." (Chambers & Partners 2027)
- "He's got a longstanding and excellent reputation in the market and has all the bases covered in EU Law matters." (Chambers & Partners 2027)
- "Aidan is terribly experienced and lovely to work with." (Chambers & Partners 2027)

- "Aidan is a brilliant and experienced advocate." (Chambers & Partners 2027)
- "Aidan has greater experience and insight, and better advocacy skills, than anyone else I've worked with." (Chambers & Partners 2027)
- "He is my counsel of choice for high-value, complex competition litigation. He is extremely knowledgeable about many aspects, he is an excellent advocate and clients love him." (Chambers & Partners 2026)
- "Aidan is a well-respected and seasoned advocate at the top of his game." (Chambers & Partners 2026)
- "I've worked with Aidan years and never go anywhere else if I can help it. His ability to join the dots across the different areas of competition, EU and public law are second to none." (Chambers & Partners 2026)
- "Aidan is an absolute star. He has a brain the size of a small planet. He's my go-to choice for everything." (Chambers & Partners 2026)
- "Aidan is a client favourite - pragmatic, highly commercial but also extremely capable in dealing with complex legal issues." (Legal 500 2026)
- "He is super-experienced, has great judgement and is responsive." (Chambers & Partners 2025)
- "He is very approachable and incredibly knowledgeable. He is great on his feet." (Chambers & Partners 2025)
- "Aidan Robertson KC is a real specialist in European law." (Chambers & Partners 2025)
- "Super clever but also pragmatic and commercial. A rare combination." (Legal 500 2025)
- "Aidan is extremely knowledgeable in his field. His ability to explain complex concepts to lay clients is excellent and his advocacy is always thoughtful and well-constructed." (Legal 500 2025)
- "Aidan is a genius - there's nothing he doesn't know." (Chambers & Partners 2024)
- "He is good on his feet and has great in-depth knowledge of state aid law and subsidy control law." (Chambers & Partners 2024)
- "Aidan is authoritative and brings a wealth of experience." (Chambers & Partners 2024)
- "Aidan is user-friendly and he tells it how it is rather than dressing it up. He is good at engaging in the most difficult issues, but in a collaborative way to form a very effective team." (Chambers & Partners 2024)
- "Aidan is extremely experienced and capable. He is a safe pair of hands and excellent with clients." (Chambers & Partners 2024)
- "Aidan has a great way with clients and his depth of knowledge is extraordinary." (Legal 500 2024)

- "He has a meticulous eye, and can explain difficult concepts in clear terms." (Legal 500 2024)
- "When I have a thorny issue, I don't go anywhere else - he never lets me down. Although he's spent a long time in London he retains his no-nonsense Northern ability to distil complex issues into simple bottom lines." (Chambers & Partners 2023)
- "He has seen it all. He has a very good instinct for which points are going to land; he is very commercial and calm and unflappable." (Chambers & Partners 2023)
- "Aidan is a fantastic advocate who is highly experienced before UK and European Courts. He always sees the bigger picture and is refreshingly commercial in his approach." (Legal 500 2023)
- "When it comes to EU law, Aidan has immense knowledge of formalities, judges and court procedure." (Legal 500 2023)
- "I think he is brilliant academically and a good team player. He is happy for you bounce ideas off him." "Encyclopedic knowledge of all aspects of competition law; he is a careful, thoughtful and meticulous barrister. You know you will get the right answer." (Chambers & Partners 2022)
- "He can translate difficult points into practical actions and he gets to the core of the issue quickly." "Very user-friendly but most of all simply unparalleled in being on top of the relevant law, its practical application and methods of enforcement, and the interplay between them all." "His approach is thorough, he has good instincts and he knows when to make the points and when not to push it." (Chambers & Partners 2022)
- "Attention to detail and pragmatism – you always know that Aidan knows every bit of the law, but more importantly what it all means in practice and how to use it procedurally and tactically." (Legal 500 2022)
- "He has encyclopaedic knowledge and the ability to explain difficult concepts clearly." (Legal 500 2022)
- "He brings a huge amount of gravitas and experience to his cases." "He has a phenomenal depth of knowledge on competition matters." "Concise, thorough and deeply knowledgeable." (Chambers & Partners 2021)
- "Aidan is straight-talking and pragmatic, and leaves me with utter confidence in his judgement and intellect." (Chambers & Partners 2021)
- "Aidan has a deep reservoir of experience in this field and can apply highly academic and complex points into a practical case strategy. He keeps his head when the going gets tough and is a source of reassurance." (Legal 500 2021)
- "A careful, thoughtful and strong strategist with a clear view of his cases." (Legal 500 2021)
- "Has a wealth of knowledge in public and EU law to which he adds a commercial and pragmatic approach." "His legal opinions are really well set out and practical." (Chambers & Partners 2020)

- "Handles claimant-side cartel damages claims as part of his wider competition and state aid practice. He earns praise from interviewees for his considerable technical knowledge and for his experience in high-profile cases. Interviewees further note his work acting for both claimants and defendants in abuse of dominance and restraint of trade cases." "Knowledgeable, calm and completely unflappable." "He impresses with his pragmatic approach and ability to make things easily understandable." (Chambers & Partners UK & Global 2020)
- "Commercial, client-friendly and technically strong." (The Legal 500 2020)
- "Robertson is clever, calm and very good at explaining principles." (Chambers & Partners UK & Global 2019)
- "Robertson is straight-talking, down-to-earth and very client-friendly." (Chambers & Partners 2019)
- "Unparalleled knowledge of administrative, public and European law." (The Legal 500 2018-19)
- "A great ability to cut to the chase getting to the important issues quickly, and conveys the same in a comprehensible manner to clients." (The Legal 500 2018-19)
- "He has great strength in depth and pre-eminence in EU law; there is a feeling of being in the best hands." (The Legal 500 2018-19)
- The “highly knowledgeable” Aidan Robertson QC is an expert in EU competition matters including state aid and public procurement and is praised for his long-standing advisory practice and experience in the courtroom. (Who's Who Legal - UK Bar: Competition 2018)
- "He has impressed us with both his technical and strategic advice, as well as his clear manner with the tax and legal teams of the client." (Chambers & Partners 2018)
- "He is very straight-talking and pragmatic. We have always been pleased with his ability to cut through to the finer points." (Chambers & Partners 2018)
- “Superb in every way.” (The Legal 500 2017)
- “He combines vast knowledge, pragmatism and a no-nonsense manner with a commercial approach.” (The Legal 500 2017)
- “Fantastic, in-depth knowledge of the nexus between EU and UK law.” (The Legal 500 2017)
- "He is a fantastic team player, who is very responsive." (Chambers & Partners 2017)
- "Aidan is outstanding in every way. His advice is invariably precise and on point, and his advocacy skills are second to none." (Chambers & Partners 2017)
- "He provides excellent, understandable advice, and top-notch client care." (The Legal 500 2016)
- "Calm under pressure and solution-oriented." (The Legal 500 2016)

- "Very commercial and user-friendly, he's a joy to work with." "He is recommended for his depth of knowledge and approachability." (Chambers & Partners 2016)
- “Recognised for his role in many ground-breaking cases, he is well regarded for both his litigation and his advisory work. He is particularly strong on cartel claims, and recently acted for a number of firms in the huge OFT investigation into the construction industry.” (Chambers & Partners 2015)
- "He is ever willing to discuss a brain teaser with you, even if he is not actually working on an active case on your behalf. He's a very friendly person to work with." (Chambers & Partners 2015)
- "He gets on top of large volumes of material quickly and gives definite and pragmatic advice. His turnaround time is impressive." (Chambers & Partners 2015)
- "Extremely knowledgeable." (The Legal 500 2014)
- "offers a "detailed knowledge of both European and domestic competition law issues." This depth of expertise is by no means the only string to his bow - he also garners praise for his "highly responsive and caring service" and "ability to cut to the heart of an issue."" (Chambers & Partners 2013)
- "Another client favourite is Aidan Robertson QC, who impresses with "his understanding of the fabric of the law, especially when it comes to EU and regulatory issues." He "really gets to the root of a case and has great depth of legal knowledge to fall back on," clients report." (Chambers UK 2012)
- "Aidan Robertson QC 'cuts to the heart of any issue' and is a 'totally reliable pair of hands'" (Legal 500 2011)
- "The "quick-witted and effective" Aidan Robertson QC, like many at the set, is a veteran of all the major courts including the High Court, Competition Commission and Court of Appeal." (Chambers & Partners 2011)
- "praised for being "able to make complex issues and legal concepts readily understandable to clients." " (Chambers & Partners 2010)
