BRICK COURT
CHAMBERS

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

David Scannell KC

YEAR OF CALL: ENGLAND AND WALES: 2003; IRELAND: 2017

YEAR OF SILK: 2020

"at the top of his profession"; "when he makes a point, judges listen"

(C&P 2025; Legal 500 2025)

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Practice Overview

David is recognised as a leading silk in competition law, regulatory/life sciences law and EU law.

Current and recent editions of the Legal 500, Chambers & Partners and Chambers Global describe him as "*a fierce and fearless advocate … incredibly hard-working and approachable, and he wins the most complex cases*", "*exceptional*"; "*a class act*"; "*a great advocate*"; "*a fantastic trial advocate*", "*extraordinarily able*"; "*superb*"; "*fearless*"; "*a first-rate KC*"; "*extremely effective with judges and clients alike*"; "*at the top of his profession*"; and as "*one of the most knowledgeable competition lawyers I have ever had the pleasure of working with*". The same directories describe his advocacy as "*superb*", "*extremely polished*", "*extremely persuasive, eloquent and effective*". His arguments are described as "*weighty*"; "*when he makes a point, judges listen.*"

In 2023, David was nominated by the Legal 500 as Competition Silk of the Year.

In 2025, he was nominated as Barrister of the Year at the Lawyer Awards.

Competition Law

In standalone claims, he acted for Autoliv in the successful dismissal of Stellantis's €771m claim alleging cartel losses arising from the purchase of Occupant Safety Systems, following a 5-week trial (*Stellantis v Autoliv*, CAT, 2025) and for Orange SA in the successful dismissal of Phones 4U's claim against mobile network operators (*Phones 4U v EE*, CAT and Court of Appeal). He currently acts for Epic Games in *Epic Games v Alphabet and Google*, which will be heard by the Competition Appeal Tribunal in 2026, together with *Coll v Alphabet and Google and Rodger v Alphabet and Google*.

In follow-on damages claims, recent and ongoing instructions include acting on the Defendant side for *Sun/Ranbaxy* in the *Citalopram* follow-on brought by the NHS (ongoing, CAT) and for *SalMar* in

the Salmon (*UK Supermarkets*) claims (ongoing, CAT). On the Claimant side, he acted in both the *CRTs* and *DRAMs* follow-ons (both now successfully settled). He acted for the defendants in *Power Cables* and *Refrigeration Compressors* (both in the English courts) and in *Elevators* & *Escalators* (in the European Courts).

In collective proceedings, he acts on the Claimant side for RHA Used Trucks (RUTL), having successfully secured the UK's first opt-in collective-proceedings order, in proceedings arising from the *Trucks Cartel* (ongoing, CAT), and on the Defendant side for *SalMar*, in the *Salmon* (*Collective Proceedings*) claims (ongoing, CAT). He has acted as leading counsel in many of the most important regulatory appeals from decisions of the CMA and Ofcom, including in *Prochlorperazine* (for the successful Cinven Appellants), for *Sky* (again, successfully) in *Pay TV* and for GlaxoSmithKline in the '*Pay-for-Delay*' litigation.

He acted for the defendants in *Power Cables* and *Refrigeration Compressors* (both in the English courts) and in Elevators & Escalators (in the European Courts) and for GlaxoSmithKline in the '*Pay-for-Delay*' litigation. He has extensive media mergers experience.

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Regulatory and EU law

David is listed in Chambers and Partners and the Legal 500 as one of the country's foremost specialists in both life sciences (UK and EU pharmaceutical regulation) and EU law. He is described by C&P 2026 as "*amazing. His knowledge is encyclopaedic; he is incredibly quick to see how regimes fit together*" and as "*a proper EU specialist … a real regulatory and constitutional scholar*".

He recently acted for Guilin in its successful judicial review of the Foods Standards Agency and Foods Standards Scotland, resulting in the reclassification of monk fruit across the UK and the EU (*R(Guilin)* v *Food Standards Agency* (Admin.), 2024); and, again successfully, in *ABOCA and Others v Commission* (General Court, 2024, quashing a Commission Regulation annexing *hydroxyanthracine* derivatives to the Additions Regulation). Further recent instructions include: *Easynet* (Court of Appeal); *ViiV Healthcare v European Medicines Agency* (General Court); *Symrise v European Chemicals Agency* (General Court); *AbbVie v European Medicines Agency* (General Court and Court of Justice); *PTC v European Medicines Agency* (General Court and Court of Justice); *GE Healthcare v Commission* (General Court); *Aer Lingus v Commission* (General Court); and *R(British American Tobacco)* v *S/S Health* (Admin. Court, Court of Justice and Court of Appeal).

His PhD (Cantab.) addressed the EU's common foreign and security policy. David was the UK's representative on the CCBE's Standing Committee to the Court of Justice. He continues to sit on the Bar Council's EU Law Committee and on its Trade and Cooperation Agreement Sub-Committee.

David is a member of the Irish Bar (2017), enabling him to continue his representation of parties

before the European Court of Justice. Before taking silk, David was a member of the Attorney General's 'A' Panel of Counsel to the Crown.

EU law

Recent and ongoing EU law cases include:

- Case T-783/17 *GE Healthcare v Commission* (pending)
- *In re Easynet* [2018] EWCA Civ 10
- *GlaxoSmithKline v CMA*, CAT (pending)
- *Grace GmbH v ECHA* (ECHA Board of Appeal)
- Case C-513/16 P(R) *PTC v EMA*, EU:C:2017:148
- Case C-547/14 *Philip Morris Brands and Others*, EU:C:2016:325
- Case T-500/12 *Ryanair v Commission*, EU:T:2015:73
- Case T-473/12 *Aer Lingus v Commission*, EU:T:2015:78
- Cases T-29, T-44/13 and T-44/13R *AbbVie Inc and AbbVie Ltd v European Medicines Agency* (for AbbVie)
- Case C-389/13P(R) *European Medicines Agency v AbbVie Inc and AbbVie Ltd*
- Ongoing advice to the Government of Gibraltar on matters pertaining to sovereignty issues with Spain
- Ongoing advice to creditors of two of the three failed Icelandic banks

Other notable EU cases include:

- Case C-58/08 R(*Telefonica O2 Europe plc & Ors v S/S Business, Enterprise and Regulatory Reform* (EU constitutional law);
- Case C-558/07 *R(SPCM) v S/S Environment, Food and Rural Affairs* (REACH Regulation)); and
- Cases T-498/04 and C-337/09P *Zhejiang Xinan Chemical Industrial Group Ltd v Council* (Anti-dumping)
- Joined Cases C-507 and C-532/03 *Commission v Ireland* (procurement)

Competition

In competition law, recent and ongoing cases include:

- *Sky v Ofcom* (Pay TV) (CAT, for Sky)
- *BT v Sky* (Court of Appeal, for Sky)
- *Ofcom v Sky* (Court of Appeal, for Sky)
- Case T-473/12 *Aer Lingus v Commission* (State aid)

Other significant cases include:

- Case T-161/07 *Kone v Commission* (elevators and escalators cartels)
- *Gatwick v Ryanair* (dominance)
- *Punch Taverns (PTL) Limited v Central Estates plc & Di Stefano* (No.1) (High Court; beer-tie agreements)
- *Punch Taverns (PTL) Limited v Central Estates plc & Di Stefano* (No. 2) (High Court; beer-tie agreements)
- *Punch Taverns (PTL) Limited v Ersin* (High Court; beer-tie agreements)

Public Law

Important cases

- *R(Royal Brompton and Harefield NHS Foundation Trust) v JCPCT* (Court of appeal and Administrative Court)
- *Quark Fishing v Director of Fisheries, Govt of South Georgia and the South Sandwich Islands* (South Georgia and South Sandwich Islands Supreme Court, Falkland Islands)
- *R(Telefonica O2 Europe plc) v S/S Business, Enterprise and Regulatory Reform* (Admin.)
- *R(SPCM) v S/S Environment, Food and Rural Affairs* (Admin.)

Qualifications

LL.B (Hons) Law (First Class); LL.M (Cantab) (First Class with Distinction, 1st place); Ph.D (Cantab); Bar Vocational Course. Princess Royal Scholar, Inner Temple.

Other Bar memberships

Barrister-at-Law (Bar of Ireland)

British Virgin Islands

Appointments

Bar Council EU Law Committee

Bar European Group Committee

Publications

- Burton (ed.) *Civil Appeals*, 2nd ed., ch. 7, " *References to the European Court for Preliminary Rulings*" (2013)
- Brealey and Green (eds.) *Competition Litigation, UK Practice and Procedure* , 2nd ed., forthcoming, contributor
- Arnull, Barnard, Dougan and Spaventa (eds.), *A Constitutional Order of States? Essays in EU Law in Honour of Alan Dashwood* (Hart Publishing, 2011) (reviewed by Steinfeld, in (2012) 49 CML Rev 2039 ("an outstanding contribution to the field of European Union law", written by "a vast array of preeminent authorities within the various fields of EU law") and by Reich, in (2012) 37 EL Rev 504 ("an invaluable source of material and argument for a high level EU law debate")), ch. 29, " *Third Time Lucky: the Pre-history of the Common Security and Defence Policy*"
- Brealey and Green (eds.) *Competition Litigation, UK Practice and Procedure* (OUP, 2010), contributor
- *O'Byrne v Aventis Pasteur* [2008] UKHL 34 (2008) Solicitors' Journal
- *Book Review: European Union Law and Defence Integration* (2006) 43 CML Rev 894
- *Legal Aspects of the EU's European Security and Defence Policy* (2005), Ph.D dissertation, available from Cambridge University Library
- *Financing EU Military Operations* (2004) 9 EFA Rev 529-550
- (With Hartenstein, Matta and others) *Droit Global: Cinq Ans de Droit Comparé dans le Monde*, Editions Panthéon-Assas, Paris, 2002
- *Trespassing on Sacred Ground: The Implied Competence of the European Community* (2002) Cambridge Yearbook of European Legal Studies 377
- *The Influence of the General Principles of Community Law on Rules of Procedure and Rules of*

Substance in Ireland (2001) 1 (1) JSIJ 64

Directory Quotes

David Scannell is recognised in Legal 500 and Chambers & Partners in EU, Competition Law and Life Sciences Regulatory:

- "David is very pragmatic, always well-prepared and technically excellent. He always aims to achieve the client's objectives. He is unflappable on his feet, calm, considered and takes the judge with him very well. He has got a good manner." (Chambers and Partners 2027)
- "David has a fantastic reputation." (Chambers and Partners 2027)
- "David Scannell KC is exceptional: he's always prepared and creative, with an incredible intellect and a fantastic manner." (Chambers and Partners 2027)
- "He is highly intelligent, very personable and great with clients. His advocacy is unmatched." (Chambers and Partners 2027)
- "David is an absolute star, and he is a competition litigation KC with a commercial court-style ability to cross-examine and really deal with a case. David is a barrister that can do it all. He produces unbelievable written advocacy, and his vocabulary is unbelievable." (Chambers and Partners 2027)
- "David is a great mentor and willing to nurture juniors as well. David is willing to share his experiences." (Chambers and Partners 2027)
- "David is an incredibly effective advocate in court, combining a calm, measured, and respectful manner with the ability to press points with real force and emphasis when the occasion demands. He has a particular talent for presenting complex and/or detailed issues in straightforward and compelling terms. David's advocacy therefore carries considerable weight in the courtroom - judges listen to him and are persuaded by his submissions. David is also a pleasure to work with, as he is highly personable and unfailingly polite and kind." (Legal 500 2027)
- "Excellent barrister - very user-friendly and considerate in his approach." (Legal 500 2027)
- "David is intellectually extremely strong. You can see this in how he presents the case: he threads the needle extremely effectively. He's an extremely persuasive, eloquent and effective advocate." (Chambers & Partners 2026)

- "The speed with which he grasps the complex facts is impressive, his drafting is crisp and powerful, and his advice on strategy is succinct and commercial." (Chambers & Partners 2026)
- "David is a fierce and fearless advocate. He's incredibly hard-working and approachable, and he wins the most complex cases." (Chambers & Partners 2026)
- "He is one of the most knowledgeable competition silks when it comes to EU law, and he is unflappable under pressure." (Chambers & Partners 2026)
- "He's a proper EU specialist, he is a real regulatory and constitutional scholar." (Chambers & Partners 2026)
- "David is so meticulous and details-focused." (Chambers & Partners 2026)
- "David is very cerebral; he clearly has a deep understanding of anything he presents and his arguments are weighty." (Chambers & Partners 2026)
- "David is amazing. His knowledge is encyclopedic; he is incredibly quick to see how regimes fit together." (Chambers & Partners 2026)
- "David Scannell KC is a highly esteemed regulatory barrister with a practice taking in licensing disputes in the pharmaceutical, food and chemical industries. He has strong experience of EU cases but also those concerning the UK's developing regulatory framework. He has been involved in challenging decisions of the Food Standards Agency on 'novel food' statuses." (Chambers & Partners 2026)
- "David Scannell KC is particularly active in EU pharmaceutical and chemical industry matters, often appearing for companies seeking to challenge regulatory decisions before the CJEU. He also regularly takes on EU competition law mandates." (Chambers & Partners 2026)
- "David Scannell KC has a strong profile in competition work arising in the pharmaceutical industry, often with an overlap to intellectual property law. He is instructed to act on both regulatory appeals and follow-on claims, including the 'pay for delay' cases." (Chambers & Partners 2026)
- "David is a fantastic trial advocate. He has a first-rate intellect and keen instinct for the most important issues. He has a remarkable ability to distil and present complex factual, legal and expert issues clearly and concisely for judges and clients. His work ethic is incredible. Truly committed to his cases." (Legal 500 2026)
- "David is a class act. A wonderful team player who is keenly aware of what matters to the client commercially and why, and his advocacy is superb. A fantastic addition to any legal team." (Chambers & Partners 2025)
- "He is well known in the pharmaceutical and life sciences space. No hesitation recommending David." (Chambers & Partners 2025)
- "David is a very measured advocate." (Chambers & Partners 2025)

- "David Scannell KC is exceptional. He is always available, manages to identify key issues and provides pragmatic advice." (Chambers & Partners 2025)
- "David Scannell KC turns every single page and has excellent attention to detail - nothing is lost on him." (Chambers & Partners 2025)
- "He is superb counsel. He's very easy to work with." (Chambers & Partners 2025)
- "David is immensely hard-working, down to earth, practical, fearless and a great team leader." (Chambers & Partners 2025)
- "David is a first-rate KC. He is not afraid to grapple with the most complex cases and his ability to navigate a clear and concise path through thorny legal issues is extremely effective with judges and clients alike." (Legal 500 2025)
- "David has formidable attention to detail. His advocacy is extremely polished, and when he makes a point, judges listen." (Legal 500 2025)
- "He is and will remain at the top of his profession." (Chambers & Partners 2024)
- "David is a great advocate; on a very difficult case, he was very good and persuasive." (Chambers & Partners 2024)
- "He is excellent and very knowledgeable in this sector. He has a wide and long experience. He is always happy to roll up his sleeves." (Chambers & Partners 2024)
- "David Scannell is a formidable advocate who is well prepared and considered in his exchanges with the Bench. He has a keen eye for detail and understanding of the legal and commercial ramifications of the issues clients are facing. He is also a fantastic person to work with and nothing is ever too much trouble." (Chambers & Partners 2024)
- "David is a pleasure to work with, particularly on technical matters, where his wealth of knowledge is readily apparent." (Chambers & Partners 2024)
- "David is an experienced advocate who is able to think creatively." (Chambers & Partners 2024)
- "David is a delight to work with. His grasp of the law is formidable and his ability to boil down complex points of law to simple propositions is very impressive." (Legal 500 2024)
- "A great tactical thinker and a natural leader." (Legal 500 2024)
- "His written submissions are clear, persuasive and powerful. I value his calm and considered approach to discussions, and his advocacy is understated but powerful." (Chambers & Partners 2023)
- "He has an excellent strategic mind, and navigated the legal issues and the client's objectives with ease. He produces high-quality drafting and is a pleasure to work with." (Chambers & Partners 2023)
- "He is a very clear thinker, who has a good style and a sharp mind." "He has an academic's

ability to cut through the complex cases, and has no problem with the science either." (Chambers & Partners 2023)

- "David has an excellent strategic mind, navigating the legal issues and client's objectives with seeming ease." (Legal 500 2023)
- "Clearly very smart, thorough and diligent, and thinks of new creative arguments." "David is a very academically strong lawyer and also has good drafting skills and is easy to get on with." "He processed a lot of work in a short amount of time." (Chambers & Partners 2022)
- "Very bright, with exceptional attention-to-detail, he can really do a number on the other side." (Legal 500 2022)
- "Very personable, easily approachable and excellent at rigorous analysis of the legislation." (Legal 500 2022)
- "He is one of the most knowledgeable competition lawyers I have ever had the pleasure of working with." (Chambers & Partners 2021)
- "He is extraordinarily able and seems to be doing very well indeed." (Chambers & Partners 2021)
- "A strong and considered advocate who gains the trust of the judge." (Legal 500 2021)
- "He has a good mix of competition law and general commercial experience." (Legal 500 2021)
- "He has a strategic focus." (Chambers & Partners 2020)
- "Well-known senior junior who earns praise for his drafting and analytical skills in complex competition law cases. He has acted in CAT cases that are referred up to the CJEU for clarification on the application of competition law to 'pay-for-delay' agreements in the pharmaceuticals sector, and is further noted for handling follow-on damages claims and advising companies on ongoing CMA investigations." "His grasp of the issues and ability to be extremely succinct really come across in his drafting - he is able to articulate so fluently the issues in the case." "Very measured and thorough, you can trust him to be the voice of reason." (Chambers & Partners UK & Global 2020)
- "His wealth of legal knowledge is truly indispensable." (Legal 500 2020)
- "Very clever and a nice drafter." "He is a great junior with particular experience of the pharmaceutical sector." (Chambers & Partners UK & Global 2019)
- "Scannell has an absolutely fantastic eye for detail and very good advocacy skills." (Chambers & Partners 2019)
- "He is extremely thorough and has a pragmatic approach." (Legal 500 2018-19)
- "A technically excellent and a creative thinker." (Legal 500 2018-19)
- "He has a very strong sense of litigation tactics" and is "knowledgeable on the competition

side." (Chambers & Partners 2018)

- "A superb technician who rolls up his sleeves and gives 100%." (Chambers & Partners 2018)
- "A pleasure to work with." (Legal 500 2017)
- "He has a thorough understanding of facts and the ability to simplify complex information." (Legal 500 2017)
- "He is measured, chooses his points selectively and delivers them well." (Chambers & Partners 2017)
- "He is a very fine drafter and really gets things done." (Chambers & Partners 2017)
- "Inquisitive, bright and extraordinarily committed" (Legal 500, 2016)
- "He's very quick and very thorough and can demolish the opposition's arguments." (Chambers & Partners 2016)
- "Extremely hard-working and very good at drafting." (Chambers & Partners 2016)
- "Hard-working and prepared to go the extra mile. He's good at looking at different solutions." (Chambers & Partners 2016)
- "Incredibly clever, one of those people that just has a very impressive mind. He is also very unstuffy and very likeable." (Chambers & Partners 2016)
- "Noted for his expertise in the areas of European and competition law. He continues to impress with his involvement in high-profile cases acting on behalf of household-name brand clients." (Chambers & Partners 2016)
- "Knowledgeable, pragmatic and approachable" (Legal 500 2015)
- "Diligent, professional and responsive - nothing is too much trouble for him." (Chambers & Partners 2015)
- "Intelligent, incisive and easy to get on with." (The Legal 500 2014)
- "Valued for his ability to utilise his specialist expertise in both competition and commercial law. He is praised for his skills at cross-examination, and is particularly good with business witnesses. Has recent experience in state aid work. Expertise: "His written work is fantastic, as is the way he interacts with clients." "He has an unbelievable work ethic." (Chambers & Partners 2014)
- "Has a strong background in European law and is praised for his outstanding knowledge of the field and for his recall of leading cases. He has a range of experience in the area, having appeared before both the Court of Justice and the General Court, and is particularly good on state aid matters and constitutional questions. Expertise: "He knows EU law backwards and his judgement is superb." "He's patient and measured." (Chambers & Partners 2014)
- David Scannell is recognised in The Legal 500 2013 and 2014 as a Leading Junior in EU and competition law.

- "an excellent emerging talent." He focuses on commercial, competition and EU law, and is praised for his ability to synthesise a large amount of detail in a short amount of time. Scannell was one of the barristers acting for BSkyB in its pay-TV appeal before the CAT. He also represented Gatwick Airport with Mark Hoskins KC in a case against Ryanair." (Chambers & Partners 2013)