



Kelly Stricklin-Coutinho

Year of call: 2006

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"Kelly provides very impressive commercial advice and is an exquisite advocate. While for now she is a fantastic junior to add structure to a team, she will no doubt be knocking on the door of silk soon enough." Chambers and Partners 2023

Kelly is a leading senior junior practising in commercial and civil law.

She has particular expertise in competition law (including state aid and subsidies), EU law, tax law (corporation tax, income tax, VAT, environmental taxes and other direct and indirect taxes) and commercial disputes.

Her clients include multinationals, FTSE 100 and 250 companies, central and local government, high net worth individuals, charities and SMEs.

Kelly is a CEDR Accredited Mediator and a member of CEDR's Faculty and CEDR's Panel of mediators. She mediates in all of her areas of practice, including co-mediation with HMRC.

She is called to the Bar of the Republic of Ireland. She trained at the European Commission (DG Taxation and Customs), and was a Judicial Assistant to the Court of Appeal.



Areas of expertise

Tax

EU Law

Procurement

Commercial

Judicial Review

Mediators

EU Law

*"Experienced, knowledgeable and thorough junior with a niche in state aid."*The Legal 500 2021

Kelly has experience in a range of EU Law areas, including financial services, chemical regulation (including REACH), regulation of payment services, the interaction of EU law and international law in relation to arbitration, customs law, and specific issues around Brexit relating to acquired rights.

Kelly's experience also covers VAT where she has advised in relation to infringement proceedings before the European Commission, acted in a proposed reference to the CJEU in respect of VAT avoidance and abuse, land and property VAT issues and was junior counsel in *Test Claimants v Royal Mail*.

She has experience in customs & excise where she has acted in relation to a number of matters involving tribunal and judicial review proceedings in respect of customs duties, anti-dumping duty and penalties.

Within the field of EU law and competition law Kelly has particular expertise in state aid and subsidy law, both as standalone issues, and in relation to their interaction with other areas such as tax law, procurement law and in the field of sports law and renewable energy. She acts for central and local government, and for beneficiaries of aid.

Cases of Note:

- ***R (Sky Blues and ors) v Coventry City Council [2018] EWCA Civ 2252*** - Acting for the alleged aid beneficiary, Wasps, led by Fenella Morris KC, in the High Court, Court of Appeal and Supreme Court on a judicial review concerning purported State aid to the Ricoh Arena
- ***R (Tempus Energy) v BEIS and ors*** - Acting for a group of alleged aid beneficiaries, led by Fenella Morris KC, in the High Court in *R (Tempus Energy) v BEIS and ors*, concerning a state aid challenge brought to the UK's interim measures for its capacity market auction.
- ***R (Claimant) v BEIS*** - Acting for BEIS in judicial review proceedings relating to a competition for renewable energy, in which allegations of prohibited State aid, procurement breaches and public law grounds were raised.
- **Judicial Review Proceedings in relation to Community Infrastructure Levy** - Acting in several judicial review proceedings of local authorities' refusal to grant a Community Infrastructure Levy exemption on the basis of its interpretation of State aid law. Cases include the homes of high net worth individuals, a private members club and a university campus.
- **State aid relating to a sporting venue** - Acting as sole counsel, assisting a local authority to resolve a dispute concerning a sporting venue which holds international tournaments and a potential £15 million State aid liability
- Advising in relation to state aid and subsidies granted by local authorities and LEPs - Advising in respect of the compatibility with State aid and subsidy law of grants of funds to entities in respect of regeneration projects, broadband, regional infrastructure, aid for SMEs, agriculture, culture and heritage conservation, sporting and multifunctional infrastructures, R&D, local infrastructure and training aid
- Advising in respect of intervention in European Commission State aid investigation.

Recommendations

- *"Kelly is able to quickly navigate through the various aspects of the case and provide the desired analysis."*Chambers and Partners 2023
- *"Kelly provides very impressive commercial advice and is an exquisite advocate. While for now she is a fantastic junior to add structure to a team, she will no doubt be knocking on the door of silk soon enough."*The Legal 500 2023
- *"Very good and commercial advice and a fantastic junior to add structure to a team. An exquisite advocate."*The Legal 500 2023

- *"Experienced, knowledgeable and thorough junior with a niche in state aid."*The Legal 500 2021
- *"Her advice is always very practical in what is a complex area."*Chambers and Partners 2021
- *"Very hard-working and knowledgeable."*Chambers and Partners 2021
- *"An excellent junior for tax, EU and state aid cases."*Chambers and Partners 2020

Memberships

- Called to the Bar of the Republic of Ireland
- CEDR's Panel of Mediators

Qualifications

Education

- 2001 – 2004: The London School of Economics and Political Science: LLB
- 2004 – 2005: University of Cambridge: LLM
- 2005 – 2006: Inns of Courts School of Law: Bar Vocational Course

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