

Bird & Bird & Tax dispute resolution

We have experience in all aspects of tax dispute resolution including, enquiries, arbitration and - where required - formal litigation, covering all taxes (VAT, corporation tax, income tax, capital gains tax, SDLT and stamp duties).

Bird & Bird resolves tax disputes. Dispute resolution should begin and end with a clear business objective. The role of the legal adviser is to help steer you, by the best means possible, from a problem to a successful commercial solution.

At Bird & Bird we know that resolving disputes for our clients is an art as well as a science. We are not satisfied with merely analysing legal problems, we want to create positive solutions. So when we are dealing with contentious tax matters we understand fully that the optimum outcome is not necessarily achieved by following a rigid path. We appreciate that every case is genuinely different. The law and the processes available (negotiation, ADR, litigation, risk management) need to be deployed and orchestrated in a fluid and creative way.

By working in close partnership with our clients we respond flexibly to new circumstances as they arise. We believe that the management of any dispute must, above all, fit with our clients' wider business objectives.

Members of our team have wide ranging experience in matters such as:

- Handling enquiries and litigating in the tax tribunals, Court of Appeal, Supreme Court and the European Court of Justice. We also have experience of litigating as Solicitor-Advocate before the High Court and Court of Appeal in tax matters (see *HMRC v Banerjee (No 1)* 80 TC 205; [2011] All ER 985: deduction of expenditure from employee earnings)
- Disclosures to tax authorities (e.g. offshore accounts), handling HMRC Code 9 enquiries, compliance with disclosure obligations, HMRC information and search powers
- Advising on HMRC challenge to tax relief (e.g. investment partnerships, capital allowances, EIS)
- Advising on key areas of HMRC scrutiny, e.g. individual and corporate residence, domicile, transfer pricing
- Direct tax and VAT penalties available to HMRC, and how they can be mitigated
- Advising on HMRC challenge to share valuations
- Advising on tax disputes relating to employee benefits and trusts
- Advising on application of the Tax Code of Practice for Banks
- Advising on application of the Tax Disclosure rules to avoidance schemes
- Challenging tax barriers to trade under the World Trade Organisation (WTO) and other international trade agreements
- Advising on tax professional negligence

We also provide clients with early risk management advice with the aim of identifying, and where possible enabling clients to avoid, tax disputes before they arise.

Where disputes exist, our objective is to resolve them quickly in an innovative and cost effective manner. We always seek to provide our clients with access to the appropriate level of fee earner for each dispute, and provide case budgets to give clients a level of costs certainty, through each stage of a dispute.

Our Team



Julian Hickey
Partner, London

Direct: +44 (0)20 7415 6615
Tel: +44 (0)20 7415 6000
julian.hickey@twobirds.com



Iain MacVay
Partner, London

Direct: +44 (0)20 7415 6617
Tel: +44 (0)20 7415 6000
iain.MacVay@twobirds.com



Peter Knight
Partner, London

Direct: +44 (0)20 7415 6630
Tel: +44 (0)20 7415 6000
peter.knight@twobirds.com



Colin Kendon
Partner, London

Direct: +44 0 20 7905 6312
Tel: +44 0 20 7415 6000
colin.kendon@twobirds.com



Mathew Oliver
Partner, London

Direct: +44 (0)20 7905 6258
Tel: +44 (0)20 7415 6000
mathew.oliver@twobirds.com



Adam Singer
Associate, London

Direct: +44 (0)20 7905 6303
Tel: +44 (0)20 7415 6000
adam.singer@twobirds.com



Fleur Benns
Senior European Consultant,
Employee Incentives & Benefits,
London

Direct: +44 (0)20 7905 6114
Tel: +44 (0)20 7415 6000
fleur.benns@twobirds.com



Caroline Brown
Associate, London

Direct: +44 (0)20 7905 6393
Tel: +44 (0)20 7415 6000
caroline.brown@twobirds.com



Catherine Ramsay
Associate, London

Direct: +44 (0)20 7415 6692
Tel: +44 (0)20 7415 6000
catherine.ramsay@twobirds.com

twobirds.com

Abu Dhabi & Beijing & Bratislava & Brussels & Budapest & Düsseldorf & Frankfurt & The Hague & Hamburg & Helsinki & Hong Kong & London & Lyon & Madrid & Milan & Munich & Paris & Prague & Rome & Shanghai & Singapore & Stockholm & Warsaw

Bird & Bird LLP is a limited liability partnership, registered in England and Wales with registered number OC340318 and is authorised and regulated by the Solicitors Regulation Authority. Its registered office and principal place of business is at 15 Fetter Lane, London EC4A 1JP. Bird & Bird is an international legal practice comprising Bird & Bird LLP and its affiliated and associated businesses and has offices in the locations listed on our web site: twobirds.com. The word "partner" is used to refer to a member of Bird & Bird LLP or an employee or consultant, or to a partner, member, director, employee or consultant in any of its affiliated and associated businesses, who is a lawyer with equivalent standing and qualifications. A list of members of Bird & Bird LLP, and of any non-members who are designated as partners and of their respective professional qualifications, is open to inspection at the above address.