

Katrine Sawyer

Call year: 1996

Email: katrine.sawyer@hailshamchambers.com

Phone: 020 7643 5000

Katrine returned to Chambers in October 2009 after 5 years working as a référendaire at the European Court of Justice.

Katrine's practice now encompasses all areas of Chambers' work with particular emphasis on professional negligence, regulatory and disciplinary, employment and general commercial work. She also has expertise in all aspects of EU law.



Practice Profile

Professional Negligence

Katrine's practice encompasses disputes involving allegations of negligence against a wide range of professionals including solicitors, architects, surveyors, estate agents and lenders. Her cases have included successfully defending at trial a loss of chance claim against advisers to recover damages in excess of £2m after the claimant's employment claim against a major oil company failed.

Katrine's practice covers the full range of matters where European law issues are raised from the freedom of movement of persons and goods, through to agriculture; from freedom of establishment through to taxation, commercial agents regulations and employment law.

Employment Law/ Regulatory & Disciplinary

Katrine has considerable experience of employment law and has appeared for both applicants and respondents in Employment Tribunal and the Employment Appeal Tribunal. She is currently developing her practice in regulatory and disciplinary work relating to nurses, doctors, solicitors and barristers.

European Law

Katrine has a wealth of experience of EU law issues from practice, her time at the GLS and, most recently, having spent 5 years as référendaire to Judge Borg Barthet at the ECJ. Her case load at the ECJ included issues of employment law, agriculture, state aid, competition, VAT, free movement of persons, citizenship, free movement of goods and services.

Further Information

Year of call: 1996

Specialist areas: Professional Negligence, Regulatory and Disciplinary, Employment law, Public law, EU law.

Education: University of Westminster, London 1994-1995; Keble College, Oxford 1989 -1992; Astbury Scholarship, Middle Temple 1995; Bristow Scholarship, Middle Temple 1997

Career: Référendaire, European Court of Justice, 2004-2009; Government Legal Service, 1998-1999

Committees: United Kingdom Association of European Law

Recent cases

R (On the Application of Teleos and Others) v Commissioners of Customs and Excise [2004] Eu LR 798

Represented taxpayers in a challenge to the requirement for sellers to pay the VAT on exports of goods to other Member States when Customs and Excise were not satisfied at a later date that the goods had left the UK.

Lana v PATH London Ltd [2001] IRLR 501

Represented trainee in case applying prohibition of sex-discrimination in a training context.

Medicaments and related classes of goods

Represented the OFT in the challenge to drug manufacturers' application of resale price maintenance to branded over-the-counter medicines.

R v MAFF, Ex p BPISSG and Ward [2000] Eu LR 724

Represented pig farmers support group in challenge to MAFF's refusal to grant aid to affected pig farmers in the context of the BSE crisis.

While at the ECJ, Katrine's case load included:

C 494/06 P, *Commission v Italy and Wam* [2009] ECR (judgment of 30 April 2009) (State Aid)

C-140/07, *Hecht-Pharma GmbH v Staatliches Gewerbeaufsichtsamt Lüneburg* [2009] ECR (judgment of 15 January 2009) (Concept of "Medicinal product")

C-132/06, *Commission v Italy* [2008] ECR I- 5457 (VAT)

C-127/05, *Commission v UK* [2007] I-04619 (Health and Safety, defence of 'so far as reasonably practicable')

Joined cases C-232/04 and 233/04, *Nurten Güney-Görres and Gul Demir v Securicor Aviation (Germany) Ltd and Kötter Aviation Security GmbH & Co. KG* [2005] ECR I-11237 (Transfer of undertakings)

C-519/03 *Commission v Luxembourg* [2005] ECR I-03067 (parental leave and maternity leave)

Publications and lectures

"The development of the ECJ's case law on the equality directives (Directives 2000/78 and 2000/43)" ERA, 29 September 2008,

Moser, P. and Sawyer, K., editors: "*Making Community Law: The legacy of Advocate General Francis Jacobs at the ECJ*". Edward Elgar Publishing. (May 2008)

Sawyer, K. "The EC Principle of '*interprétation conforme*': How far can or should national courts go when interpreting national legislation consistently with EC law?" *Statute Law Review* 28(3) (2007) pp.165-181 OUP

"*Current developments in European Labour Law*", ERA, Trier, 18.9.2006

"*From Free movement of Workers to EU Citizenship*", ERA, Trier, 30.6.2005.

The Preliminary Reference Procedure, TAIEX programme, Vilnius, 6-7.10.2005.

As a committee member of UKAEL, Katrine assisted in devising the programmes and organising three major conferences: "Making Community Law", 18.6.2006; "Current Issues in EU Litigation", 28.10.2005; "The draft EU Constitution", 26.11.2004.

Co-editor, *The European Advocate*, Journal of the Bar European Group.

Personal

Katrine is married with two children and lives in Highbury, North London.
