



HERBERT  
SMITH  
FREEHILLS




## NICK CLAYTON

PARTNER

[London](#)

Nick is a partner in the firm's tax investigations and dispute resolution group.

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## BACKGROUND

Nick has an LLB, LLM (Tax), is a solicitor advocate and a CEDR accredited mediator.

## KEY SERVICES

[Tax Investigations and Disputes](#)  
[Trusts and private client disputes](#)

## KEY SECTORS

[Banks](#)  
[Asset and Wealth Management](#)

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## EXPERIENCE

Based in London, Nick advises financial institutions, corporate groups and high net worth individuals in relation to high value and complex tax investigations and disputes with HMRC (civil and criminal), as well as on the use of mediation and negotiated settlements.

As well as resolving disputes with HMRC, Nick regularly advises clients on a diverse range of contentious tax matters, including tax related mis-selling and professional negligence claims; compliance with requests from HMRC for assistance with investigations into the tax affairs of third parties; and guarding against the risk of incurring tax related penalties.

Nick's experience includes:

- acting for a high profile individual in judicial review and high court proceedings concerning tax assessments totalling c.£1billion, issued in breach of an earlier settlement agreement (R oao Ecclestone v HMRC and others)
- acting for partnerships of high net worth individuals in tax appeals concerning the tax treatment of gains arising from the disposal of commercial mortgage backed securities (Trigg v HMRC)
- acting for Philips Electronics in a reference to the CJEU relating to whether the UK's consortium relief rules breached EU law (HMRC v Philips Electronics UK)
- acting for a multinational investment bank in respect of mis-selling claims relating to various film financing arrangements
- advising various financial institutions, corporates and professional advisers on the implementation of procedures to guard against corporate criminal liability for failing to prevent the facilitation of tax evasion