

## Paul & Rob's Big Day Out – High Court Blog.

With Ron Martin revealing to the media that the outstanding tax debt of £378,000 has been transferred to HMRC, now seems the perfect time to reflect on last week's events in the Royal Courts of Justice on The Strand in London, proceedings witnessed by the Shrimpers Trust's **Paul Yeomanson** and **Robert Craven**, who take up the story below.

Rob and I arrived at Court in good time after walking through the maze which is the Royal Courts of Justice. The Royal Courts of Justice really are a daunting place; I'd hate to personally be up in one of those courtrooms, although the Thomas More Building, where SUFC's case was situated, it much like Southend Civic Centre on a taller scale, rather than the original grand buildings that you see on the news.

There were quite a few people waiting outside including barristers, solicitors and defendants for the seemingly endless list of cases to be heard. Among them were also reporters from SKY, BBC Look East & BBC Essex Radio. No sign, as yet, of Ron.



Just before 10.30am, we made our way to the gallery in the courtroom and settled down for the morning's 'entertainment'. It was at this point that Ron came into the court, took one look round and walked out. Perhaps he had spotted us!

We sat through around 20 or so cases of which some were dismissed, some adjourned and quite a few were wound up (the good news was that Codemasters and The Gourmet Mushroom Company live to fight another day). I was at this time getting a little concerned at the ruthless streak both the HMRC Barrister and the Registrar had; things did not look good as they were not giving much leeway on some cases.

And then it was us, a little before 11.00am. Ron had returned to the courtroom in good time with his Solicitor. As in previous cases, the Clerk of the Court read out the case number, but before the HMRC's Barrister could even present his case, the presiding registrar said that he was adjourning the case until 2.00pm. This appeared to take both sides by surprise and the Barrister for the defence tried to inform the Court that the money had been lodged in the account of a major retailer, but the Registrar simply wasn't interested.

The Club's Barrister and the HMRC's representative had been deep in conversation filing into the courtroom for the morning session, but they weren't given any opportunity to present their cases and it was instead to be put in front of Registrar Barber in the afternoon.

So that was it, and with both Rob & I frantically wearing out the keypads on our mobile phones we filed out of the court room. We had a chat with the press people and another SUFC supporter who had travelled up just for the Hearing. We all then left the court buildings, and in my case made several phone calls explaining why I would not be appearing at the Office that afternoon.

After a lunch and then a drink in a quaint little pub opposite, Rob & I returned to Court 55 at around 1.30pm. Whilst sat outside waiting for the proceedings to begin we were eavesdropping on a conversation between the HMRC Barrister and the HMRC Case Officer, the majority of the conversation centering around SUFC's case and a 'missing' email that the Case Officer had sent a runner back to their offices to track down. What could this mean? Only time would tell, and just before 2.00pm we retook our seats in the gallery.

I think the most nervous period was seeing the two Barristers talking over the case before the 2.00pm Hearing, with Ron and his Solicitor getting involved and then him walking out clutching his mobile phone. For a minute, I didn't think he was going to be back in the room when the Registrar was called.

Whilst waiting for the Registrar, Rob & I noticed that both the HMRC's and the Club's Barristers were deep in conversation, discussing it seems the validity of the Club's case for a seven-day adjournment and we were hearing snippets about money being lodged at the solicitors. Anyway it was at this point that Ron and the Solicitor returned to the courtroom and had a quick discussion with their Barrister, which resulted in them asking for a further delay to confirm some information. The Clerk of the Court advised that the Registrar would not hear the case until 2.10pm. With that, Ron scurried out of the courtroom desperately trying to find a number in his phone closely followed by his Barrister & Solicitor.

Anyway, just after 2.10pm, Ron and his entourage returned just as the Registrar took her seat, beginning probably the most nervous ten minutes of my Southend United-supporting life. The HMRC Barrister laid out his case and at the end advised that he was not instructed to agree to a seven-day extension.

The HMRC Barrister explained the finer details of the debt, breaking it up into the amount paid (£60,000), the amount initially petitioned for (£162,000) and the further amount that they were seeking (c.£200,000, including an advanced payment for April), totalling £378,000. He repeated that he had not been instructed to seek an adjournment for any period of time, but he said that, if the Registrar was minded and the Club's Barrister put up a good enough argument, then he may be persuaded to consent to a seven-day adjournment, or a shorter period.

The Registrar asked him why the case had been marked 'Final' on the last occasion when there was an amendment for April's amount to be included, but he said that he was new to the case and had not been in Court 35 days ago, so could not answer.

After clarifying a couple of points the Registrar then asked SUFC's Barrister to state the Club's case. The case was based on the fact that a major retailer had lodged with its solicitor the sum of £400,000 and gave a breakdown of how that figure was reached, and why it had only been lodged today. Strangely, she mentioned the fact that Sainsbury's had offered to pay the £400,000 straight into the HMRC Solicitors' account, therefore avoiding any delay. Common sense should have prevailed, but alas no, the HMRC turned this offer down. One can only guess why, but I feel that they thought in doing so they could get the Club wound up.

The Club's Barrister then presented her case, and said that, since the money had been lodged in Cameron McKenna's account by the major retailer, that it would be 'absurd' for HMRC to seek to wind the club up. The Registrar asked who Cameron McKenna was, which is when the Club's Barrister slipped up and said Sainsbury's...sorry, the major retailer's solicitor; you could almost sense the release from the Press corps situated in front of us.

The Club's Barrister was asked why the money had not been paid to HMRC - she said that the Club had offered to transfer the money into HMRC's Solicitors' account, but this request had been refused. The reason that the money had to be with a Solicitor, she argued, was because of the complexity of the payment and that Sainsbury's (sorry, the major retailer!) wanted to double-check the details before signing it off, which she anticipated they would do either later that working day or Thursday.

The Registrar also questioned why the adjournment issued 35 days ago had originally been marked as 'Final' when by their own admittance the HMRC had changed the original order. I think that this in itself helped with the favourable decision made by the Registrar.

After summing up the Registrar granted a further seven-day adjournment, with the HMRC again requesting this was marked as 'Final', to which she agreed, with the SUFC Barrister advising that the money would be paid to the HMRC by Thursday at the latest.

The Registrar then said that there should be a seven-day adjournment until Wednesday 21st April 2010 and that the case should be marked 'Final', declaring ominously, 'And this time 'Final' means. 'Final'. So off we went.

And that was that, we all filed out of Court again hoping that our mobile phone batteries would withstand the abuse about to be handed out to them!!! Ron did acknowledge us as we left but then started a Royal Courts of Justice game of hide & seek. The Sky reporter asked if Ron would give an interview to which he agreed, adding that he would meet him at the front of the building. But Ron caught them napping and tried to slip out the back way, although he couldn't outwit the guile of the BBC who caught him sneaking out, and word soon spread to the front of the buildings that Ron had been located.

Knowing that both the BBC & SKY wanted to do a piece with Rob we also scurried off to the rear of the buildings but to no avail, not a camera or Ron in sight. So we walked back round to the front, and just as we were going to leave Rob got a phone call from the BBC reporter, and we all met up again, and Rob was then interviewed by BBC Look East. And that was it, or so I thought as a microphone & camera were shoved in my face. Oh damn, I thought, I don't do interviews, but I had no choice, and to make things worse after SKY had finished with Rob they also collared me.

My impression was that the HMRC Barrister was pretty lenient with us and that he didn't go for the kill. Of course, ostensibly it was in HMRC's interest for us to pay as they then received their money, and this may have played a part. Although he reiterated that he had not been instructed to seek an adjournment, he certainly gave the impression that he was not unhappy that it was granted, so SUFC were consequently granted a stay of execution.