

## **KATE WILSON**

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Registered name on the Bar Standards Board Register: Katharine Elizabeth Wilson

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**Call:** 2005

## **SPECIALISATION**

- Defamation
- Malicious Falsehood/Trade libel
- Negligent Misstatement
- Reporting Restrictions
- Contempt of Court
- Protection of Sources
- Privacy and Confidence
- Human Rights Law, particularly articles 8 and 10 of the ECHR
- Data Protection
- Freedom of Information
- Harassment

Kate specialises in all aspects of media and information law and acts for both claimants and defendants. Her current cases include acting for a public authority facing claims for misuse of private information following a data breach and acting for a newspaper defending a libel action on basis the claim does not satisfy the serious harm test.

Prior to coming to the Bar, Kate worked in the City for nine years, at UBS and Morgan Stanley.

## **RECOMMENDATIONS**

Kate is listed as a leading junior in Defamation and Privacy in **Chambers and Partners 2017** and **The Legal 500 2016**.

Frequently involved in high-profile libel and privacy claims, with recent experience in the Supreme Court. She has niche expertise in online issues and claims involving public authorities. *"She is tremendous - her knowledge of the law is very impressive and she is able to act on instructions swiftly and in an unflappable manner."* **Chambers and Partners 2017**

Her advocacy is very strong, as is her technical legal knowledge. **The Legal 500 2016**

Popular and highly regarded junior barrister who acts in high-profile claims at all levels, including a recent appearance in the Supreme Court in Flood v Times Newspapers. She has extensive experience in obtaining injunctions to restrain harassment. *"She quickly gets to grips with what is important to a client and gives practical and thoughtful advice."* *"She is a fearless advocate and a star with the clients."* *"She is calm and efficient - her advocacy is of a very high standard."* **Chambers and Partners 2016**

'Applies fresh thinking to situations which initially seem intractable.' **The Legal 500 2015**

*"She has the ability to deliver even the most difficult arguments with charm."* *"She shows bags of confidence when on her feet."* **Chambers and Partners 2015**

'She is thorough, commercial and also creative in her approach to problems.'  
**The Legal 500 2014**

A much-respected junior. Sources comment upon her previous career in the City, noting that it really adds another dimension to the advice that she gives. *"She is hard-working, very conscientious and careful. She pays a lot of attention to detail, and is sympathetic to clients."* *"Precise and thorough, she always has a valuable perspective and is a brilliant wordsmith too."* **Chambers and Partners 2014**

[Kate Wilson](#) provides clear and client-friendly advice, which sources single out for its positive and practical nature. Clients say that "she never says, 'We can't do that' but always says, 'You might want to consider this course of action'." **Chambers and Partners 2013**

22/04/2016

Kate Wilson is "dependable, clear thinking and decisive" **The Legal 500 2011/12**

Kate Wilson is praised for her good judgement in libel matters and when handling all aspects of media and information law generally; "Committed and able" **Chambers and Partners 2011**

Kate is recognised as "conscientious", "bright" and "hardworking" **The Legal 500 2010/11**

Kate Wilson "impresses due to the level of her skill and her total thoroughness" **Chambers and Partners 2010**

Kate is highly recommended for "getting stuck in and giving a case her all", "and up and coming" in **The Legal 500 2009/10**

**The Legal 500 2008/9** said "promising juniors include the 'clear thinking' Kate Wilson"

## **ACADEMIC AND PROFESSIONAL QUALIFICATIONS**

BA(Hons) P.P.E, Magdalen College, Oxford

M.Phil, International Relations, Trinity Hall, Cambridge

Diploma in Law (C.P.E.), Westminster University (Distinction)

BVC, Inns of Court School of Law (Very Competent)

Inner Temple Jardine Scholarship (2004)

Pupillage at One Brick Court (2005 to 2006)

Tenant at One Brick Court since 2006

## **REPRESENTATIVE CASES OF INTEREST**

- **Flood v Times Newspapers Limited**, Junior Counsel for the Defendant newspaper in this important case on public interest journalism which has reached the Supreme Court on two occasions. The Supreme Court's decision ([2012] UKSC 11) upholding the Defendant's defence of *Reynolds* privilege was an important foundation of the public interest defence in s.4 of the Defamation Act 2013. The case returned to the Supreme Court in January 2017 on the issue of whether costs orders made against the newspaper were an infringement of its art. 10 rights and whether the recoverability of additional liabilities pursuant to CFAs should be disapplied.
- **Theedom v Nourish Training (t/a CSP Recruitment)**, Counsel for the Defendant in a libel action brought against a business by a former employee, in which the defence of Truth (s.2 of the 2013 Act) succeeded at trial ([2016] EWHC 1364). At the earlier Preliminary Issues Trial, it had been found that the emails sued upon carried a serious defamatory meaning and satisfied the "serious harm" threshold ([2015] EWHC 3769 (QB); E.M.L.R. 10).
- **Anglia Research Services Ltd v Finders Genealogists Ltd** [2016] EWHC 297 (QB), [2016] E.M.L.R. 15 Counsel for Respondent in pre-action disclosure application in harassment and defamation claims. Issues included the effect of other existing proceedings between the same parties on availability for pre-action remedies.
- **Ma v St George's Healthcare NHS Trust** [2015] EWHC 1866 (QB). Counsel for the Defendant in libel action. At trial, the Defendant successfully defended the claim on the grounds that the allegations were justified or protected by qualified privilege and the claimant had failed to prove malice.
- **Decker v Hopcraft** [2015] EWHC 1170 (QB). Counsel for the Defendant in application for preliminary issue trial, including determination of whether the claim satisfied s.1 of the Defamation Act 2013, and other issues.

24/02/2017

- **Barron v Collins** [2015] EWHC 1125 (QB). Determination of issues of meaning and questions of fact/opinion at a preliminary issue trial concerning political speech.
- **Jackson v Hampshire Hospitals NHS Foundation Trust** [2014] EWHC 3954 (QB)
- **Flood v Times Newspapers Ltd** [2013] EWHC 2182 (QB)
- **Lord McAlpine v Bercow**. Junior Counsel for the Claimant, led by Sir Edward Garnier QC, in Lord McAlpine's defamation action against Sally Bercow in respect of a tweet. The Claimant successfully argued that the question of meaning should be determined as a preliminary issue [2013] EWHC 981 (QB) and then, at a later hearing, that the post on Twitter was seriously defamatory of him [2013] EWHC 1342 (QB).
- **R (Gandy) v Lowestoft Magistrates' Court** [2013] EWHC 659 (Admin). Counsel for interested party, a local newspaper, in judicial review proceedings, which successfully opposed an application for anonymity by a local counsellor who had been the subject of criminal proceedings in the magistrates' court.
- **Crossland v University of Glamorgan** [2011] EWHC 2809 (QB). Counsel for the Respondent/Defendant on the Claimant's unsuccessful attempt to appeal a decision striking out his claim
- **UK Learning Academy Ltd v Leeds City Council [2011] EWCA Civ 1513**. Counsel instructed on the appeal only, against earlier order striking out the claim.
- **Re BBC (Care Proceedings: Costs: Identification of Local Authority)** (also known as BBC v Coventry City Council) [2011] 1 FLR 977. Counsel for the BBC on a successful application to lift reporting restrictions, in order to name a public authority which had been criticised in care proceedings
- **Flood v Times Newspapers Ltd** [2010] EWCA Civ 804. Junior Counsel led by Richard Rampton QC in the Court of Appeal
- **Re. William Ward (A child)** [2010] EWHC 16 (Fam) (also referred to as A v VW) Application by experts in care proceedings for anonymity and consideration of scope of s.12 of the Administration of Justice Act 1960 on reports of the care proceedings.
- **Flood v Times Newspapers Limited** [2009] EWHC (QB) Junior Counsel for the Defendant newspaper (led by Richard Rampton QC). This case was the first trial of a *Reynolds* defence since the House of Lords decision in *Jameel v Wall Street Journal* [2007] 1 AC 359. The newspaper's defence of *Reynolds* qualified privilege was upheld in respect of the article, which reported on allegations of possible corruption, published in the Times. The defence was also successful in respect of most website publications of the article on timesonline.co.uk.
- **Hussein v Farooq** [2008] EWHC 2487 (QB). Counsel for the successful First Defendant, a businessman, in the trial of a slander action.
- **Hon & Oths v Lecler** (2007) Junior Counsel to Patrick Moloney QC for the Claimant during the trial of this libel action by a Hong Kong based businessman.
- **Gregg v O'Gara** [2008] EWHC 658 (QB). Counsel for the Claimant, a senior police officer. The Claimant obtained summary judgment in this libel action and an award of £50,000 in damages.

## **PUBLICATIONS AND SEMINARS**

**Arlidge, Eady & Smith on Contempt** (4<sup>th</sup> ed.), Contributor

Co-author of "**The Family Courts: Media Access & Reporting**", a joint publication of The President of the Family Division, the Judicial College and the Society of Editors. The report is available [here](#)

**Bullen & Leake & Jacob's Precedents of Pleadings** (18<sup>th</sup> ed.), Co-author, with Jane Phillips, of the chapters on defamation and malicious falsehood

Author, together with Sarah Palin, of the **Privacy** section on LexisNexis's **LexisPSL** online service.

"Access to documents in criminal proceedings", *Freedom of Information* journal, Vol. 8, Issue 5, May/June 2012

"The New Black" *New Law Journal* Vol. 157 March 2007 (Article examining recent developments in privacy laws)

Kate has given numerous seminars to solicitors firms and publishing houses on media law.