

**Manuel Barca QC**

T. 0207 353 8845

E. mb@onebrickcourt.com

Registered name on the Bar Standards Board Register: Manuel David Barca QC

Vat Number: 494646011

Call: 1986

Silk: 2011

**SPECIALISATION**

- Defamation and malicious falsehood ("trade libel")
- Privacy and breach of confidence
- Information-related torts (passing off, negligent misstatement, etc)
- Privacy-related torts, (harassment, trespass, etc).
- Contempt of court (including protection of sources & reporting restrictions)
- Access to Court Documents and production orders
- Pre-publication and non-contentious reputation-management advice
- Media/literary copyright (including false attribution of authorship, etc)
- Obscenity laws & censorship
- Media-related judicial review
- Civil claims engaging articles 8 and 10 of the ECHR

Manuel specialises in media and reputation/information law. While his practice primarily focuses on defamation, privacy/confidence, malicious falsehood and contempt, Manuel also advises on other informational civil claims such as harassment, literary copyright (including false attribution of authorship), and passing off.

He also has long experience of advising on Internet-publishing issues, having appeared for the ISP in *Godfrey v Demon Internet*, the first reported English case on liability for Internet publication.

In addition, Manuel regularly advises on reputation/information issues arising in non-media litigation, particularly claims arising from commercial and employment disputes, as well as advising on non-contentious reputation management (e.g. press releases during hostile takeovers, high-profile dismissals, and other public controversies). He has also advised on and taken part in successful mediations.

During his time at One Brick Court, Manuel has regularly acted for a broad range of:

- national broadcasting organisations, including the BBC, Channel Four, ITV (Central, Granada, HTV, LWT and TVS) and BSkyB;
- national newspaper groups, including Associated Newspapers, Express Newspapers, Guardian Newspapers, Independent News & Media, Mirror Group Newspapers and Times Newspapers;
- leading regional newspaper titles, including the *Daily Record* (Scotland), the *Birmingham Post*, the *Liverpool Echo*, the *Manchester Evening News*, the *Newcastle Chronicle*, and the *Yorkshire Post*;
- national magazine publishers, including Centaur Communications, Condé Nast Publishing, Dennis Publishing, EMAP, Euromoney Publications, IPC Media, National Magazine Company, the *New Statesman*, Northern & Shell, and the Readers' Digest Association;

- new media companies such as Amazon.com, Baltimore Technologies, Demon Internet, Freeserve.com (now Orange Broadband), Nominet UK and Oxford Analytica;
- leading commercial organisations such as ASDA, Barclays Bank, British Airways, Commercial Union, Aviva, De Beers, First Great Western, GlaxoSmithKline, HCC Insurance, Johnson & Johnson, Laura Ashley, Lloyd's of London, Maples and Calder, Perot Systems, Random House, Royal Bank of Scotland, Sony, and the St James's Place Group;
- public bodies/groups, such as the Advertising Standards Authority, Charity Commission, the International Rugby Board, the League Against Cruel Sports, Liverpool College, the London Symphony Orchestra, the Medical Protection Society, the National Union of Mineworkers, as well as local/health authorities and chief constables;
- prominent and well-known individuals, including TRH Crown Prince Nayef Al-Saud and Prince Turki Al-Saud (respectively the Saudi Interior Minister and Ambassador to the UK at the relevant times), Lord (Richard) Attenborough, Jeremy Beadle, Steven Berkoff, Peter Bottomley MP, the Rt Hon Gordon Brown MP, Martin Clunes, Petra Ecclestone, Mohammed Al Fayed, Vladimir Gusinsky, Geri Halliwell, Ronnie and Reggie Kray, Donal MacIntyre, Paul McKenna, Lou Macari, Robert Maxwell, Sharon and Ozzy Osbourne, Jeremy Paxman, Charlotte Rampling, Paul Raymond, Lord (George) Robertson, Geoffrey Robinson MP, David & Simon Reuben, Gordon Taylor, Lord (David) Trimble, Gore Vidal, Lord (Robert) Winston, and others on a confidential basis.

Manuel has also advised overseas clients in relation to claims in other common-law jurisdictions, including Brunei, the Cayman Islands, Hong Kong, and Singapore.

## **RECOMMENDATIONS**

Manuel is recommended as a leading Silk in the Legal 500 2016 (defamation and privacy) and is listed as a leading Silk in Chambers and Partners (defamation & privacy) 2017.

Highly sought-after media silk with expertise covering the full breadth of reputation management. He is instructed by major media organisations and broadcasters and is highlighted for his well-honed advocacy style. *"He gives consistently good advice and is very good with clients."* *"He is robust, gutsy and friendly."* **Chambers and Partners 2017**

'Thorough and committed in trial preparation and utterly professional in his style of advocacy.' **The Legal 500 2016**

Popular and successful silk with a practice encompassing a wide range of defamation and privacy matters. He is regularly instructed on the most high-profile, important and time-sensitive matters. *"He is pragmatic and good at fighting the client's corner. He's aggressive when he needs to be, and nuanced when a subtle approach is required."* *"He is robust, gutsy and user-friendly."* **Chambers and Partner 2016 – Media & Entertainment 2016**

'A top-level advocate with a sure sense for the killer points at trial.' **The Legal 500 2015**

A trusted adviser and advocate, who handles the full range of defamation and privacy cases. Clients praise him for his easy style and formidable advocacy skills. *"Tremendously good at gauging what the court needs."* *"His advocacy is very direct but it's also calibrated towards his audience. He's good at pitching it at the right level."* **Chambers and Partners 2015 – Defamation and Privacy**

Advises on media and information law matters, and is experienced in internet publishing matters and literary copyright disputes. *"He has an excellent brain and takes an analytical and pragmatic approach to his work."* *"A superb advocate who is very approachable and down to earth."* **Chambers and Partners 2015 - Media & Entertainment**

'He has considerable experience in internet publishing issues'. **The Legal 500 2014**

Manuel has quickly settled into his silk's practice and is a greatly admired lawyer whose principal strength is his superb advocacy. Sources further laud his ability to quickly get to grips with complicated, heavyweight cases. *"Robust in his advice, he stays true to his beliefs and his beliefs are always correct."* *"One of those barristers you can trust to bring up difficult issues from the outset, so we have everything ready for trial. He's very approachable, has a very warm manner, and builds relationships with clients."*

**Chambers and Partners 2014**

Manuel Barca QC has forged a fine reputation as *"a very good man to turn to in a tight spot,"* as he is *"an assertive advocate whom you can turn to for clever, measured and sensible advice."* He represented the Sunday Times in a libel case brought by Elena Baturina, the wife of the former mayor of Moscow, Yuri Luzhkov. He has also been advising the CEO of the Professional Footballer's Association, Gordon Taylor, in relation to both the News of the World phone hacking affair and the Leveson Inquiry. Those that instruct Barca say that *"he is always happy to take up the baton, no matter where he is."* This accessibility combined with the tremendous work ethic he displays makes him a clear client favourite. **Chambers and Partners 2013**

Since taking silk in 2011, Manuel Barca QC has developed a strong reputation for his *'fantastic advocacy skills'* and *'robust approach, which makes him particularly good at cross-examination'*. **The Legal 500 2012/13**

"A punchy advocate who is very hard-working and intellectually robust," he recently acted for The Times in an action brought by Elena Baturina, the wife of billionaire Yuri Luzhkov. He has also been advising Gordon Taylor, head of the Professional Footballers Association, on the continuing fall out of the News of the World phone hacking scandal. **Chambers and Partners 2012**

Manuel Barca "has a nice turn of phrase and a beguiling manner." Coupled with this, "he can take a tough approach in court as he is determined to get what his clients want." His practice centres around defamation and reputation management. Barca is fearless in court and will "try his absolute best and never throw in the towel." **Chambers and Partners 2011**

Manuel Barca is "a pugnacious and skilled advocate who exercises excellent judgement." He takes a "calm and logical approach whilst always retaining a sense of humour," **Chambers and Partners 2010**

Barca *'gives people confidence and in libel, someone who inspires confidence is critical'*. He *'produces papers when promised with spot-on advice.'* **The Legal 500 2009/10**

"Absolutely spot-on in his decision making." "Superbly robust both in his advice and in court," he has "wonderful presentation skills". **Chambers and Partners 2009**

The *'focused and tenacious'* Manuel Barca  
**The Legal 500 2008/9**

Manuel Barca has "an incredibly loyal following." He is "formidably tough, a fact which, allied with his fierce tactical intelligence, makes him a true leader." **Chambers and Partners 2008**

"Marvellously robust" Manuel Barca is "confident in everything he does." He is "unbelievably quick on his feet" and "the right man for long trials where loads of cross examination is required." **Chambers and Partners 2007**

"Highly regarded junior counsel Manuel Barca"  
**Legal 500/2007/8**

"Of the juniors, Manuel Barca is a clear favourite. He manages to balance a tough and bullish approach with sensible and commercial advice."

## ACADEMIC AND PROFESSIONAL QUALIFICATIONS

- Wimbledon College
- Cambridge University: Entrance Exhibitioner; Law Tripos, MA Hons
- Inns of Court School of Law; Levitt Scholarship, Lincoln's Inn

### Pupillage

- One Brick Court: media law with Andrew Caldecott QC and Richard Rampton QC
- 1 (now 2) Hare Court: criminal law with David Waters QC

Joined One Brick Court as a tenant in October 1987

## REPRESENTATIVE CASES OF INTEREST

### Reported cases – Defamation

***Baturina v Times Newspapers Ltd [2011] 1 WLR 1526 (CA)***: Landmark ruling determining that a publisher can be held liable for defamatory innuendo meanings unforeseeable at the time of publication.

***Hughes v Risbridger & British Airways plc (2009) LTL 9/12/2009 (QBD, Eady J)***: Where there was undisputed evidence that a complainant had never admitted to theft it could not be said that a fact-finding tribunal would be perverse to find that the maker of an allegation of theft against him had acted maliciously, despite the fact that the maker of the allegation claimed that he had made the allegation in honest mistake.

***(Petra) Ecclestone v Telegraph Media Group Ltd (2009) LTL 11/11/2009 (QBD, Sharp J)***: An item in a newspaper diary column, which quoted the claimant as saying that she was not a vegetarian and "did not have much time for people like the McCartneys and Annie Lennox", was not capable of bearing the defamatory meaning that she contended it did. The ordinary reasonable reader would see the words as nothing more than the expression of a permissible view.

***Atlantis World Group of Companies NV v Gruppo Editoriale L'Espresso SpA (2008) LTL [2009] EMLR 15 (QBD, Sir Charles Gray)***: The claimant companies were not entitled to damages for the publication of an allegedly libellous article as it would not have been understood by any reader that the words complained of referred to the first claimant company as it had yet to start trading within the United Kingdom by the date of publication, whilst the second claimant company did not have a business or trading reputation within the jurisdiction at the relevant time.

***Taranissi & ARGC Ltd v BBC (2008) LTL 10/10/2008 (QBD, Eady J)***: The court refused to make an order for specific disclosure in favour of a defendant to a libel action who sought documents to support a case that it had not yet pleaded.

***Ewing v (1) News International Ltd (2) Times Newspapers Ltd (3) Northcliffe Media Ltd (4) North Somerset News & Media Ltd (2008) LTL 29/7/2008 (QBD, Coulson J)***: A vexatious litigant had failed to show any reasonable grounds for bringing a claim for defamation against various newspapers, and his application for leave under the Supreme Court Act 1981 s.42(3) was refused.

***(Paul) McKenna v MGN (2007) LTL 24/10/2007 (QBD)***: Where a sum paid to a libel claimant by a defendant was reached by way of negotiated settlement and was therefore not "at trial" pursuant to CPR r.36.21, and where the claimant had not given the defendant

enough information to justify the unqualified apology that he sought, Part 36 had no application and a special order for interest to be paid on an indemnity basis was not appropriate.

**(Paul) McKenna v MGN (2006) LTL 4/8/2006 (QBD):** A newspaper article, the meaning of which was that a hypnotherapist claimed publicly to possess a doctoral degree in his subject whilst knowing that the degree was "bogus", was libellous, as the degree could not be described as bogus and the hypnotherapist had not sought to deceive anyone by making reference to it or permitting others to do so.

**(Roman) Polanski v The Condé Nast Publications [2005] 1 WLR 637 (HL):** 3-2 decision reversing the CA's ruling that it would be an abuse of process to allow the claimant (a fugitive from the US courts) to testify in his libel action by video-link from Paris (so as to avoid the risk of extradition to the US from the UK).

**W v Westminster City Council [2005] 4 All ER 96 (QBD):** Though protected by qualified privilege, defamatory statements made by a social worker in a child protection case conference were nonetheless an interference with C's Article 8 rights and could still be the subject of a claim under the Human Rights Act.

**Johnson v Perot Systems Europe Ltd & Anr (2005) LTL 18/11/2005 (QBD):** C's claim against his former employer for libel, negligence and breach of contract struck out as an *Arrow Nominees* abuse of process.

**(Neil) Lennon v Scottish Daily Record & Sunday Mail Ltd [2004] EMLR 18 (QBD):** As C (a Northern Irish footballer with Celtic FC) had an important reputation to defend in England, D failed to establish that Scotland was the appropriate forum for his libel claim against a Scottish tabloid newspaper.

**W v Westminster City Council (2004) LTL 4/2/2005 (QBD):** Absolute privilege did not extend to statements made by a social worker in a child-protection case conference.

**(Donal) MacIntyre v Chief Constable of Kent [2003] EMLR 9, Times LR, 30.8.02 (CA):** Upheld Gray J's decision not to allow a preliminary-issue trial of QP defence, or to allow the introduction of similar fact evidence.

**Reuben & Ors v Time Inc & Ors (2003) LTL 22/1/2003 (CA):** An amendment to a claim form in a libel action changing page references from those of the American edition of a magazine to those of the European edition did not constitute a new cause of action, prohibited by s.35 Limitation Act 1980, as the claim form was not to be construed as identifying the American edition of the magazine and therefore the amendment did not involve the making of a new claim.

**Vassiliev v Amazon.com (2003) LTL 24/10/2003 (QBD):** A libel action was dismissed where it would not serve any legitimate purpose from the claimant's perspective or that of the general public, and there was no real prospect of showing that the words complained of fell outside the scope of fair comment.

**Mawdsley v Guardian Newspapers Ltd (2002) LTL 21/7/2003 (QBD):** By failing to accept the final offer of a printed apology, which would have given the claimant the substance of what he had been asking for, the claimant had unreasonably failed to mitigate his loss and accordingly the available remedies under the (Defamation Act 1996) summary disposal regime would be adequate for the wrong he had suffered.

**Skrine & Co v Euromoney Publications Ltd [2002] EMLR 15 (CA):** Claim for contribution under the Civil Liability (Contribution) Act 1978 arising from libel proceedings in Malaysia; D not entitled to adduce evidence of political interference with the independence of the Malaysian judiciary.

**Steedman & Ors v BBC [2002] EMLR 17 (CA):** While the effect of a delay on the ability of a defendant to defend a defamation action was important when a judge was considering whether to disapply the limitation period, it was not in any way decisive. The claimants' ability to sue their former solicitors was a factor that it was legitimate to take into account.

**Godfrey v Demon Internet Ltd [2001] 1 QB 201 (QBD):** The first reported English defamation case on service providers' liability for publication on the Internet.

**Austin v Newcastle Chronicle & Journal Ltd (2001) LTL 18/5/2001 (CA):** An administrative error by C's solicitors in preparing the pleadings (serving the statement of claim from a different but related libel action) should not result in the libel action being dismissed on limitation grounds.

**(Philip) Green v Times Newspapers Ltd (2001) LTL 6/3/2001 (QBD):** It was legitimate for the same claimant to pursue against the same defendant, in respect of separate but closely related applications, relief from a judge under the offer of amends procedure under s.2 Defamation Act 1996 and damages for libel and an injunction from a jury.

**Elite Model Management Corp & Ors v BBC (2001) LTL 7/6/2001 (QBD):** The courts need to be alert to the possibility of corporate entities being "put up" to bring claims for libel in respect of allegations truly reflecting upon individuals.

**Khalili v Associated Newspapers Ltd [2000] EMLR 996 (CA):** Policy considerations militated in favour of criminal proceedings being decided before related libel proceedings.

**Adams v Associated Newspapers Ltd & Ors [1999] EMLR 26 (CA):** Considered the scope of third-party liability arising from a newspaper report of a corporate press conference.

**General Medical Council v BBC [1998] 1 WLR 1573 (CA):** GMC disciplinary hearings are not court proceedings protected by the law of contempt.

**Watts v Times Newspapers Ltd [1997] QB 650 (CA):** Established the scope of liability and qualified privilege for the publication of an apology which collaterally defames a third party,

**Stern v Piper & Ors [1997] QB 123 (CA):** First case to adumbrate the "repetition rule" in defamation actions.

**(Terry) Venables v (Mihir) Bose (1997) LTL 10/11/97 (CA):** D's article in the *Sunday Times* could only mean that C was guilty of dishonesty, and not any lower meaning of suspicion of dishonesty.

**Berkoff v Burchill & Anr [1996] 4 All ER 1008 (CA):** Leading modern case establishing that publications which expose a claimant to ridicule, even if not attacking his character, are nonetheless actionable in defamation under English law.

**Oyston v Blaker & Ors [1996] 1 WLR 1326 (CA):** Established that applications to extend time under s.32A of the Limitation Act 1980 need to be made by inter-party application.

**Cumming v Scottish Daily Record [1995] EMLR 538 (QBD):** Drake J "reversed" his earlier judgment in *Foxen v Scottish Daily Record* to hold that, despite the Brussels Convention, the law of *forum non conveniens* continued to apply as between England and Scotland.

**Charlton v EMAP plc & Ors (1993) Times LR, 11.6.93 (QBD):** Defendants are not entitled to add words to a unilateral statement in open court where this would detract from the vindication to which a claimant was entitled in the circumstances of the case.

**R v Brighton County Court, ex parte Westminster Press Ltd [1990] 1 QB 628 (QBD Div Ct):** Where a circuit judge's notes of a hearing were required to support of a defence of absolute privilege, a subpoena (rather than judicial review) should be deployed to compel their production.

**Cambridge Nutrition Ltd v BBC [1990] 3 All ER 523 (CA):** On an interim application for an injunction to restrain a broadcast, a claimant's assertion of a contractual right was not enough to counterbalance or override a defendant's right to freedom of speech.

**Franks v Westminster Press Ltd, Times LR, 4.4.90 (QBD):** The making of a complaint to the Press Council [forerunner of the PCC] did not of itself amount to a waiver by the claimant of his legal right to sue in defamation)

### **Reported cases - Contempt, confidence, privacy, etc.**

**Ajinomoto Sweeteners Europe SAS v Asda Stores Ltd (2011) [2011] QB 497 (CA)** Landmark decision holding that the 'single meaning rule' in defamation should not be imported into the tort of malicious falsehood.

**Ajinomoto Sweeteners Europe SAS v Asda Stores Ltd(2009) [2009] 3WLR 1149 (QBD, Tugendhat J):** Where a supermarket was alleged to have committed the tort of malicious falsehood by marketing a range of own-brand food products as free from aspartame and therefore "good for you", the single meaning rule had to be applied to the words complained of.

**Ajinomoto Sweeteners Europe SAS v Asda Stores Ltd (2009) [2009] FSR 16 (QBD, Sir Charles Gray):** Whilst CPR Pt 53 was confined in its application to defamation actions, there was no reason why the approach of the court to an application for the trial of a preliminary issue in a malicious falsehood action should be materially different. Without expressing any concluded view on the issue, there were sound practical reasons for adopting the single meaning rule, at least in the circumstances of the present malicious falsehood action.

**R (on the application of Taranissi) v Human Fertilisation and Embryology Authority (2009) LTL 2/2/09 (QBD Admin Ct, Saunders J):** In the circumstances it was in the interests of justice for a non-party to judicial review proceedings to obtain, under CPR r.5.4C(2), documents in the court file where that non-party was being sued for libel by the person who had sought the judicial review and the documents appeared to be relevant to its defence of justification.

**Johnson v Perot Systems Europe Ltd & Anr (2008) LTL 10/2/2009 (QBD, Nelson J):** A general civil restraint order was appropriate for a litigant who had persistently issued claims and made applications which were totally without merit and had adopted a scattergun approach to litigation on a number of different grievances.

**Attorney-General v BBC [2007] LTL 12/3/2007 (CA):** CA overturned Swift J's refusal to discharge the remainder of the "cash for honours" injunction (prohibiting any reporting of the legal argument which gave rise to the original injunction).

**Tillery Valley Foods v Channel Four Television (2004) Times LR, 14.5.04, LTL 14/5/2004 (Ch D):** Unsuccessful attempt to restrain broadcast of a TV documentary on the grounds that the use of a hidden camera by an undercover employee was in breach of his confidentiality obligations under his employment contract.

**Ex parte HTV Cymru (Wales) Ltd [2002] EMLR 11 (Aikens J, Crown Court at Cardiff):** Clarified that the Crown Court did have a statutory jurisdiction to grant injunctions to restrain contempts of court.

***Birmingham Post & Mail Ltd v Birmingham City Council (1993) Times LR & Independent LR, 25.11.93 (QBD Div Ct)*** - It was against the public interest for the media to name a person with a notifiable disease who was the subject of an ex-parte order requiring his removal to hospital under the Public Health (Control of Diseases) Act 1984.

***Pickering v Liverpool Daily Post & Echo & Associated News [1991] 2 AC 370 (CA & HL)*** - Leading contempt case establishing that Mental Health Review Tribunals are courts for the purpose of the Contempt of Court Act 1981.

***Attorney-General v Associated Newspapers & Ors [1989] 1 WLR 322 (QBD Div ct)*** - Health Review Tribunals were not courts for the purpose of the Contempt of Court Act 1981 (later overturned in *Pickering*)

### **Notable unreported cases – Defamation**

***Sir Elton John v Times Newspapers Ltd (2012-)***: Acting for TNL in libel claim brought by the well-known singer arising from articles published in The Times.

***Andrew Miller v Associated Newspapers Ltd (2012-)***: Acted for Claimant (a management consultant) in the trial of a libel action arising from articles in the Daily Mail ventilating suspicions of improper conduct and cronyism in the award of Metropolitan Police contracts.

***HRH Prince Nayef Al-Saud v The Independent (2011)***: Acted for the Claimant in a successful libel claim arising from an article by Robert Fisk in The Independent claiming that the Saudi Interior Minister (and Crown Prince) had given an order to shoot and kill unarmed protestors.

***Embassy Investments Ltd V Houston Casualty Co (2010-)***: Acting for the well-known American insurer in a defamation counterclaim brought in the wake of insurance litigation arising from claims made for the damage caused to the Hyatt resort on Grand Cayman by Hurricane Ivan in 2004.

***Marcucci v BBC (2008-2011)***: Acted for BBC in a libel action brought by members of an Italian family engaged in the manufacture of blood-derivate products arising from an edition of *Panorama* broadcast in October 2006.

***Taranissi v BBC (2008-9)***: Acted for BBC in a libel action brought by Dr Mohammed Taranissi, a London IVF specialist arising from an edition of *Panorama* broadcast in January 2007

***Karim v Capita London Market Services Ltd (2007)***: Acted for the managers of the Law Society's Assigned Risks Pool in successfully striking out an insured solicitor's libel claim as a *Schellenberg/Jameel* abuse of process

***Aboutaam & Anr v Van Rijn (2006-7)***: Acted for Cs (leading international art dealers) in a libel action over allegations published on a London-based investigator's Dutch-hosted website.

***Matadeen v Associated Newspapers Ltd (2005)***: First High Court decision involving the imposition of a costs cap on a claimant acting on a CFA without ATE insurance.

***Ahmed v BBC (2005)***: Acted for BBC in a libel action brought by a police officer following a *Panorama* investigation into the South Wales Police's conduct of a quadruple murder inquiry.

***HRH Prince Turki Al-Saud v Hachette Filipacchi (2004)***: Acted for the Saudi Ambassador to the UK in a successful libel action arising from the publication in *Paris*

*Match* of an article falsely linking him directly to the setting up and funding of Al Qaeda, and implicating him in the 9/11 bombings.

**Lord (Conrad) Black & Telegraph Group v Express Newspapers (2003):** Acted for Express Newspapers in a libel action brought by Lord Black arising from allegations relating to the finances and ownership structure of the Telegraph group.

**Rahamim v ITN & Channel Four (2001)** – Acted for Ds in a libel action brought by a Plymouth-based surgeon arising from a report by Duncan Campbell on *Channel Four News*.

**(Sophie) Dahl v IPC (2001)** – Acted for D in Chancery reputation/privacy claim (brought in contract and malicious falsehood) arising from disputed statements made by supermodel during a photo-shoot for *Marie Claire*.

**(Patsy) Kensit v IPC (2001)** – Acted for IPC in a libel action arising from article concerning C's divorce from Liam Gallagher.

**(Louise) Port v MGN, News Group Newspapers & Ors (2003):** Acted for C (a GMTV reporter) who obtained very substantial damages in her successful libel actions over tabloid allegations that she had cheated on her then partner with another reporter.

**ITN v Living Marxism (2000):** Acted for ITN and two ITN journalists (Penny Marshall and Ian Williams) in a libel action arising from allegations in *Living Marxism* that ITN had fabricated its footage so as falsely to depict a Bosnian Serb refugee centre as a concentration camp where Bosnian Muslims were murdered. The jury awarded each journalist £150,000 in damages.

**David Trimble MP v Amazon.co.uk (2000):** Acted for C (leader of the Ulster Unionist Party) in a successful libel action arising from Amazon's distribution and review of a book which alleged that he was party or had given tacit approval to a conspiracy between prominent Loyalists and members of the RUC responsible for the murder of innocent Roman Catholics.

**British Coal Corporation v National Union of Mineworkers:** Acted for the NUM in a libel action brought over comment in *The Yorkshire Miner* magazine to the effect that British Coal's pension-contribution holidays was comparable to Robert Maxwell. The action was struck out at trial on *Derbyshire* grounds.

**Marks & Spencer v Granada TV (1998):** Acted for Granada in libel action (which settled at trial) arising from a *World in Action* investigation of allegations that M&S had sourced garments from a Moroccan factory using child labour.

**Dick v Times Newspapers (1998):** Acted for the *Sunday Times* in a libel action arising from an investigation into the illegal use of performance-enhancing drugs by British athletes.

**Uddin & Sayeed v Channel Four (1998):** Acted for C4 in libel action arising from a *Dispatches* documentary investigating allegations that certain imams in British mosques had participated in death squads during the Bangladesh War of Independence.

**Loucas v Channel Four (1997):** Acted for C4 in libel action arising from a *Dispatches* investigation of allegations that a former doctor at Broadmoor had used unmodified electric-shock treatment on patients.

**George Howarth MP v Guardian Newspapers (1996):** acted for *The Guardian* in a libel action over a story by Simon Hoggart about George Howarth, a Labour MP. The case settled during the trial.

**Peter Bottomley MP v Express Newspapers (1995):** acted for C in a successful libel action over the allegation that the claimant had betrayed British servicemen in Northern Ireland by sharing a platform with Sinn Fein

**Upjohn v BBC (1994):** acted for the BBC in a lengthy libel action arising from a *Panorama* programme about Halcion, a controversial tranquiliser marketed by a leading US pharmaceutical company.

**Walker Wingsail Systems v IPC (1994):** Acted for IPC in a libel action arising from the review of a catamaran prototype in *Yachting World*

**The Rt Hon John Major MP v New Statesman (1993):** Acted for the NS in a libel action brought by the serving Conservative Prime Minister.

**Beta Construction Ltd v Channel Four (1993) (QBD & CA):** acted for C4 in trial, appeal and re-trial of a substantial claim for special damages arising from a C4 documentary in which liability was admitted.

**Dusty Springfield v Television South West (1991)** – Acted for TVS in a libel action brought by C (a reformed alcoholic) arising from a TV comedy sketch by impressionist Bobby Davro which portrayed her as a drunk.

#### **Notable unreported cases – Contempt, confidence, privacy etc.**

**Cheryl Cole v IPC Media Ltd (2012-):** Acting for IPC in defending a claim for privacy and libel damages brought by the well-known singer and model arising from articles published in *Now* magazine.

**British Pregnancy Advisory Service v Jeffery (2012):** Successful application for a privacy/confidence injunction to prevent the unlawful public disclosure/downloading of personal data from members of the public which had been unlawfully hacked from BPAS' computer systems.

**Attorney-General v BBC (2007):** Acted for the BBC throughout (first instance and appeal) the A-G's attempts to secure an injunction to restrain broadcast of details of the Metropolitan Police investigation into the "cash for honours" allegations.

**G v H (2007):** Successfully obtained a privacy and harassment injunction to restrain prevent dissemination of information relating to an extramarital relationship.

**De La Rue plc v Loch (2006):** Successfully obtained injunction to prevent ex-employee from further publishing confidential information already leaked to a national newspaper.

**Re A (Conjoined twins: surgical separation), ex p BBC (2000) 22.10.00 (CA):** Successful application to relax reporting restriction on the basis that it was unreal to restrict details of the family's home country that were already freely circulating on the Internet

**Marilyn Agency SA v BBC (1999):** Failed attempt by a leading Paris model agency to obtain an injunction by relying on the Private International Law (Miscellaneous Provisions) Act 1995 to enforce the French law of privacy.

**City of London Police –v- BBC, TN, BSkyB & Reuters (1999):** Acted for TV media in successfully resisting the CLP's application at the Central Criminal Court for disclosure of footage showing rioters. Unusually, the City Police were ordered to pay the media's costs.

**Granada TV v News Group Newspapers (1998):** Application for confidence injunction to restrain *The Sun* from publishing leaked details of *Coronation Street* cast salaries.

**Home Secretary v BBC (1997):** Unsuccessful application for a confidence injunction by Home Secretary to restrain a *Panorama* broadcast featuring interviews with inmates of Parkhurst Prison graphically discussing crimes such as murder and assault.

**Newton v Express Newspapers & News Group (1996):** Pioneering confidence/privacy claim (tried in the Chancery action by Robin Jacob J) arising from the tabloid publication of an unlawfully obtained Polaroid photograph showing the claimant half-naked. The case settled at trial on payment of substantial damages by the Ds.

## **RECENT SEMINARS**

Informa/IBC Legal: Defamation & Privacy Conference April 2012 (annual contempt-of-court update).

## **OTHER INFORMATION**

Manuel is bilingual in English & Spanish, fluent in French and has a good working knowledge (spoken and written) of Italian and Portuguese.

## **INTERESTS**

Theatre (English and Spanish language), cinema, music (classical, jazz and "world"), art galleries (Friend of the Tate and the RA), travelling, and Spain (from Albariño to Zarzuela)