



## ANTONY WHITE QC

### MAIN AREAS OF PRACTICE:

Media and Information Law  
Arbitration  
Commercial and Corporate Law  
Employment Law  
Human Rights Law  
International Law  
Public Law

Called to the Bar 1983 (England & Wales)

Appointed to Silk 2001

Called to the Bar 2016 (Northern Ireland)

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### NOTABLE CASES

#### Media and Information Law

Phone-hacking litigation 2013-2017 -  
Leading counsel for NGN

Leveson Inquiry – acting for NGN

***HRH Duchess of Sussex v Associated Newspapers Ltd*** [2021] 4 WLR 35; [2020] 1 WLR 4762; [2020] EMLR 21

(high profile privacy claim)

***Sicri v Associated Newspapers Ltd*** [2021] 4 WLR 9

(privacy in arrest, availability of reputational damages)

***ZXC v Bloomberg LP*** [2021] QB 28

(privacy and criminal investigations – appeal to SC pending)

***Dawson-Damer v Taylor Wessing LLP*** [2020] Ch 746

(data protection – LPP exemption; relevant filing system)

***Lloyd v Google LLC*** [2020] QB 747

(major data protection class action vs Google – under appeal to SC)

***NT1 v Google LLC*** [2019] QB 344

(right to be forgotten claims vs Google)

***Ali & Aslam v Channel 5*** [2019] EWCA Civ 677; [2018] EMLR 17

(privacy claim against broadcaster of documentary TV programme)

***Stunt v Associated Newspapers Ltd*** [2018] 1 WLR 6060

(compatibility of DPA journalistic exemption with EU law)

***CG v Facebook Ireland*** [2017] EMLR 12

(intermediary liability for private information posted online)

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***Weller v Associated Newspapers Ltd* [2016] 1 WLR 1541**

(Misuse of private information – photographs of children taken in public place)

***O v Rhodes* [2016] AC 219**

(Use of *Wilkinson v Downton* tort to restrain publication of autobiography)

***Vidal-Hall v Google Inc* [2016] QB 1003**

(Misuse of private information - is it a tort, compensation in data protection)

***Axon v Ministry of Defence* [2016] EMLR 20**

(Naval Commander removed from command for bullying – no right to privacy)

***Mosley v Google Inc* [2015] EMLR 11**

(Search engine liability for availability on the internet of private photographs)

***Heggin v Google Inc* [2015] Costs LO 65**

(Search engine; trolling)

***Bewry v Reed Elsevier* [2015] 1 WLR 2565**

(Libel, extension of limitation period)

***Hannon & Dufour v NGN* [2015] EMLR 1**

(Compensation for damage to reputation in breach of confidence claim)

***Karpov v Browder* [2014] EMLR 8**

(Libel- foreign claimant – real and substantial tort)

***Tamiz v Google Inc* [2013] 1 WLR 2151 CA**

(Liability of information society service providing blog platform for defamatory postings by blogger)

***Davison v Google Inc* [2012] 3 CMLR 6**

(Liability of information society service providing blog platform for defamatory postings by blogger)

***Twentieth Century Fox v BT* [2012] Bus LR 1461**

(Injunction against internet service provider under s.97A CDPA 1988)

***R (BT and TalkTalk) v Secretary of State* [2012] Bus LR 1766**

(Compatibility of online infringement of copyright provisions of the Digital Economy Act 2010 with EU law)

***Trimingham v Associated Newspapers Ltd* [2012] 4 All ER 717**

(Harassment claim against newspaper)

***Imerman v Tchenguiz* [2011] Fam 116 CA**

(Privacy in computerized information; breach of confidence; relevance of "Hildebrand" rules)

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***A v Independent News and Media*** [2010] 1 WLR 2262 CA  
(Media rights of access to Court of Protection; media rights to receive information under Art 10)

***Metropolitan International Schools v Google*** [2009] EMLR 27 [2011] 1 WLR 1743  
(Liability of search engine for libel)

***Author of a blog v Times Newspapers Ltd*** [2009] EMLR 22  
(Privacy - anonymous blogger's identity)

***Harrods Limited v Times Newspapers Ltd*** [2006] EMLR 13  
(Breach of confidence; public interest defence; disclosure)

***Naomi Campbell v MGN Ltd*** [2004] 2 AC 457 HL  
(Privacy / breach of confidence/ data protection)

***Sara Cox v MGN Ltd*** [2003]  
(Privacy)

***Marco Pierre White v New York Times*** [2000]  
(Defences of volenti and contributory negligence in libel proceedings)

***Cherie Blair v Associated Newspapers Ltd*** [2000]  
(Privacy)

***Keen v Dow Jones*** [1999]  
(Claimant's right to make statement in open Court after accepting 'commercial' payment into Court in contested action - impact of Articles 6 and 10 of ECHR)

***HRH Princess of Wales v Taylor*** (comprised early 1995)  
(Appeared for gym owner throughout this novel litigation relating to the developing law of privacy)

***ITP v BBC Enterprise and Others Copyright Tribunal*** (Feb 1992)  
(Major copyright litigation under Schedule 17 of the Broadcasting Act 1990 relating to television and radio listings. Appeared for Time Out and Hello Magazine)

***Bookbinder v Tebbit (No. 2)*** [1992] 1 WLR 217  
(Public interest immunity in relation to District Audit Service Reports in libel proceedings)

***Derbyshire County Council v Times Newspapers Ltd*** [1992] QB 770 CA  
(Impact of Article 10 ECHR on English libel law - right of local authority to sue in libel)

## Commercial Law

***TRW Pensions Trust v Indesit & ors*** (2020) 190 Con LR 84 (joinder)

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outside limitation period)

***Eurasia Sports Ltd v Agvad*** [2020] LLR 303; [2018] 1 WLR 6089

(Service out of jurisdiction in online gambling industry fraud claim)

***Twentieth Century Fox v BT*** [2012] Bus LR 1461

(Injunction against internet service provider under s.97A CDA 1988)

***R (BT and TalkTalk) v Secretary of State*** [2012] Bus LR 1766

(Challenge to the compatibility of the on-line infringement of copyright provisions of the Digital Economy Act 2010 with EC law)

***Dowans Holdings SA v Tanzania Electricity Supply Corp*** [2011] 2 Lloyds Rep 475

(Enforcement of NY Convention arbitration award subject to challenge under law of the seat)

***AES Ust Kamenogorsk v Ust Kamenogorsk JSC*** [2011] 2 Lloyds Rep

233 (Arbitration anti-suit injunction and declaratory relief; recognition of foreign judgments; submission to the jurisdiction of foreign courts)

***Internet Broadcasting Corporation v Mar LLC*** [2009] 2 Lloyds Rep 295

(Construction of exemption clauses)

***BNP Paribas v Wockhardt EU Operations AG*** (2009) 132 Con LR 177

(Penalty clauses)

***Barlow Clowes (In liquidation) v Henwood*** [2008] BPIR 778

(Commercial fraud, insolvency, domicile)

***Film Finance Inc v Royal Bank of Scotland*** [2007] 1 Lloyds Rep 382

(Construction of arbitration clauses)

***Republic of Pakistan v Zardari*** [2006] 2CLC 667

(Conflict of laws; constructive trusts)

***Marubeni Hong Kong and South China Ltd v The Mongolian Government (No.2)*** [2005] 2 Lloyds Reports 231

(Performance bonds; discharge of foreign government guarantee under rule in *Holme v Brunskill*)

***Arab National Bank v El Abdali*** [2005] 1 Lloyds Rep 541

(Jurisdiction of English Court over fraudulently obtained foreign arbitration award)

***Tigana Ltd v Decoro Ltd*** [2003] EU LR 189

(Commercial agents' regulations)

***Marubeni Hong Kong and South China Ltd v The Mongolian Government*** [2002] 2 All ER (Comm) 873

(Foreign government guarantee, conflict of laws, test for validity of English jurisdiction clause where guarantee alleged to be ultra vires, forum non conveniens)

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***Chellaram v Chellaram*** [2002] 3 All ER 17  
(Conflict of laws; jurisdiction of English court under Brussels Convention Article 5(6) and CPR 6.20 in relation to foreign trusts; forum non conveniens)

***Fyffes Group Ltd v Templeman*** [2000] 2 Lloyds Reports 643  
(Equitable remedies for bribery)

***Re Migration Services International Ltd*** [2000] 1 BCLC 666  
(Directors disqualification - impact of Section 216 Insolvency Act 1986)

***Jyske Bank (Gibraltar) Ltd v Spjeldnaes and Ors*** [1999] 2 BCLC 101  
(section 423 Insolvency Act 1986 and the Brussels Convention) and [1999] Lloyds Rep. (Banking) 511 Dishonest assistance in breach of fiduciary duty)

***Python (Monty) Pictures Ltd v Paragon Entertainment Corporation***  
[1998] EMLR 640  
(Assignment of contracts - side letters)

***Padmanor Investments Ltd v Soundcraft Electronics Ltd*** [1995] 4 All ER 683  
(Effect of offers to compromise in three-party litigation)

***Attorney-General for Hong Kong v Reid*** [1994] AC 324 PC  
(Proprietary remedies of principal against bribed fiduciary)

***Sonangol UEE v Lundqvist*** [1991] 2 QB 310 CA  
(\$100 million international commercial fraud relating to oil trading. Worldwide mareva injunctions. Privilege against self-incrimination)

***R v Cross*** [1990] 91 Cr. App. R 115 CA  
(Insider dealing prosecution)

***Attorney General's Reference (No.1 of 1988)*** [1989] AC 971 HL  
(Insider dealing)

***Allied Arab Bank v Hajjar (No. 2)*** [1988] QB 944  
(Major International banking/commercial fraud)

## Employment Law

***Brennan v Sunderland City Council (No. 3)*** [2012] ICR 1183 EAT  
Third party proceedings in sex discrimination claim

***Enterprise Management Services v Connect-Up Ltd*** [2012] IRLR 190  
TUPE - service provision change

***In the matter of Horan*** [2011] Eq LR 473  
Disability discrimination; reasonable adjustments for disabled advocate

***Buckland v Bournemouth University*** [2011] QB 323 CA  
Repudiatory breach cannot be cured; test of reasonableness in unfair dismissal

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**Gibb v Maidstone etc NHS Trust** [2010] IRLR 786 CA  
Validity of "irrationally generous" public sector termination package

**Armstrong v Newcastle etc NHS Trust** [2010] ICR 674 EAT  
Equal pay - market forces GMF

**Hovell v Ashford and St Peters NHS Trust** [2009] IRLR 734 CA  
Equal pay; proof of equal value

**Brennan v Sunderland City Council** [2009] ICR 479 EAT  
Waiver of legal professional privilege in collective bargaining

**Nicholls v. Coventry City Council** [2009] IRLR 345 EAT  
Equal pay; GMF defences

**R (Marrion) v. Secretary of State** [2009] CA  
Firefighters' Pension Scheme

**Brennan v. UNISON** [2008] ICR 955  
Sex discrimination; collective agreements

**Walton Centre NHS Trust v. Bewley** [2008] ICR 1047  
Equal pay; hypothetical comparator

**Crowson Fabrics Ltd v Rider** [2008] IRLR 288  
Employee competition, confidential information, database right

**Cooper v Isle of Wight College** [2008] IRLR 124  
Deduction of pay in response to strike action

**Wetherill v Birmingham City Council** [2007] IRLR 781 CA  
Unilateral variation of contracts of employment

**Dunnachie v Kingston-upon-Hull City Council** [2005] IAC 226 HL  
Compensation for injury to feelings or psychiatric injury in unfair dismissal proceedings

**Igen Ltd v Wong** [2005] ICR 931 CA  
Burden of proof in discrimination cases

**Murphy v Slough Borough Council** [2005] ICR 721 CA  
DDA claims by teacher employed at school with delegated budget

**Beart v HM Prison Service (No.2)** [2005] ICR 1206 CA  
DDA and unfair dismissal claims; causation

**Crossley v Faithfull & Gould Holdings Ltd** [2004] ICR 1615 CA  
Employer's duty to safeguard economic well-being of employees

**Dunnachie v Kingston-upon-Hull City Council (No.3)** [2004] ICR 227  
Use of 'Ogden Tables' to calculate unfair dismissal compensation

**R (Arthurworry) v London Borough of Haringey** [2002] ICR 279

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Employer's duty of trust and confidence; disciplinary proceedings in advance of public inquiry

**Midland Mainline Ltd v RMT** [2001] IRLR 813 CA  
Industrial action - balloting requirements

**DTI v First Point International Ltd** The Times 24 August 1999. Div Ct  
Employment Agencies - lawfulness of appraisal for work overseas

**McVitae v UNISON** [1996] IRLR 33  
Disciplinary proceedings against trade union members following amalgamation of unions

**Barnsley MBC v Prest** [1996] ICR 85 EAT  
Redundancy payments

**Harrison v Kent County Council** [1995] ICR 434 EAT  
Refusal of employment because of past trade union activities

**Sunderland Polytechnic v Evans** [1993] ICR 392 EAT Wages Act  
Deductions in response to industrial action

**Johnstone v Bloomsbury Health Authority** [1992] QB 333 CA  
Hours of work of junior doctors; impact of UCTA on contracts of employment

**Deebank v West Midlands Residuary Body** [1990] ICR 349 CA  
Continuity of service in Local Government

**London Borough of Tower Hamlets v Rabin** [1989] ICR 693 EAT  
Race discrimination: Sabbath observance by Orthodox Jew

**Logan-Salton v Durham County Council** [1989] IRLR 99 EAT  
Consensual termination of employment contracts

**Miles v Wakefield DC** [1987] AC 539 HL  
Employers' right to deduct pay in response to industrial action

## Public Law and Local Government Law

**R (London Borough of Islington and ors) v Mayor of London** (2013)  
Challenge to closure of London fire stations

**R (BT and TalkTalk Group) v Secretary of State** [2012] Bus LR 1766  
Challenge to the compatibility of the on-line infringement of copyright provisions of the Digital Economy Act 2010 with EC law

**R v Lord Chancellor ex parte Lightfoot** [2000] QB 597 CA  
Validity of delegated legislation abrogating common law and Article 6 ECHR rights of access to the Courts

**Shine v UKCC Independent** 18 October 1999. Div Ct  
Right of appeal under section 12 of the Nurses Midwives and Health Visitors Act 1997 where a nurse is cautioned for misconduct

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***R v Mayor, Commonalty and Citizens of the City of London ex parte Matson*** [1997] 1 WLR 765 CA

Duty to give reasons for rejecting Alderman elect in City election

***R v Secretary of State for Education ex parte C*** [1996] ELR 93

Gifted child/special education needs

***R v Sheffield HBRB ex parte Smith*** (1994) 28 HLR 36

Test for commercial tenancy under Housing Benefit Regulations

***R v Kirklees MBC ex parte C*** [1993] 2 FLR 187 CA

Detention of child in adult mental hospital outside Mental Health Act 1983

***R v Greenwich London Borough Council ex parte Lovelace and Fay (No.2)*** [1992] QB 155 CA

Local authorities' rights against the Legal Aid Board

***R v Manchester Crown Court ex parte Killin*** The Times 31 October 1991; [1992] COD 23

Abuse of process in criminal proceedings

***R v Merseyside Police Authority ex parte Alison Halford (Nos.1&2)***  
(1991 and 1992 - unreported)

Judicial review of Police Authority decisions by highest-ranking woman police officer

***R v Greenwich London Borough Council ex parte Lovelace and Fay***  
[1991] 1 WLR 506; CA

Councillor's rights and duties to vote in accordance with conscience

***R v Derbyshire County Council ex parte Times Supplements Limited***  
[1991] 3 Admin LR 241; DC

Improperly-motivated local authority decision-making

***R v Derbyshire County Council ex parte Noble*** [1990] ICR 808; CA

Public/private law distinction in judicial review

***R v Secretary of State for Education ex parte Hardy*** The Times, 28 July 1988; [1989] COD 186; DC

School closures

***Coin Street Community Builders v London Borough of Barking and Dagenham*** The Times, 20 July 1988; CA

Local government re-organisation in London

***Attorney-General v Observer Limited*** [1988] 1 All ER 385

Effect of 'Spycatcher' injunction on library authorities

***R v Secretary of State for Home Department ex parte Herbage*** [1987] QB 872

Availability of injunctive relief against the Crown in judicial review

***Short v London Borough of Tower Hamlets*** [1985] 18 HLR 171 CA

Consultation duties under the Housing Act 1985



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## Constitutional and Commonwealth Cases in the Privy Council

***A.G. for Trinidad & Tobago v Whiteman*** [1992] 2 AC 240  
Constitutional rights of arrested suspects

***Administrator General for Jamaica v Exley Ho.*** (1992 - unreported)  
Jamaica - practice in relation to res judicata and issue estoppel

***Harewood v Retese*** [1990] 1 WLR 333  
Admissibility of extrinsic evidence in contracts for sale of land

***Baird v Baird*** [1990] 2 AC 548  
Nomination of beneficiary under company pension scheme

***Crampad International Marketing Company v Thomas*** [1989] 1 WLR 242  
Jamaican landlord and tenant legislation

***Gordon v Chokolingo*** (July 1988 - unreported)  
Law of libel in Trinidad and Tobago

***Sookoo v AG for Trinidad & Tobago*** [1986] AC 63  
Constitutional propriety of continuation in office of Chief Justice after retirement age

### Other Cases

***Re a Debtor (No. 490-SD-1991)*** [1992] 1 WLR 507  
Setting aside of Statutory Demand in case of partly disputed debt

***Harrison v Tew*** [1990] 2 AC 523 HL  
Taxation of solicitor's bills

***Mount Carmel Investments Limited v Peter Thurlow Limited*** [1998] 1  
WLR 1078 CA  
Limitation of actions

***R v Governor of Pentonville Prison ex parte Herbage (No. 3)*** [1986] 84  
Cr App R 149  
Extradition