



CATRIN EVANS QC

MAIN AREAS OF PRACTICE:

Commercial Law
Employment Law
Injunctions
Integrity+
Human Rights
Media and Information Law
Public Law
Sports Law

Called to the Bar 1994
Appointed to Silk 2016

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Catrin specialises in all aspects of media and information law. She has appeared over the years in many of the leading cases in defamation, privacy, data protection, breach of confidence and related human rights fields. Her expertise segues into related commercial, employment and public law and also encompasses harassment, malicious falsehood, media reporting restrictions, contempt of court, media regulatory work and freedom of information.

She acts for claimants and defendants; media and non-media corporates including national newspaper groups, broadcasters, global internet companies, publishing houses and financial entities, and government and other public authorities and institutions, as well as private individuals.

She has for many years been ranked in the legal directories, as a leading junior and now silk, in the categories of Defamation/Privacy, Data Protection and Media and Entertainment. Catrin was nominated for the Chambers and Partners Bar Awards Silk of the Year for Defamation/Privacy in 2017 (her first full year in silk) and won the award for Junior of the Year for Defamation/Privacy in 2008 and 2015, as well as being nominated on four other occasions. Before taking Silk Catrin was on the Attorney-General's "A" Panel of counsel.

In addition to acting regularly in high profile defamation, privacy and corporate breach of confidence claims involving well known personalities and/or public interest stories, Catrin has a substantial practice dealing with the ever-increasing number of claims arising from online communications and users' data privacy rights, particularly those with an international jurisdiction angle. Reported examples have included *Metropolitan International Schools v Google Inc.* [2009] EMLR 27 (search engine not liable for defamatory results), *Tamiz v Google Inc.* [2013] 1 WLR 2151 (blogger host not liable for defamatory posts), *Vidal-Hall v Google Inc.* [2016] QB 1003 (definition of 'damage' and various data privacy issues related to the placing of cookies on browsers), and *NT1/NT2 v Google LLC* [2018] 3 WLR 1165 (the first 'right to be forgotten' claims tried in the

DIRECTORIES' RECOMMENDATIONS

HERE'S WHAT THEY SAY

"An extremely clear and strategic thinker. She has excellent judgement and does not miss a point." "Intelligent, collaborative and thoughtful. We like her understated but confident manner."

"She gives superb and reasoned advice to clients and has a particular strength in cases with a data protection element." Chambers & Partners 2021 (Defamation & Privacy)

"She is super bright, lovely to work with and a go-to for media and tech clients." "She always knows what to say to advance her client's interest." "She is a phenomenal mix of attention to detail and approachability."

Chambers & Partners 2021 (Data Protection)

'A highly intelligent and adept barrister. She has incredible attention to detail and is very confident on her feet and easy to work with and is wonderful with clients.'

Legal 500 2021 (Data Protection)

'An outstanding advocate who continues to impress. Superb, incredibly bright and simply does not miss a beat.'

Legal 500 2021 (Defamation and Privacy)

'Brilliant lawyer and strategist. Doggedly determined. A charming advocacy style. Great team player and good fun to work with.'

Legal 500 2021 (Media and Entertainment)

"She's extremely knowledgeable, wonderful with the client, and someone who instils a great deal of confidence." "Extremely easy to work with, and very on top of how the media operate."

Chambers and Partners 2019

English courts). She also advises broadcasters, newspapers and corporates on data privacy issues pre- and post-publication.

Catrin acted in some of the earliest ground-breaking freedom of expression and privacy cases applying the then new Human Rights Act: e.g. *Naomi Campbell v MGN Ltd* [2004] 2 AC 457 (for the claimant: established new tort of misuse of private information), *Cream Holdings v Banerjee* [2005] 1 AC 253 (for defendant newspaper: test for relief in freedom of expression cases under HRA), *Greene v Associated Newspapers Ltd* [2005] QB 972 (for defendant newspaper: reconciliation of libel interim injunction principles with HRA).

REPRESENTATIVE CASES

PRIVACY, BREACH OF CONFIDENCE, DATA PROTECTION

Appleby Global Group LLC v BBC [2018] EMLR 14 – For the BBC in mass data leak breach of confidence claim relating to its investigation into the 'Paradise Papers' and off-shore finance industry.

NT1/NT2 v Google LLC [2018] 3 WLR 116 – For Google LLC (with Antony White QC) in data protection and privacy "right to be forgotten" claims; the first trials of such claims in England and Wales since the ECJ's "Google Spain" decision.

Various Claimants v News Group Newspapers Ltd (2017) – For respondent Rebekah Brooks in third party disclosure application brought by claimants in ongoing phone hacking/privacy claims against *The Sun*.

Richardson v Google Inc. [2016] EWHC 1534 (QB) – For Google Inc. in defence of privacy and data protection claims and in an application for an Extended Civil Restraint Order.

Kutcher & Kunis v Associated Newspapers Ltd (2015-2016) – For MailOnline (with Antony White QC) in data protection and misuse of private information claim by married actors and their child relating to publication of photos in California.

Axon v Ministry of Defence v News Group Newspapers Ltd [2016] EWHC 787 (QB) – Junior for *The Sun* newspaper (with Antony White QC) in trial of privacy and indemnity claims arising from Metropolitan Police Operation Elveden investigation.

Paul Weller v Associated Newspapers Ltd [2016] EMLR 7 – Junior counsel for Mail Online (with Antony White QC) in privacy claim by the well-known musician; raised important developing issues re privacy/images/children.

Vidal-Hall v Google Inc [2016] QB 1003 and [2014] 1 WLR 4155 – Junior for Google Inc. (with Antony White QC) in landmark case raising two important issues of law: is misuse of private information a tort; and can distress damages be claimed as of right under s.13 Data Protection Act 1998? Claim alleging privacy and data protection breaches from use of online cookies.

Hannon & Dufour v News Group Newspapers Ltd [2015] EMLR 1 – Junior for *The Sun* newspaper in privacy claims arising from Operation Elveden.

Trushin v National Crime Agency [2014] EWHC 3551 – For NCA in claim by Russian businessman raising what Foskett J described as potentially important wider issues about NCA's role as data controller and its obligations as a public authority viz claimant's Article 8 rights.

Heggin v Google Inc. (2014) – Junior for Google Inc. in injunction claim and first English 'application of ECJ 'right to be forgotten'; led by Andrew Caldecott QC.

Leveson Inquiry (2011) – Adviser to major media organisation.

Lily Allen v Big Pictures (2009) – For Big Pictures picture agency in harassment/privacy injunction application.

Lord Browne v Associated Newspapers Ltd [2008] QB 103 – For defendant with Victoria Sharp QC and Aidan Eardley in successful resistance of privacy injunction appeal by the chairman of BP.

Cream Holdings v Banerjee [2005] 1 AC 253 – Breach of confidence: junior for defendants in important House of Lords decision for freedom of expression under HRA.

Lord Coe v Associated Newspapers Ltd (2004) – For defendant in successful resistance of urgent application for interim privacy injunction.

Naomi Campbell v MGN Ltd [2004] 2 AC 457 – Junior to Andrew Caldecott QC and Antony White QC for the claimant in landmark House of Lords decision on privacy.

Victoria and David Beckham v Niblett & Michael O'Mara Books Ltd (2000) – Acted for Beckhams' chauffeur/publisher's source in breach of confidence injunction claim.

DEFAMATION, MALICIOUS FALSEHOOD

Carruthers v Associated Newspapers Ltd [2019] EWHC 33 (QB) – For Mail Online in libel, privacy and DPA claims: determination that words consisted of opinion; summary judgment for the defendant.

Morgan v Associated Newspapers Ltd (No.1) [2018] EWHC 1850, (No.2) [2018] EMLR 25 and (No.3) [2018] 12 WLUK 96 – For the Daily Mail/Mail Online in libel claim determining issues as to meaning, scope of honest opinion and summary judgment/strike out.

Melania Trump v Associated Newspapers Ltd (2016-2017) – For MailOnline in defence of the libel claim by the First Lady of the United States

Nick Brown MP v Bower & Faber & Faber Ltd [2017] 1 WLR 4703 – For the defendants in libel claim by Shadow Chief Whip in relation to a passage in book about the Blair Government and whether serious harm to reputation should be tried as preliminary issue.

Ahmed v Express Newspapers and Associated Newspapers Ltd (2017) – For ANL in strike out of libel claim; relevance of recent criminal conviction.

Rowland v Mitchell (2013-2015) – Junior counsel for police officer who successfully sued Andrew Mitchell MP for libel over the 'Plebgate affair'.

Prince Alwaleed Bin Talal Bin Abdulaziz Al Saud v Forbes LLC (2013-2015) – for American publisher in libel claim concerning the 'Forbes Billionaires' List'.

Fox v Boulter [2013] EWHC 4012 (QB) – For Ministry of Defence and Cabinet Office in successful resistance of third party disclosure application in libel litigation brought by Dr Liam Fox.

Karpov v Browder [2013] EWHC 3071 (QB) – Junior for defendants in successful strike out of libel internet publication claim about the death of a whistleblower in Russian custody and allegations of a \$230m tax fraud.

Tamiz v Google Inc [2013] 1 WLR 2151 – Junior for Google in successful resistance of appeal against strike out for abuse of process but which did not uphold the decision below that Google is not liable at common law or in statute for defamatory words posted by bloggers ([2012] EMLR 24).

Tamiz v Guardian Media Ltd [2013] EWHC 2339 (QB) – For defendant newspaper in successful strike out of libel claim on grounds including abuse of process.

Tesla Motors Ltd v BBC [2013] EWCA Civ 152 – For the BBC led by Andrew Caldecott QC in successful strike out of libel and malicious falsehood claims arising from the 'Top Gear' programme. Also below: [2012] EWHC 310 and [2011] EWHC 2760.

Bento v Bedfordshire Police (2012) – For defendant police force, led by Richard Rampton QC, in libel action about a murder conviction and later acquittal; also Court of Appeal decision as to whether should be jury trial.

Thornton v Telegraph Media Group Ltd [2012] EMLR 8 – Junior for *Daily Telegraph* in trial of offer of amends, malice and malicious falsehood arising on a book review.

Morrissey v McNicholas [2011] EWHC 2738 – Strike out for want of prosecution/abuse application - for NME music magazine in claim brought by the singer Morrissey.

Metropolitan International Schools Ltd v Designtecnica Corp and Google Inc [2009] EMLR 27 – Junior counsel for Google Inc (with Antony White QC) in important ruling that Google is not a publisher at common law in respect of search results generated by its search engine.

Bray v Deutsche Bank AG [2009] EWHC 1356 (QB) and [2008] EMLR 12 – For defendant bank with Andrew Caldecott QC in case about a press release and rulings on summary judgment applications in relation to qualified privilege and malice.

Lord Stevens v Sunday Life and Lord Stevens v Sunday World (2008-2010) – Junior counsel for 20 claimants in libel claims in the Northern Ireland High Court against two newspapers over allegations arising from the Lord Stevens Inquiry into the murder of Patrick Finucane.

Bond v BBC [2009] EWHC 539 (QB) – For BBC with Andrew Caldecott QC in preliminary trial of meaning by judge alone in respect of a *Panorama* programme about allegations of 'bung' taking into football.

Tesco Stores (UK) Ltd v Guardian News & Media Ltd [2009] EMLR 5 – For *The Guardian* newspaper, led by Andrew Caldecott QC, in important offer of amends case.

Paul McKenna v MGN Ltd [2006] EWCH 1996 (QB) – Junior for the *Mirror* newspaper in a case brought by the well known hypnotist in which the justification defence failed at a trial by judge alone.

Sir Elton John v Associated Newspapers Ltd (2006) – For the *Daily Mail* in an offer of amends case.

Kieren Fallon v MGN Ltd [2006] EWHC 783 (QB) – For the *Racing Post*, led by Richard Hartley QC, in a claim about race fixing allegations.

Greene v Associated Newspapers Ltd [2005] (QB) 972 – For defendant in important decision on libel injunctions and the Human Rights Act, at first instance and, with Andrew Caldecott QC, in Court of Appeal.

Taylor -v- Director of the Serious Fraud Office & ors [1999] 2 AC 177, HL – Junior for the SFO and the Law Society in case in the Court of Appeal and House of Lords establishing immunity from suit for police investigators.

HARASSMENT, DEFAMATION

Suttle v Walker (2019) Jan 2019, Nicklin J – for claimant in harassment, libel and DPA claim; £55,000 damages and injunction as a result of campaign of cyber-bullying on Facebook

EMPLOYMENT, DATA PROTECTION

Cooper v National Crime Agency [2019] EWCA Civ 16 – For NCA in unfair dismissal and data protection claims arising from NCA use of police information in connection with employee disciplinary proceedings; successful resistance of appeals.

MEDIA REPORTING RESTRICTIONS/ CONTEMPT OF COURT/ COMMITTALS

R (on the application of TT) v Registrar General for England and Wales [2019] EWHC 1823 (Fam) – acted for transgender father applicant seeking to retain anonymity in public law proceedings related to description as ‘mother’ on child’s birth certificate.

Attorney-General v Random House Group Ltd [2009] EWHC 1727 (QB) – For Random House in contempt injunction proceedings in relation to a published book deemed to pose a substantial risk to the course of justice in an ongoing terrorist trial.

Attorney General v Smith [2008] EWHC 250 (Admin) – Acted for the Attorney General in RSC Order 52 committal proceedings in Divisional Court; respondent received 3 month custodial sentence for interfering with the administration of justice by impersonating a litigant in the county court.

Haw & Tucker v City of Westminster Magistrates Court [2008] QB 888 – Acted for City of Westminster Magistrates Court in a case in the Divisional Court which determined the correct statutory route for appeals from committals for contempt in the magistrates court.

R v Hamer (2006) – For media organisations in successful application in Manchester Crown Court to lift section 39 reporting restriction in relation to juvenile convicted of murdering a fellow pupil.

AG v Pelling [2005] EWHC 414 (Admin) – For Attorney General in committal proceedings led by Andrew Caldecott QC.

AG v Express Newspapers (2004) – For defendant, led by Andrew Caldecott QC, in prosecution under Contempt of Court Act.

The Clywch Inquiry (2003) – For BBC in successful application to the Children’s Commissioner for Wales to lift reporting restrictions in child abuse inquiry.

R v Great Grimsby Crown Court, ex parte Littlewood, Court of Appeal (Criminal Division), (2002) A LL ER (D) 328 (Feb) – Acted for successful newspaper when Court of Appeal upheld Crown Court refusal to grant anonymity order to defendant accused of sex offences in children’s homes. Also acted for the newspaper in the Divisional Court in the defendant’s unsuccessful application for permission to bring judicial review of Crown Court decision.

FREEDOM OF INFORMATION

Cieslik v Information Commissioner and Ors (2015) – For Dept for Transport in First-tier Tribunal appeal under FOIA and the Environmental Information Regulations.

Department for Culture Media & Sport v Information Commissioner [2008] UKIT EA 2007/0090 – For DCMS (with Jonathan Swift) in successful appeal from the IC's decision to order disclosure of information engaging the exemptions in s35(1)(a) and (b) of FOIA (ministerial communications and minister/civil servant communications).

Tanner v Information Commissioner [2008] UKIT EA 2007/0106 – For HM Revenue & Customs in successful application of summary disposal procedure under the Information Tribunal (Enforcement Appeals) Rules 2005. First specific guidance from the Tribunal on this procedure.

McIntyre v Information Commissioner and Ministry of Defence (2008) – Acted for the additional party in FOIA appeal to the Information Tribunal in relation to the exemption in section 36(2).

Meunier v Information Commissioner and National Savings and Investments [2007] UKIT EA 2006 0059 – For additional party in FOIA appeal to the Information Tribunal on the exemption in section 44.

MISCELLANEOUS

Weir v Department of Transport (Railtrack shareholder trial) (2005) – For respondent Office for National Statistics in successful resistance of application brought by class action claimants for documents relating to allegations of malice against Stephen Byers (former Secretary of State for Transport).

Rupert Allason v Random House UK Ltd [2003] All ER (D) 328 (Oct), Ch.D – (Copyright, freezing injunction) for defendant in successful application for release from an undertaking so as to rely on documents for an application outside the jurisdiction.

Blue Underground v British Board of Film Classification (2002) – Junior for the Board in successful resistance of appeal to Video Appeals Committee over classification of a sexually violent video.

PUBLICATIONS AND SEMINARS

Co-author, *Atkin's Court Forms on Confidence, Privacy and Data Protection*, 2006

Author, *Atkin's Court Forms on Confidence, Privacy and Data Protection*, 2002

Author, *The Offence in Section 55 of the Data Protection Act – Unlawful Obtaining of Personal Data*, 2003

Seminars

Monitoring of employee social media, Jan 2019

Privacy damages quantum, White Paper Conference, Nov 2018

What is happening to truth in defamation claims?, One Brick Court Seminar *Broken Boundaries: New Frontiers in Media and Information Law*, June 2017

New provisions for website operators in the 2013 Defamation Act, One Brick Court Seminar on the new Defamation Act 2013 October 2013

Reporting restrictions and privacy rights, Justice Conference, 2009

Freedom of Information Act – How It Operates and Early Lessons

Privacy after Naomi Campbell

Reynolds/Al Fagih and the Repetition Rule in Libel

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Data Protection and Privacy Laws for Media Defendants
Privacy Rights in the Work Place

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