



ANTONY WHITE KC

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)

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)

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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)

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 outside limitation period)

Eurasia Sports Ltd v Aguad [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)

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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)

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

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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

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

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

***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

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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

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

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