



ANDREW CALDECOTT QC
Call: 1975 | Silk: 1994

Registered name on the Bar Standards
Board Register:
Andrew Hilary Caldecott QC
Vat Number: 150169530

Overview

Andrew was awarded Chambers and Partners “Defamation and Privacy Silk of the Year” in 2005, 2007 and again in 2009. He is consistently recommended as a leading silk in Media and Entertainment and Defamation and Privacy in The Legal 500, and is listed as a “Star Individual” in Chambers and Partners from 2011-2019. In addition, Andrew is ranked as a leading silk in Data Protection in The Legal 500 and Chambers and Partners, and is also listed in Who’s Who Legal 2018 for Defamation and Privacy and Media and Entertainment.

Andrew regularly advises and acts for broadcasters and publishing houses, corporations and celebrities, as well as government departments and ministers in the UK and various foreign jurisdictions.

Recognition

A star of the Defamation and Privacy Bar, widely regarded as the leading silk in the area. He has unrivalled Supreme Court experience and is continually instructed in high-profile, precedent-setting cases concerning defamation, privacy and malicious falsehood. *“His submissions are treated with great respect by all tribunals from the Supreme Court down.”* *“Hugely energetic and industrious. He has a brilliant legal mind and pays meticulous attention to detail.”* Chambers and Partners 2019 (Defamation/Privacy)

He is known in the market as a key player in both defamation and information law, and is often called upon to tackle cases of particular complexity. *“He sees through issues with impressive incisiveness, but he’s also quite humble and easy to deal with.”* *“Caldecott has an exceptional mind, and he’s very engaged.”* Chambers and Partners 2019 (Data Protection)

“A particular pleasure to work with.” The Legal 500 2018 (Defamation and Privacy)

“The silk you want on your side in any complex privacy/data protection dispute.” The Legal 500 2018 (Data Protection)

“He has very impressive legal knowledge and court skills.” The Legal 500 2018 (Media and Entertainment)

“Has a phenomenal grasp of defamation and privacy law, and is a hugely respected advocate.” *“Hugely energetic and industrious, he has a brilliant legal mind and meticulous attention to detail.”* *“He has a vast reservoir of knowledge, is authoritative and brilliant on his feet.”* Chambers and Partners 2018 (Defamation/Privacy)

“He brings great gravitas and great authority to cases; he’s charming, but with a mind like a steel trap.” *“A very persuasive advocate, whom judges listen to.”* Chambers and Partners 2018 (Data Protection)

“A genius. His knowledge is astonishing and his feel for a case is always spot-on. His advocacy is excellent.” *“He must be one of the top silks in the country. He’s just amazing – a decent person and phenomenally clever.”* *“Working with Andrew was the best moment in my career. He brings an electric focus to a case and has such charm and gravitas in court that judges are naturally inclined to what he has to say. A genuine talent.”* Chambers and Partners 2017 (Defamation/Privacy)

Highly experienced silk with an outstanding reputation in the field of defamation. He has been involved in a number of leading cases in data protection law, including the House of Lords case of Campbell v MGN. *“He is wonderful. He is incredibly bright and has his finger on the pulse. He has such good judgement.”* *“He’s a brilliant advocate and great to listen to.”* Chambers and Partners 2017 (Data Protection)

“He has a dazzling intellect and is extremely thoughtful.” The Legal 500 2016 (Defamation and Privacy)

“He combines a huge intellect with a deep understanding of the media sector.” The Legal 500 2016 (Media and Entertainment)



Highly sought after and widely considered to be the leading silk in this field. He has unparalleled expertise in defamation, libel and privacy. He is regularly instructed in the complex and cutting-edge Supreme Court cases. *"He is the king of defamation – intellectually, he is in his own league."* *"He is a shrewd lawyer whose submissions are treated with great respect by all tribunals from the Supreme Court down."* *"He is a genius who never fails to impress."* Chambers and Partners 2016 (Defamation/Privacy)

A leading figure in the field of defamation and privacy, with a well-respected practice in the related field of information law. He has noted expertise in relation to the operation of data protection law with respect to internet intermediaries such as Google. *"He is one of the best. Very clever, very practical, very clear and very concise."* *"He is a superstar - a lovely guy and an amazing advocate."* Chambers and Partners 2016 (Data Protection)

Andrew Caldecott QC - One Brick Court *"A cerebral master, team player and outstandingly persuasive advocate."* The Legal 500 2015 (Defamation and Privacy)

"A solution-driven silk with a deep understanding of client needs." The Legal 500 2015 (Data Protection)

"Excellent on complex issues of law on which he gives elegant and persuasive tutorials to the judges." The Legal 500 2015 (Media and Entertainment)

A true leader in the marketplace, he routinely acts on landmark cases representing broadcasters, celebrities and government departments. Commentators consistently name him the *"best silk at the Libel Bar."* *"He has a brilliant mind and is a bit of a phenomenon really."* *"He is a shrewd lateral thinker, a very good team player and a forensically astute advocate."* Chambers and Partners 2015 (Defamation/Privacy)

Extremely strong defamation and media silk who is fully au fait with data protection and information rights cases. He has handled a number of high-profile FOIA cases and matters concerning journalistic ethics. *"A barrister who produces extremely high-quality pleadings."* *"He is dazzling."* Chambers and Partners 2015 (Data Protection)

An undisputed titan in the field, he earns universal admiration for his written work and his advocacy skills. He is generally involved in the biggest and most important defamation cases and is seen by many as the best libel barrister of his generation.

"He's brilliant, as he is incredibly intelligent and strategic, and has a way of pulling strands of a case together to make it winnable." *"An outstanding silk with every skill you could wish for, he is someone judges just absolutely love."* Chambers and Partners 2014 (Defamation/Privacy)

Andrew undertakes instructions in this field as part of a wide-ranging media law practice, which also takes in defamation and libel law, as well as injunctions and harassment matters. *"Andrew brings sheer intellectual brilliance to a project, which he combines with a thorough understanding of the client base. He brings his brain as well as a great understanding of what we need. He is a unique beast. He is also an amazing advocate, who is very calm and persuasive and seems to always have the ear of the judges."* *"He is one of those people you wouldn't want to be against - he is pretty brilliant."* Chambers and Partners 2014 (Data Protection)

The *"phenomenal"* Andrew Caldecott QC *"remains at the very top of his game and the profession in general"* and is *"highly recommended for his tactical nous and strategic ability"*. The Legal 500 2013/14

Andrew Caldecott QC is at the very pinnacle of his profession, and is admired by peers, instructing solicitors and clients alike. Described variously as a *"titan"* and *"a brain of Britain"* he is quite simply *"the best libel barrister around bar none"*, equipped as he is with *"more grey cells between his ears than you or I will ever have."* The analysis he proffers is both *"ingenious and forensic"* and he is *"a master of the bigger picture"* who offers superior strategic advice. In addition to this, solicitors say that he has *"a common-sense approach which means clients can easily understand him."* Chambers and Partners 2013

"head and shoulders above anyone else" *"just the best"* and *"the go-to boffin for complex defamation or privacy work"* depending on which of his many adherents you listen to. Noted for both his overwhelming intellect and pleasant manner, he is *"a prize advocate who always enjoys a good relationship with the Bench"*. According to those that use him, he is *"incredibly articulate, and always adds something in conference – he just plucks propositions out of the air which enable you to win a case."* Chambers and Partners 2012



Representative Cases

Inquiries

Counsel for the Guardian in the Leveson Inquiry

Counsel for the BBC in the Hutton Inquiry

Defamation

Lachaux v AOL [2017] EWCA Civ 1334 – Meaning of serious harm in Defamation Act 2013, section 1 (CA)

Mionis v Democratic Press S.A. & ors [2017] EWCA Civ 1194 – Lawfulness of a settlement undertaking (CA)

Lisle-Mainwaring v Associated Newspapers Ltd (2017) EWHC 543 (QB)

Brown v Bower (2017) EWHC 2637 – Meaning and repetition rule

Lu & ors v Chan & ors, Hong Kong Final Court of Appeal (2017) – Permission granted on proper test for malice – Hearing in March 2018

Construction Industry Vetting Information Group Litigation (2016)

Begg v BBC [2016] EWHC 2688 (QB) – Libel trial for defendant, justification defence succeeded

Murray v Associated Newspapers Ltd [2015] EMLR 21 (CA) – The offer of amends regime

Makudi v Triesman [2014] EWCA Civ 179 – Scope of parliamentary privilege (CA)

Rothschild v Associated Newspapers Limited [2012] EWHC 177 (QB) and [2013] EWCA Civ 197 – At trial for defendant and on unsuccessful appeal by the claimant

Cairns v Modi [2012] EWHC 756 (QB) – For the claimant at trial and on subsequent unsuccessful appeal by the defendant on quantum of damages

EI Naschie v MacMillan Publishing (2011) – Trial, for defendant

Tesla v BBC [2011] EWHC 2760 (QB) – For defendant, strike out

Baturina v Times Newspapers [2011] 1 WLR 1526 (CA) – Libel appeal, issue of identification

Spiller v Joseph [2010] UKSC 53 – Supreme Court, intervener representing Associated Newspapers, Times Newspapers & Guardian News & Media, honest comment

Horlick v Associated Newspapers [2010] EWHC 1544 – For defendant, defamatory meaning

Budu v BBC [2010] EWHC 616 (QB) – For defendant, abuse of process, defamatory meaning, archive material

Shovell v Adventis (2010) – Trial, for defendant

Dee v Telegraph Media Group [2010] EMLR 20 – Legal approach to meaning and context

North London Central Mosque v Policy Exchange (2010) – For defendant, identification, capacity to sue, strike out

Pell v Express Newspapers [2009] EWHC 118 – For defendant, abuse of process

Bray v Deutsche Bank AG [2008] EWHC 1263 (QB) – For the defendant bank, qualified privilege and malice case

Bond v BBC [2009] EWHC 539 – For defendant, meaning, scope of justification



Tesco Stores (UK) Ltd v Guardian News & Media Ltd [2009] EMLR 5 – Offer of amends regime

Carmen Mitchell-Briscoe v Constance Briscoe (1) and Hodder & Stoughton (2) (2008) – Trial, for the defendants

David Moyes v Wayne Rooney (2008) – For claimant

Jeynes v News Group Newspapers Ltd [2008] EWCA Civ 130 – For defendant, meaning

Gerry & Kate McCann v Express Newspapers & ors (2008) – Representing the media, offer of amends

Robert Murat & Ors v Associated Newspapers & ors (2008)

Armstrong v Times Newspapers (no 2) [2006] EMLR 166 – Libel preliminary issues and mode of trial (CA)

Henry v BBC – Trial, for defendant

Armstrong v Times Newspapers (no 1) [2005] EMLR 797 (CA)

Greene v Associated Newspapers [2005] QB 972; (2005) 3 WLR 281 – Libel injunction

Musa-King v Telegraph [2005] 1 WLR 2282 (CA); [2004] EMLR 23 – Meaning and repetition rule

Reynolds v Times Newspapers [2001] 2 AC 127; [1999] 3 WLR 1010 (HL) – Leading case on qualified privilege at common law/article 10

Al Fagih v H H Saudi Research [2002] EMLR 215 (CA) – Qualified privilege and “neutral reportage” of political issues

Bonnick v Morris [2002] 3 WLR 820 – Privilege and meaning (PC)

Kearns & Co v The General Council of the Bar [2003] 1 WLR 1357 (CA); [2003] EMLR 27 – Qualified privilege, claimant’s claim struck out as privileged, upheld by Court of Appeal

Taylor v SFO [1999] EMLR 1 – Leading case on disclosure of documents and absolute privilege for criminal investigations (HL)

Major v New Statesman & ors – Represented the Prime Minister

Breach of Confidence/ Privacy/ Data protection

Construction Industry Vetting Information Group Litigation (2016)

Voicemail Interception Scheme (2016)

Goldsmith v BCD [2011] EWHC 674

RST v UVW [2010] EMLR 13 – Injunction

Sophie Dahl v Northern & Shell PLC (2009)

Sir Martin Sorrell (2) Daniela Weber v (1) FullSix SpA (2) FullSix Francia SAS (3) Marco Benatti (4) Marco Tinelli (2007) – Privacy trial

X & Y v Persons unknown [2007] EMLR 10 – John Doe Injunctions

A v B [2005] EWHC 1651 (QB); [2005] EMLR 851 – Interim injunction

Green Corns v Express & Star [2005] EMLR 31 – Interim injunction

Naomi Campbell v Mirror Group Newspapers [2004] 2 AC 457; [2004] 2 WLR 1232; [2004] EMLR 15; [2004] UKHRR 648 – Leading case on privacy (HL)



Lord Ashcroft v Foreign Office and DFID – Data protection and breach of confidence

Venables v News Group [2001] 2 WLR 1038; [2001] EMLR 10; [2001] 1 FLR 791; [2001] UKHRR 628; [2001] HRLR 19 – For the Attorney General, anonymity orders

X and Y v News Group, Mirror Group and anor [2003] EMLR 37 – For the Attorney General on the application of Mary Bell and her daughter for anonymity

HRH Princess of Wales v MGN (1995) – Trial, for the Princess of Wales

Contempt of Court

AG v Conde Nast Publications Ltd [2016] EWHC 682 (Admin) – Represented the Attorney General

AG v MGN & News Group Newspapers (2011) – Represented the Attorney General

AG v MGN [2009] EWHC 1645 (Admin) – For respondent, mitigation

AG v ITV [2008] EWHC 1984 – For respondent, mitigation

AG v BBC (2007) – Representing BBC on the original application by the AG for an urgent injunction to restrain a potential contempt

AG v Express Newspapers [2005] EMLR 13 – Represented the respondent on the AG's contempt application

AG v MGN (2002) – Represented Attorney General

AG v Manchester Evening News (2002) – Represented Attorney General on breach of the Venables anonymity order

AG v MGN & ors [1997] 1 ALL ER 456 – Represented newspaper in successfully resisting contempt proceedings

AG v Unger & ors [1998] EMLR 280 – Represented newspaper in successfully resisting contempt proceedings

Reporting Restrictions

R v F (2016) Crim L.R. 775

R v Dobson (2011) – Reporting restrictions, criminal retrial

R v Chaytor, Morley, Divine & Hanningfield (2010) – For various media organisations, Criminal Court of Appeal, MP's expenses criminal trial

R v Dobson (2010) – Criminal Court of Appeal, for various media organisations, reporting restrictions

Malicious Falsehood and Trade Libel

Tesla Motors Ltd (1) & Tesla Motors Inc (2) v BBC [2013] EWCA Civ 152

Tesla v BBC [2011] EWHC 2760 (QB)

Ajinomoto v Asda [2010] EMLR 23 – Court of Appeal, for the defendant, single meaning rule in malicious falsehood

Currys v Comet [2002] FSR 58 – Interim injunction



Obscenity

R v VAC (ex parte BBFC) [2008] EWHC 203 (Admin) – Represented the successful claimant in Judicial Review proceedings brought by the British Board of Film Classification challenging the Video Appeal Committee's decision to classify the videowork *Manhunt 2* on the basis of an error of law (establishing the correct test for 'harm' under the Video Recordings Act 1984)

Eight Distributors v British Board of Film Classification (2005) – Represented the Board at Video Appeals Committee hearing

Blue Underground v British Board of Film Classification (2002) – Represented the Board on classification appeal

Publications and Seminars

Co-author *Halsbury's Laws Libel and Slander*

Previously co-author of the Libel and Slander and Malicious Falsehood chapters of *Bullen & Leake & Jacob's Precedents of Pleadings*

Regularly speaks at conferences and seminars on all aspects of media law

Qualifications

BA (Hons), Modern History, University of Oxford (New College)

Bencher Inner Temple, 2004

Head of Chambers, 2007-2016

Appointed as the Specialist Legal Advisor to the Parliamentary Joint Committee of the House of Lords and Commons scrutinising the Defamation Bill 2011