



JANE PHILLIPS  
Call: 1989

Registered name on the Bar Standards  
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## Overview

Jane is a highly experienced and effective practitioner in all areas of media law, in particular defamation, privacy, breach of confidence, data protection, reporting restrictions, production orders, contempt and harassment. She is often called upon to apply for, or resist, emergency injunctions.

Jane has appeared at first instance, the Court of Appeal and in the Privy Council in numerous leading cases and has been at the forefront of developing the law in her field. Jane acted on behalf of numerous claimants in phone-hacking litigation against The News of the World and in News International's Voicemail Interception Compensation Scheme.

In addition, Jane regularly advises in non-contentious matters where reputational issues arise such as employment and company disputes and other high-profile and press-sensitive controversies. She also provides high-level pre-publication advice to major publishers and has been retained by Time Magazine for the past 20 years.

Jane advises in relation to claims in other common-law jurisdictions, including Hong Kong, Singapore, Jamaica and the Isle of Man. She has recently advised on substantial libel litigation in Northern Ireland.

## Recognition

Jane has been consistently recommended as a 'Leading Junior' in Defamation/Privacy in Chambers and Partners Guide to the Legal Profession and in The Legal 500 Directory, Legal Experts and Who's Who Legal UK Bar. She has been described in previous editions as a "go-getter" with "shining intelligence" who "understands the industry well" and who is "admired for her persuasive ways".

Well-regarded junior specialising in media litigation. She acts for a number of high-profile celebrity clients and media organisations in sensitive disputes. She also provides pre-publication advice to book publishers and broadcasters. "She has great judgement and is a pleasure to work with." "Highly experienced and approachable." Chambers and Partners 2019

"Superb judgement, very thorough and a delight to work with." The Legal 500 2018

"She is very effective and is great at providing strategic insight ... She got through to the roots of the issue really quickly and gave us concrete advice" Chambers and Partners 2018

"A specialist media law advocate, who gives effective legal advice." The Legal 500 2017

"I would recommend her for her clear, prompt, thorough and excellent advice...She is very calm and has a sharp legal mind...She is highly experienced and has an ability to grasp the key issues and deliver constructive advice. She is approachable, versatile and good at managing clients' expectations." Chambers and Partners 2017

"She provides clear, practical and effective legal advice." The Legal 500 2016

"She has an ability to quickly grasp the key issues and deliver constructive advice. She's highly experienced, approachable and good at managing expectations...She is very effective and provides great strategic insight." Chambers and Partners 2016

"She has very sound judgement and immense knowledge and is a pleasure to work with." The Legal 500 2015

"Highly personable, approachable, responsive, helpful and knowledgeable...She's very effective and provides great strategic insight." Chambers and Partners 2015



*"She exudes confidence."* The Legal 500 2014

*"She has an ability to quickly grasp the key issues and deliver constructive advice. She's approachable and good at managing clients' expectations."* Chambers and Partners 2014

*"A true specialist who exudes confidence", noted for her "intelligence and creativity".* The Legal 500 2013/14

*"While some counsel might be overly bullish or overly pessimistic in their diagnosis, she is always pragmatic and quick to give incisive advice"* Chambers and Partners 2013

*"An absolutely excellent advocate"* The Legal 500 2012/12

*"A go-to senior junior, who is incredibly pragmatic, knowledgeable, and sympathetic to the client...Her talents are sufficiently manifold that she can easily switch between claimant and defendant work."* Chambers and Partners 2012

Jane's pre-publication advice has received praise in Alex Ferguson's autobiography as *"positive, practical and friendly"*.

## Representative Cases

### Defamation and Malicious Falsehood

**Mionis v Demokratia** (2017) – Junior Counsel for the successful claimant on appeal to the Court of Appeal on issue of enforcement of Tomlin Orders.

**Dr Waghorn v General Medical Council** (2017) – Successful application for the GMC for summary judgment in respect of a claim for libel and malicious falsehood by a doctor.

**Shakeel Begg v BBC** (2016) – Successful trial for the defendant against an Imam found to have preached jihad.

**Citation Plc v Ellis Whittam Ltd** (2013) EWCA Civ 155 – Junior Counsel at first instance and in Court of Appeal for successful defendant in a strike out application for abuse of process.

**Dr Fish v Barnsley Hospital Trust** (2013) – Successful libel claim on behalf of the claimant in case which settled on first day of trial.

**Morrice v BBC** (2013) – Junior Counsel for the defendant in its defence of a significant libel claim (asserting defences of justification, honest comment and responsible journalism) brought by a prominent geologist.

**Dr White v Southampton University Trust** (2011) – Successful strike application out on the grounds of absolute privilege

**Virginia McKenna v Associated Newspapers** (2011) - Successful libel claim on behalf of the claimant against the Daily Mail

**Barbara Broccoli v Associated Newspapers** (2011) – Successful libel claim on behalf of the claimant against the Daily Mail & the Mail on Sunday

**Lily Safra v Associated Newspapers** (2011) – Successful libel claim on behalf of the claimant against the Daily Mail

**Trafigura v BBC** (2009) – Acted for BBC in libel action arising out of Newsnight programme

**Bray v Deutsche Bank** (2008-9) – Successful libel claim on behalf of the claimant arising out of a press release published by Deutsche Bank

**Taranissi v BBC** (2008-9) – Successful libel claim on behalf of the claimant arising out of a Panorama programme "IVF uncovered".

**Materazzi v Various Newspapers** (2007-8) – Successful libel claims on behalf of Marco Materazzi against The Sun, the Daily Mail and the Daily Star, arising out of head butting by Zinedine Zidane.



**Bunt v Tilley, AOL and others** (2006) – Successful application on the grounds that ISPs were not publishers at common law. Important rulings on section 1 of the Defamation Act 1996 and the E-Commerce regulations.

**Davey v Dilnot** (2006) – Represented the successful claimant at trial in libel claim.

**Bardwaj v The International Society for Krishna Consciousness Ltd** (2006) – Represented the successful defendant at trial of slander by gesture and assault.

**Strachan v The Gleaner** (2005) – Junior Counsel for successful defendant in Privy Council case on default judgments and jurisdiction.

**Rackham v Sandy** (2005) – Represented the successful claimant at trial in case of qualified privilege and malice.

**Ken Bates v Dave Allen** (2005) – Acted for the defendant in case brought by Leeds Football Club Chairman against the Chairman of Sheffield Wednesday Football Club.

**Davies v Granada Television Limited** (2004-5) – Acted for the defendants in successful application to strike out claimant's claim arising out of "Facelifts from Hell" programme.

**McArdle v Newcastle Chronicle** (2004) – Acted for the defendant in case which settled at trial concerning allegations about a nursing home.

**Williams v News International** (2003) – Acted for Robbie Williams who received substantial damages from the News of the World

**Bonnick v The Gleaner** (2002) 3 WLR 820 – Junior Counsel for successful defendants in Privy Council case on qualified privilege.

**Mills v MGN Limited** (2002) – Acted for Heather Mills who received substantial damages from the Sunday Mirror

**Ferguson v Associated Newspapers** (2002) – Acted for Sir Alex Ferguson, in successful proceedings under sections 8 and 9 of the Defamation Act 1996.

**Semenenko v MGN** (2002) – Acted for the claimant who received substantial damages from the Sunday People

**Komarek v Ramco** (2002) – Represented the Czech claimants at trial in case arising out of publication to the British Ambassador in Prague.

**Khalili v Associated Newspapers** (2000) EMLR 996 – Junior Counsel for claimant in successful appeal to Court of Appeal against dismissal of his case for want of prosecution.

**Blackstone v MGN Limited** (2000) – Represented the successful claimant at trial who obtained £50,000 damages against the Sunday Mirror arising out an article concerning a marital dispute.

**Williamson v Commissioner of Police for the Metropolis** – Junior Counsel for defendant on claimant's unsuccessful appeal against dismissal of his case for want of prosecution.

**Adams v Associated Newspapers** (1999) EMLR 26 – Junior Counsel for defendants in their appeal to the Court of Appeal on 3rd party proceedings in libel.

**McCahill v Royal Sun Alliance and Thomas Howell Group** (1999) – Represented the successful second defendant at trial.

**Little v George** (1998) – Represented the defendant in case on hunting.

**Marks and Spencer v Granada** (1998) – Represented the claimant in libel action which settled at trial.

**Mori v BBC** (1998) – Represented the defendant at trial in the first contested case concerning a live broadcast defence under section 1 of the Defamation Act 1996.



**Allason v BBC and Hat Trick Productions** (1998) – Represented the defendants at trial who successfully pleaded fair comment arising out of a “Have I Got News For You” annual which alleged that conservative MP was a “conniving little shit”.

**C v Mirror Group Newspapers Ltd and others** (1997) 1 WLR 131 – Junior Counsel for defendants on claimants’ unsuccessful appeal to the Court of Appeal against strike out on limitation grounds.

**Awwad v Geraghty** (1997) – Represented the claimants at trial in costs proceedings arising out of a libel action.

**Lloyd v Express Newspapers** (LTL) 24/06/96 – Junior Counsel for claimant in the Court of Appeal by the defendants on severable allegations in libel (pre-cursor of *Cruise v Express Newspapers*).

**Ashby v Times Newspapers Limited** (1995) – Represented the defendant in five-week trial in successful defence of justification concerning allegation that conservative MP was gay.

**Adams v Associated Newspapers** (1995) – Represented the claimant in 3rd party proceedings for libel brought by Associated Newspapers.

**Upjohn v BBC and Professor Oswald** (1994) – Represented the defendant in three-month trial arising out of a Panorama programme which made allegations of drug fraud.

**Walker and Cartmell v Central Television** (1991) – Represented the claimants in six-week trial arising out of an episode of The Cook Report making allegations concerning animal experimentation.

#### **Privacy/breach of confidence, data protection & harassment**

**Croydon Borough Council v Dodsworth** (2017) – Obtained injunction for claimant in breach of confidence.

**Universal Tax Solutions Ltd v BBC** (2017) – Successfully opposed claimant’s application for an emergency injunction on behalf of the BBC.

**News International Voicemail Interception Compensation Scheme** (2013-2014) – Independent Barrister to the Scheme representing applicants bringing claims for compensation for phone hacking under the scheme established by News International.

**Allan v Mawer** (2013) – Acted for defendant doctors in successful application to strike out claim under the Data Protection Act 1998.

**Robertson v Rogers** (2012) - Acted for defendant in application for harassment injunction.

**Law firm v Employee** (2012) – Emergency injunction obtained to restrict breach of confidence.

**Mills v Associated Newspapers & News Group Newspapers** (2007) – Acted for Heather Mills in her privacy and libel claims against the Daily Mail and The Sun.

**A v B** (2007) – Emergency privacy injunction obtained for the claimant against national newspaper.

**A v B** (2007) – Acted for claimant in privacy claim against a private individual.

#### **Media, reporting restrictions & production orders**

**West Midlands Police v BBC** (2017) – Acted for the BBC in an application for a production order in relation to a programme entitled “Who Bombed Birmingham?”

**Commissioner of Police for the Metropolitan Police v BBC** (2012) – Acted for the BBC in an application for a production order arising out of a Panorama programme entitled “Tabloid Hacks Exposed”.

**AI-alias** (2012) – Acted for The Times in a successful application to lift reporting restrictions in family court proceedings.

**W v M, S and a NHS Primary Care Trust** [2011] 2 FLR 1143 – Acting for the Times in a successful application to lift reporting restrictions and a ‘non-contact’ injunction imposed by the Court of Protection.



## Publications and Seminars

Contributor to *Arlidge, Eady & Smith on Contempt*, 4<sup>th</sup> Edition, 2011

Co-author, with Kate Wilson, of the Libel and Slander and Malicious Falsehood chapters in *Bullen & Leake & Jacob's Precedents of Pleadings*, 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> Editions

Formerly co-author, *Atkin's Court Forms on Evidence*

*Defamation Update*, Protecting the Media Conference, October 2017

*Defamation Update*, Protecting the Media Conference, September 2016

## Qualifications

BA (Hons), Jurisprudence, University of Oxford (Worcester College)

Inner Temple Scholar, Entrance Award, Accommodation Scholarship and Bursary, 1988

Called to the Bar in the Isle of Man

Working French and Italian

Chair of Governors at the Henrietta Barnett School, 2011-2015