

Catherine Callaghan QC

“She has an incisive and concise style, which is hugely impressive”

– LEGAL 500, 2016

Year of call: **1999**
Appointed to silk: **2018**
Degree: **BA, LLB (Hons) (Victoria University of Wellington); LLM (Cambridge)**



Catherine Callaghan has been practising at the English Bar since 2000. Before taking silk in 2018, Catherine was recognised as a leading junior in the latest editions of both the leading legal directories, Chambers UK 2018 and Legal 500 2017, for her expertise in public and regulatory law, professional discipline, civil liberties & human rights, education and employment law. She regularly acts for the UK Government and regulatory bodies, as well as individual claimants, in the Administrative Court, Court of Appeal, and Supreme Court. Catherine was a member of the Attorney General’s A Panel of counsel from 2013 to 2018. She is also qualified as a barrister and solicitor in New Zealand.

EXPERIENCE

Civil Liberties & Human Rights

Catherine’s civil liberties and human rights practice incorporates immigration, nationality and asylum law, national security and terrorism, and prison law. She regularly acts for the UK Government and regulatory bodies in defending decisions affecting civil liberties and human rights. Catherine also acts for police bodies, including the Metropolitan Police Service, the Metropolitan Police Authority, and Her Majesty’s Inspectorate of Constabulary.

“A deft legal tactician with sound judgement.”

– LEGAL 500, 2018

Cases

R (Migrants' Rights Network) v Secretary of State for Home Department & Ors

(2018)

Acting for NHS Digital in a judicial review challenge to the legality of a Memorandum of Understanding between the Home Office, Department of Health and NHS Digital under which non-clinical information about migrants on the NHS database is shared with the Home Office for immigration enforcement purposes.

Alam v Secretary of State for Education

(2016-2017)

Acted for the Secretary of State (led by Martin Chamberlain QC) in the First-tier Tribunal successfully resisting a challenge to a direction issued under s.128 of the Education and Skills Act 2008, which prohibited the appellant from participating in the management of independent schools on the ground that he had engaged in conduct which undermined fundamental British values. This was the first time a prohibition order of this kind has been made against a school governor.

R (Mr and Mrs M) v Human Fertilisation and Embryology Authority

[2016] EWCA Civ 611

Acted for the HFEA (the regulator of UK fertility clinics) in the High Court and Court of Appeal, defending a high profile judicial review challenge to the regulator's refusal to authorise export of the Claimant's deceased daughter's frozen eggs to enable the Claimant to receive fertility treatment in the United States. The Claimant alleged that the HFEA's refusal amounted to a violation of her Article 8 rights to become a parent using her daughter's gametes.

AM v Secretary of State for the Home Department

(2016)

Acted for the Secretary of State (leading Claire Palmer) in the Special Immigration Appeals Commission (SIAC), successfully defending a decision to refuse to grant the applicant British citizenship. The applicant argued that the decision infringed his rights under Articles 6 and 8 ECHR.

FM v Secretary of State for the Home Department

(2015)

Acted for the Secretary of State (led by Rory Phillips QC) in the Special Immigration Appeals Commission (SIAC), successfully defending the Secretary of State's refusal to grant the applicant British citizenship. The applicant argued that the refusal constituted race discrimination under the Race Relations Act, and violated Article 14 ECHR. This was the lead test case determining SIAC's approach to discrimination claims in naturalisation cases. Catherine was responsible for the discrimination aspects of the claim.

Tariq v Home Office

[2012] 1 AC 452

Acted for the Home Office (led by James Eadie QC) in an appeal to the Court of Appeal and Supreme Court concerning the scope of a litigant's right to a fair trial and the lawfulness of the use of closed material and special advocates in the context of a discrimination claim arising out of security vetting of civil servants. The Supreme Court upheld the Home Office's Appeal.

Bank Mellat v HM Treasury

[2012] QB 91

Acted for HM Treasury (led by James Eadie QC) in another appeal concerning the legality of closed material procedures in the context of an application by an Iranian bank to set aside an order made by HM Treasury under the Counter-Terrorism Act 2008 which directed the UK financial sector not to have any business dealings with the bank.

R (McAtee) v Secretary of State for Justice

[2018] EWCA 2851 Civ

Catherine acted for the Defendant in the first significant case to apply the reasoning in R (Belhaj) v Director of Public Prosecutions (No 1) [2018] 3 WLR 435 in relation to the meaning and scope of the phrase "criminal cause or matter" in section 18 of the Senior Courts Act 1981, the outcome of which determines whether there is a right of appeal to the Court of Appeal from a judgment of the High Court. The Court of Appeal held that the McAtee proceedings (which sought a declaration that s.31A of the Crime (Sentences) Act 1997 was incompatible with the Claimant's Article 8 rights in preventing the claimant from applying to cancel his indeterminate sentence until 10 years after release) amounted to a challenge to the sentencing regime and therefore were a criminal cause or matter in respect of which the Court of Appeal had no jurisdiction to hear the appeal.

Public & Regulatory

Catherine is a leading barrister in public and regulatory law, with a practice encompassing judicial review, first instance and appellate professional disciplinary and regulatory hearings, and public inquiries. Catherine has extensive experience representing clients in the Administrative Court, Special Immigration Appeals Commission, Court of Appeal and Supreme Court. She regularly acts for Government departments and regulatory bodies such as the General Medical Council, the Institute of Chartered Accountants in England and Wales, the Human Fertilisation and Embryology Authority, and the Advertising Standards Authority. She also acts for claimants in judicial review claims against public bodies. She is a trusted adviser for a wide range of bodies on policy development, discrimination and Brexit-related issues.

“Meticulous in her preparation, she is an impressive drafter.”

– CHAMBERS AND PARTNERS, 2019

Cases**R (McAtee) v Secretary of State for Justice**

[2018] EWCA 2851 Civ

Catherine acted for the Defendant in the first significant case to apply the reasoning in R (Belhaj) v Director of Public Prosecutions (No 1) [2018] 3 WLR 435 in relation to the meaning and scope of the phrase "criminal cause or matter" in section 18 of the Senior Courts Act 1981, the outcome of which determines whether there is a right of appeal to the Court of Appeal from a judgment of the High Court. The Court of Appeal held that the McAtee proceedings (which sought a declaration that s.31A of the Crime (Sentences) Act 1997 was incompatible with the Claimant's Article 8 rights in preventing the claimant from applying to cancel his indeterminate sentence until 10 years after release) amounted to a challenge to the sentencing regime and therefore were a criminal cause or matter in respect of which the Court of Appeal had no jurisdiction to hear the appeal.

R (CityFibre Ltd) v Advertising Standards Authority

(2018)

Acting for the ASA (leading Ravi Mehta) in defending a judicial review challenge to the ASA's decision that the word "fibre" as it is currently used in the advertising of part-fibre broadband services is not likely to mislead consumers. The proceedings are brought by a provider of full-fibre broadband services who seeks to argue that consumers are misled by the term "fibre" to describe fibre-to-the-cabinet broadband.

R (AL) v Serious Fraud Office

[2018] EWHC 856 (Admin); [2018] 1 WLR 4557

Acted for an interested party (a defendant in criminal proceedings) in a judicial review challenge to the SFO's refusal to compel a company to disclose 'first account material' in compliance with a requirement to cooperate with the SFO under a Deferred Prosecution Agreement. The Divisional Court held that the Crown Court was the appropriate forum to resolve disputes about disclosure in criminal proceedings, but strongly criticised the SFO's approach to disclosure.

R (Greene King plc) v Pubs Code Adjudicator

(2018)

Acted for the Claimant, a leading pub and brewing company, in a judicial review challenge to the decision of the Pubs Code Adjudicator to issue guidance relating to tied pubs without first consulting the Claimant.

R (Migrants' Rights Network) v Secretary of State for Home Department & Ors

(2018)

Acting for NHS Digital in a judicial review challenge to the legality of a Memorandum of Understanding between the Home Office, Department of Health and NHS Digital under which non-clinical information about migrants on the NHS database is shared with the Home Office for immigration enforcement purposes.

R (Good Law Project and Molly Scott Cato MEP) v Secretary of State for Exiting the European Union and Her Majesty's Treasury

(2018)

Acted for the Defendants in a judicial review challenge to a refusal to disclose so-called Brexit 'impact analyses' under common law disclosure powers and Article 10 ECHR. The Defendants argued that requests for such information should be addressed under the Freedom of Information Act 2000.

Michalak v General Medical Council

[2017] UKSC 71; [2017] 1 WLR 4193

Acted for the Solicitors Regulation Authority (SRA), intervening in an appeal to the Supreme Court on the issue whether the Employment Tribunal's jurisdiction to hear discrimination claims against professional regulatory bodies is ousted by the availability of judicial review proceedings. This turned on the issue of whether judicial review proceedings are proceedings 'in the nature of an appeal' which arise 'by virtue of an enactment' under s.120(7) of the Equality Act 2010.

R (Oriaku) v Nursing and Midwifery Council

[2017] EWHC 235 (Admin)

Acted for the NMC successfully defending a judicial review challenge to the NMC's decision not to refer for investigation an allegation that certain nurses' entries to the register had been fraudulently procured.

Bethal v Council of the Inns of Court

[2017] EWHC 3072 (Admin)

Acted for the Council of the Inns of Court and the Bar Tribunal and Adjudication Service successfully defending an application for an injunction to prevent COIC & BTAS from implementing the decision of a disciplinary tribunal to disbar a barrister found guilty of dishonest conduct.

Alam v Secretary of State for Education

(2016-2017)

Acted for the Secretary of State (led by Martin Chamberlain QC) in the First-tier Tribunal successfully resisting a challenge to a direction issued under s.128 of the Education and Skills Act 2008, which prohibited the appellant from participating in the management of independent schools on the ground that he had engaged in conduct which undermined fundamental British values. This was the first time a prohibition order of this kind has been made against a school governor.

R (British American Tobacco Ltd & Others) v Secretary of State for Health

[2016] EWCA Civ 1182

Acted for the Secretary of State (led by James Eadie QC) in the High Court and Court of Appeal, successfully defending judicial review challenges brought by all major UK tobacco manufacturers against Parliament's decision to adopt the Standardised Packaging of Tobacco Products Regulations 2015, which require standardised packaging for cigarettes and rolling tobacco. The tobacco manufacturers argued that the UK regulations were unlawful under international law, EU law (particularly human rights, trade mark and competition law) and domestic law. Catherine was the most senior junior in a counsel team comprising three silks and four juniors.

R (Mr and Mrs M) v Human Fertilisation and Embryology Authority

[2016] EWCA Civ 611

Acted for the HFEA (the regulator of UK fertility clinics) in the High Court and Court of Appeal, defending a high profile judicial review challenge to the regulator's refusal to authorise export of the Claimant's deceased daughter's frozen eggs to enable the Claimant to receive fertility treatment in the United States. The Claimant alleged that the HFEA's refusal amounted to a violation of her Article 8 rights to become a parent using her daughter's gametes.

R (Andargachew) v Secretary of State for Foreign & Commonwealth Affairs

(2016)

Acted for the Secretary of State (leading Christopher Staker) in successfully defending a judicial review challenge to the lawfulness of the UK Government's conduct of its foreign relations with Ethiopia, in relation to a British citizen detained in Ethiopia. The family of the detainee sought to challenge the FCO's decision not to request his release from prison or treat his case as a kidnapping case.

R (Adam) v General Medical Council

[2015] EWHC 3378 (Admin)

Acted for the GMC (the regulator of doctors) in successfully defending a judicial review challenge to the Registrar's decision to close a complaint brought against the Medical Director of the NHS, Professor Sir Bruce Keogh. Concerned the proper scope of the GMC's disciplinary powers in relation to doctors in administrative positions, following the cases of Remedy UK Ltd and Roylance.

Keane v Information Commissioner & Home Office

(2015)

Acted for the Home Office in an appeal against an ICO decision concerning the Home Office's entitlement to withhold information under s.24 of the Freedom of Information Act 2000 concerning the activities of named paid informants against 19th century Irish secret societies.

R (Reilly & Wilson) v Secretary of State for Work and Pensions

[2014] AC 453

Acted for the Secretary of State (led by James Eadie QC) in an appeal to the Supreme Court concerning the lawfulness of the Government's schemes imposing mandatory work requirements on recipients of jobseeker's allowance.

R (Hill) v Institute of Chartered Accountants in England and Wales

[2014] 1 WLR 86 (CA)

Acted for the Institute in the High Court and Court of Appeal, successfully resisting a chartered accountant's judicial review challenge to the Institute's decision to find him guilty of misconduct and exclude him from membership. The case concerned the issue whether the temporary absence of a member of a disciplinary tribunal deprives the tribunal of jurisdiction to hear the complaint or amounts to a breach of natural justice capable of waiver. The decision contains important analysis on the difference between constitutive and adjudicative jurisdiction, the scope of the rule that 'he who decides the case must hear the case', and the legal principles concerning waiver of procedural unfairness.

R (Dale and Godfrey) v Secretary of State for Health & Others

(2014)

Acted for Trust Special Administrators (led by Monica Carss-Frisk QC) in successfully defending two judicial review challenges to the Secretary of State's decision to accept the TSAs' recommendations to dissolve the Mid Staffordshire NHS Foundation Trust and to decommission various clinical services at Stafford Hospital. These were the first challenges to a ministerial decision affecting NHS Foundation Trusts under the 'failure regime' in the National Health Service Act 2006.

Education

Catherine has a strong interest in education law, particularly in the context of public law and professional disciplinary regulation. She has acted for head teachers in professional disciplinary proceedings before the General Teaching Council, and is regularly instructed by the Department for Education and Department for Business Innovation and Skills and private education providers on a wide range of high profile education cases.

“She is a hugely able and impressive barrister; incisive written work and assured advocacy”

– LEGAL 500, 2018

Cases

Alam v Secretary of State for Education

(2016-2017)

Acted for the Secretary of State (led by Martin Chamberlain QC) in the First-tier Tribunal successfully resisting a challenge to a direction issued under s.128 of the Education and Skills Act 2008, which prohibited the appellant from participating in the management of independent schools on the ground that he had engaged in conduct which undermined fundamental British values. This was the first time a prohibition order of this kind has been made against a school governor.

R (Comprehensive Future) v Secretary of State for Education

(2015)

Acted for the Secretary of State in relation to a threatened judicial review challenge to the decision to approve the expansion of the Weald of Kent Grammar School onto a satellite site in Sevenoaks. The claimant action group claimed that the proposed expansion was in fact the creation of a new grammar school, which is prohibited by legislation.

R (Governing Body of London Oratory School) v Schools Adjudicator

(2015)

Acted for the Adjudicator in an appeal to the Court of Appeal concerning the requirement on faith schools to have regard to guidance issued by religious bodies when constructing faith-based over-subscription criteria. Settled prior to hearing.

X County Council v Secretary of State for Education

(2015)

Acted for the Secretary of State in relation to a proposed judicial review challenge to the allocation of dedicated schools grant to the Council for the 2015/16 financial year, and the calculation of top-up funding to support additional post-schools places.

Professional Discipline

Catherine has a particular interest in professional disciplinary regulation in the fields of healthcare, accountancy, law, and education.

“She's absolutely superb.”

– CHAMBERS AND PARTNERS, 2019

She regularly acts for the General Medical Council in judicial review proceedings and statutory appeals to the High Court from disciplinary decisions of Fitness to Practise Panels. She advises the GMC on policy development and guidance, and represented the GMC (with Robert Englehart QC) in the Public Inquiry into Mid-Staffordshire NHS Foundation Trust.

In the field of accountancy, she regularly acts for the Institute of Chartered Accountants in England and Wales (ICAEW) in internal disciplinary hearings, appeals and judicial review proceedings. She also acts for the Chartered Institute of Management Accountants (CIMA) and the Institute of Actuaries.

In the legal field, Catherine is a trusted adviser to the Solicitors Regulation Authority. She also advises law firms and businesses on issues concerning solicitors' professional obligations.

Catherine represents individual professionals including psychotherapists, accountants and head teachers in disciplinary proceedings before their professional bodies and in judicial review proceedings.

Catherine also has experience of appearing in other types of disciplinary hearings, such as sports disciplinary hearings and Oxford Union disciplinary hearings.

Cases

Michalak v General Medical Council

[2017] UKSC 71; [2017] 1 WLR 4193

Acted for the Solicitors Regulation Authority (SRA), intervening in an appeal to the Supreme Court on the issue whether the Employment Tribunal's jurisdiction to hear discrimination claims against professional regulatory bodies is ousted by the availability of judicial review proceedings. This turned on the issue of whether judicial review proceedings are proceedings 'in the nature of an appeal' which arise 'by virtue of an enactment' under s.120(7) of the Equality Act 2010.

R (Oriaku) v Nursing and Midwifery Council

[2017] EWHC 235 (Admin)

Acted for the NMC successfully defending a judicial review challenge to the NMC's decision not to refer for investigation an allegation that certain nurses' entries to the register had been fraudulently procured.

Bethal v Council of the Inns of Court

[2017] EWHC 3072 (Admin)

Acted for the Council of the Inns of Court and the Bar Tribunal and Adjudication Service successfully defending an application for an injunction to prevent COIC & BTAS from implementing the decision of a disciplinary tribunal to disbar a barrister found guilty of dishonest conduct.

R (Banerjee) v General Medical Council

[2017] EWCA Civ 78

Acted for the GMC in the High Court and Court of Appeal, successfully defending a judicial review challenge to a refusal to restore the doctor to the medical register following voluntary erasure of her name from the register. The case concerned whether the hearing was unfair by virtue of panel members' questioning and treatment of the doctor.

Institute of Chartered Accountants in England and Wales v Bell

(2016)

Acted for the ICAEW in disciplinary proceedings brought against an insolvency practitioner arising out of his conduct as a trustee in bankruptcy in authorising the sale of the bankrupt's family home when he should have known that any shortfall in the property could be funded without the sale. The Disciplinary Tribunal found the charge proved and withdrew his insolvency licence for two years.

Institute and Faculty of Actuaries v Lockett

(2016)

Acted for the Institute in disciplinary proceedings against an actuary for misconduct. The case raised the issue whether the Disciplinary Tribunal had jurisdiction to consider a charge of misconduct against a former member in respect of conduct occurring after his membership had ceased.

R (Adam) v General Medical Council

[2015] EWHC 3378 (Admin)

Acted for the GMC (the regulator of doctors) in successfully defending a judicial review challenge to the Registrar's decision to close a complaint brought against the Medical Director of the NHS, Professor Sir Bruce Keogh. Concerned the proper scope of the GMC's disciplinary powers in relation to doctors in administrative positions, following the cases of Remedy UK Ltd and Roylance.

R (Chaudhuri) v General Medical Council

[2015] EWHC 6621 (Admin)

Acted for the GMC in a judicial review claim concerning the proper construction of the GMC's "five year rule" and the GMC's power to reconsider a decision under that rule. The Court held that regulators have the power to review their own decisions where they are based on a fundamental mistake of fact.

R (Fonseka) v Chartered Institute of Management Accountants

(2015)

Acted for CIMA in successfully resisting a judicial review challenge to a finding that an accountant was guilty of misconduct and should receive a severe reprimand and fine for making false statements in accounts that companies were exempt from statutory audit requirements.

R (DM) v British Psychoanalytic Council

(2014)

Acted for the claimant psychotherapist in a successful judicial review challenge to the decision of the BPC to impose conditions on his registration. Settled prior to hearing.

R (Hill) v Institute of Chartered Accountants in England and Wales

[2014] 1 WLR 86 (CA)

Acted for the Institute in the High Court and Court of Appeal, successfully resisting a chartered accountant's judicial review challenge to the Institute's decision to find him guilty of misconduct and exclude him from membership. The case concerned the issue whether the temporary absence of a member of a disciplinary tribunal deprives the tribunal of jurisdiction to hear the complaint or amounts to a breach of natural justice capable of waiver. The decision contains important analysis on the difference between constitutive and adjudicative jurisdiction, the scope of the rule that 'he who decides the case must hear the case', and the legal principles concerning waiver of procedural unfairness.

R (Jackson) v General Medical Council

[2013] EWHC 2595 (Admin)

Acted for the GMC in a judicial review challenge to a Fitness to Practise Panel's decision to refuse a doctor's application for voluntary erasure from the register.

Lawrence v General Medical Council

[2012] EWHC 464 (Admin)

Acted for the GMC in a 6-day statutory appeal against the GMC's decision to erase a psychiatrist from the medical register on the basis of his inappropriate relationship with a female patient.

General Medical Council v Zia

[2012] 1 WLR 504 (CA)

Acted for the Appellant (the GMC) in a successful appeal to the Court of Appeal concerning the power of the GMC's Registrar to refer allegations about a doctor to the GMC's Fitness to Practise Panel notwithstanding that the allegations had not been considered first by case examiners. This is an important case about the purpose and scope of the GMC (Fitness to Practise) Rules 2004.

Employment

Catherine appears in the Employment Tribunals, the Employment Appeal Tribunal and High Court in cases involving discrimination, whistle blowing, unfair and wrongful dismissal, and redundancy. She acts for both Claimants (particularly senior managers and directors) and Respondents. Catherine is regularly instructed to conduct internal investigations into sexual harassment and discrimination.

“Fantastic. Very thorough.”

— CHAMBERS AND PARTNERS, 2019

Catherine co-wrote the chapter on Practice and Procedure in the textbook "Employee Competition: Covenants, Confidentiality and Garden Leave", edited by Paul Goulding QC and first published by Oxford University Press in 2007 (2nd edition published in 2011).

Cases

Hamam v British Embassy in Cairo and Foreign & Commonwealth Office

(2018)

Acted for the Defendants in an Employment Tribunal claim for race discrimination, unfair dismissal and whistleblowing, brought by a former Vice Consul of the British Embassy in Cairo. The Defendants successfully argued that the ET had no territorial jurisdiction to hear the claims because of the employee's lack of connection to Great Britain, and the claims were struck out following a two-day preliminary hearing.

Michalak v General Medical Council

[2017] UKSC 71; [2017] 1 WLR 4193

Acted for the Solicitors Regulation Authority (SRA), intervening in an appeal to the Supreme Court on the issue whether the Employment Tribunal's jurisdiction to hear discrimination claims against professional regulatory bodies is ousted by the availability of judicial review proceedings. This turned on the issue of whether judicial review proceedings are proceedings 'in the nature of an appeal' which arise 'by virtue of an enactment' under s.120(7) of the Equality Act 2010.

Boath v Barclays plc

(2016)

Acted

for the Respondent Bank in a high profile unfair dismissal, whistleblowing and bonus claim brought by a former senior executive. Catherine was brought into the case specifically to deal with a 7-day contested application by the Serious Fraud Office to hear all or part of the case in private to protect the confidentiality of the Claimant's interview with the SFO and avoid undermining the SFO's ongoing investigation and any future criminal proceedings. Catherine also dealt with a preliminary application by the Bank to hear part of the case in private, to protect its legal professional privilege. The applications raised the important issue of the scope of the principle of open justice and the extent to which it is appropriate to hear cases in private.

X v H Ltd

(2015)

Advised a senior employee of a global media and communications company in relation to a claim for breach of contract and discrimination

Lumsden v CQS

(2013)

Acted for a hedge fund (led by Paul Goulding QC) in High Court litigation concerning enforceability of restrictive covenants, breach of contract, and enforceability of revocation provisions in a deferred compensation scheme.

Olotin v Sumitomo Mitsui Banking Corporation Europe Ltd

(2013)

Acted for Sumitomo in successfully striking out claims of race discrimination and victimisation.

Dr SL v Oxford University Hospitals NHS Trust

(2013)

Acted for a consultant paediatrician in an internal disciplinary hearing, and successfully defended her against a charge of dishonesty.

Phaestos Ltd and IKOS v Ho and Gover

(2012)

Acted for the Claimant hedge fund (led by Paul Goulding QC) in a High Court claim against the hedge fund's former portfolio managers for breach of contract and breach of confidence.

Data Protection, Freedom of Information & Privacy

Catherine regularly appears in the First-tier Tribunal, Upper Tribunal and High Court on cases concerning freedom of information.

Cases

R (Good Law Project and Molly Scott Cato MEP) v Secretary of State for Exiting the European Union and Her Majesty's Treasury

(2018)

Acted for the Defendants in a judicial review challenge to a refusal to disclose so-called Brexit 'impact analyses' under common law disclosure powers and Article 10 ECHR. The Defendants argued that requests for such information should be addressed under the Freedom of Information Act 2000.

R (Migrants' Rights Network) v Secretary of State for Home Department & Ors

(2018)

Acting for NHS Digital in a judicial review challenge to the legality of a Memorandum of Understanding between the Home Office, Department of Health and NHS Digital under which non-clinical information about migrants on the NHS database is shared with the Home Office for immigration enforcement purposes.

Loch v Information Commissioner & Ministry of Justice

EA/2017/0223

Acted for the MoJ in seeking to uphold the Information Commissioner's decision that information concerning the decision to establish courtesy titles of 'Lord' and 'Lady' for Justices of the Supreme Court is exempt from disclosure under s.37 of the Freedom of Information Act 2000 as relating to communications with the Sovereign or the conferring of a dignity by the Crown.

Blowe v Information Commissioner, Home Office and Chief Constable of Greater Manchester Police

EA/2016/0297-0301

Acted for the Home Office in an appeal concerning whether five police forces were required to disclose information under the Freedom of Information Act about the number of referrals made to the Government's counter-terrorism programme Channel regarding anti-fracking campaigners.

Cabinet Office v Information Commissioner & Qureshi

EA/2017/0024

Acted for the Cabinet Office in a successful appeal to the First-tier Tribunal against the ICO's decision to require the Cabinet Office to disclose Cabinet minutes concerning the collapse of the Bank of Credit & Commerce International (BCCI) in 1991.

Department of Health v Information Commissioner & Sid Ryan

EA/2016/0306

Acted for the Department of Health in an appeal to the First-tier Tribunal against a decision requiring DoH to disclose diaries of two senior civil servants working on private finance initiatives. The DoH argued unsuccessfully that the request was vexatious.

Keane v Information Commissioner & Home Office

(2015)

Acted for the Home Office in an appeal against an ICO decision concerning the Home Office's entitlement to withhold information under s.24 of the Freedom of Information Act 2000 concerning the activities of named paid informants against 19th century Irish secret societies.

ACHIEVEMENTS

Education

BA, LLB (Hons) (Victoria University of Wellington); LLM (Cambridge)

Publications

- “Practice and Procedure” (co-writer) in *Employee Competition: Covenants, Confidentiality and Garden Leave* (Oxford University Press, 2011, 2nd edition, ed. Paul Goulding QC)
- Chapters 5 and 6 (“Commencing a Claim” and “Acknowledgment of Service”) in *Administrative Court: Practice and Procedure* (Sweet & Maxwell, 2006, ed. Beverley Lang QC)
- Co-writer of “Conflicts of Law” in *European Employment Law and the UK* (Sweet & Maxwell, 2003)
- “What is a ‘Target Duty?’” [2000] *Judicial Review* 184.
- “They think it’s all over: The impact of the Tobacco Advertising Directive on sports sponsorship in the United Kingdom” [2000] *Sport and the Law Journal* 91.
- “‘Constitutionalisation’ of Treaties by the Courts – The Treaty of Waitangi and the Treaty of Rome Compared” [1999] *New Zealand Universities Law Review* 334.
- “Manifest disadvantage in undue influence: An analysis of its role and necessity” [1995] *Victoria University of Wellington Law Review* 289.

Memberships

- Association of Regulatory and Disciplinary Lawyers (ARDL)
- Justice
- Employment Lawyers’ Association
- Employment Law Bar Association

Selected earlier reported cases

Public & Regulatory

- R (Banerjee) v General Medical Council [2015] EWHC 2263 (Admin)
- R (Chaudhuri) v General Medical Council [2015] EWHC 6621 (Admin)
- R (Jackson) v General Medical Council [2013] EWHC 2595 (Admin)
- R (Coys of Kensington) v Advertising Standards Authority [2012] EWHC 902 (Admin)
- R (Coke-Wallis) v Institute of Chartered Accountants in England and Wales [2011] 2 AC 146
- R (Child Poverty Action Group) v Secretary of State for Work and Pensions [2011] EWHC 2616 (Admin)
- The Mid Staffordshire NHS Foundation Trust Public Inquiry (2010-2012)
- R (UNISON) v Secretary of State for Health [2010] EWHC 2655 (Admin)
- R (Breckland DC) v Electoral Commission [2009] EWCA Civ 239
- R (London & South Eastern Railway Ltd) v British Transport Police Authority [2009] EWHC 460
- R (Lin) v Secretary of State for Transport [2006] EWHC 2575 (Admin)
- R (Razgar & Ors) v Secretary of State for the Home Department [2003] EWCA Civ 840

Professional Discipline

- R (Dr LI) v GMC [2013] EWHC 522 (Admin)
- R (Coke-Wallis) v Institute of Chartered Accountants of England and Wales [2011] 2 AC 146

- R (X) v General Medical Council [2011] EWHC 3271 (Admin)
- Martin v General Medical Council [2011] EWHC 3204 (Admin)
- Shamsian v General Medical Council [2011] EWHC 2885 (Admin)
- Saverymuttu v General Medical Council [2011] EWHC 1139 (Admin)
- Bhatt v General Medical Council [2011] EWHC 783 (Admin)
- Moneim v General Medical Council [2011] EWHC 327 (Admin)
- Pugsley v General Medical Council [2010] EWHC 2247 (Admin)
- Colman and Hickey v General Medical Council [2010] EWHC 1608 (QB)
- General Teaching Council v Maltbaek (2009/10)
- Cohen v General Medical Council [2008] EWHC 581 (Admin)

Employment

- Pimlico Plumbers Ltd v Service Corps Ltd & Anr (2009-2010)
- Pickett v Citibank International (2009)
- Hillier v Barclays Capital (2008)

Previous professional experience

Catherine first qualified as a barrister and solicitor in New Zealand and worked in the commercial litigation department of the New Zealand law firm Rudd Watts & Stone (now Minter Ellison Rudd Watts). After gaining the highest first in the LLM at the University of Cambridge, she worked as a solicitor in the London office of Clifford Chance from 1997 to 1999 practising in public international law.

Catherine's experience as a solicitor in two jurisdictions has given her an invaluable understanding and appreciation of working as part of an integrated team with solicitors and clients.

In 2007, Catherine taught public law and comparative human rights law at Victoria University of Wellington in New Zealand. She also spent two months working as Crown Counsel for the Crown Law Office in Wellington, where she advised the New Zealand Government on a variety of public law matters.