

# GOCONFERENCE 5RB

## 2025 Programme

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**8.30 – 9.20 Registration**

HASLETT

**9.25 – 9.30 Welcome and Opening Remarks**

KELVIN LECTURE THEATRE

**9.30 – 10.00 Keynote Address**

KELVIN LECTURE THEATRE

**Media law: a theory of evolution**

Lord Justice Warby

**10.00 – 10.50 Latest Developments in Defamation Law**

KELVIN LECTURE THEATRE

Adrienne Page KC

Andrew Caldecott KC

David Hirst

Hope Williams

**10.50 – 11.20 Mid-morning break**

HASLETT, FLOWERS

**11.20 – 12.10 Latest Developments in Data Protection Law**

KELVIN LECTURE THEATRE

Aidan Eardley KC

Jonathan Scherbel-Ball

Kate Wilson

Felicity McMahon

**12.10 – 13.00 Latest Developments in Privacy Law**

KELVIN LECTURE THEATRE

Justin Rushbrooke KC

Adam Wolanski KC

Victoria Simon-Shore

Chloe Strong

**13.00 – 14.30 Seated lunch**

RIVERSIDE ROOM

**14.30 – 15.45 Workshop session 1**

VARIOUS LOCATIONS

**15.45 – 16.15 Afternoon tea/coffee**

**16.15 – 17.30 Workshop session 2**

VARIOUS LOCATIONS

**17.30-18.00 Closing Session – Juniors Panel**

KELVIN LECTURE THEATRE

**18.00 + Champagne reception**

RIVERSIDE ROOM

GO N F E R E N C E 5 R B

## Workshop options

### 1 Don't stop me now: injunction takeaways– the greatest hits

**Adam Speker KC, Jane Phillips, Hector Penny**

Issues arising in interim injunction cases since the last conference:

- Ticking the Boxes: Important procedural points
- Being Fair: Full and frank disclosure
- Being Savvy: Choosing a cause of action
- Does the defamation rule ok?
- Informing the Media?
- Known Unknowns in ransomware cases

### 2 Rage against the machine: generative AI and media law risks

**Jonathan Barnes KC, Samuel Rowe**

Generative Artificial Intelligence – with the emphasis on generative – has seen huge recent technical advances. This session will provide an update on legal developments, as the law has looked to respond to these advances. We will also

consider a case study, where content has first been generated artificially and then is proliferated as “news”. What could a claimant do; what would a potential defendant argue; and what about other platforms and intermediaries?

### 3 Avoiding getting “carried away”: privacy, anonymity and open justice

**Adam Wolanski KC, Gervase De Wilde, Katya Pereira**

Through fictional scenarios, the reporting restrictions workshop will explore recent decisions concerning: non-party anonymity and privacy interests in criminal trials and investigations; when and whether the media can obtain documents from

legal proceedings; the new transparency regime in the family courts; and the circumstances in which judges might obtain anonymity orders for themselves.

### 4 Piggy in the middle: what now for internet intermediary liability?

**Greg Callus, John Stables, Lily Walker-Parr**

The anonymous nature of so much online abuse, and governments starting to get interested in the dark-side of being online (particularly children being online) means that private law claims between claimants and defendants are giving way to litigation and regulation against the technological third-parties who provide access to online content: e.g. content platforms, hosting services, ISPs, and

domain name registrars. This session will look at the recent case law on the classic private law liability of internet intermediaries, but also examine statutory and regulatory developments which will affect them, such as the UK's Online Safety Act 2023, the EU's Digital Services Act, and in the US the battles over s.230 of the Communications Decency Act.

## Workshop options

### **5 Time to PIT your writs? Preliminary issue trials: meaning, opinion and defences** **William Bennett KC, Richard Munden, Victoria Jolliffe**

The most remarkable feature about defamation litigation in the last few years has been the phenomenon of the preliminary issue trial ("PIT"). Whilst initially confined to determining meaning and connected issues regarding opinion, this procedural vehicle has recently been used to determine a truth defence and the third condition of the honest opinion defence (could an honest person hold the relevant opinion).

Parties are increasingly agreeing to them taking place. But should they?

This session will examine practical issues arising in PITs, the limits of what they can be used for and how to foresee and deal with potential pitfalls. It will also question whether they are always of sufficient benefit to make them worthwhile.

### **6 From breach to bench: strategy and tips for litigating data protection claims** **Jacob Dean KC, Ben Hamer, Hope Williams**

In this workshop we will explore some of the practical challenges involved in litigating data claims. Beginning at the outset when a data breach is discovered, we will move through the early stages of a claim, considering what remedies might be sought, how and where, and how such claims

might be defended, moving then through case management and onwards to trial. We will look at the variety of issues arising through the medium of a practical scenario, inviting delegates to share knowledge and expertise from their own practices.

### **7 Are you being served? Procedural updates to jurisdiction and service** **Greg Callus, Hannah Gilliland**

The Brussels/Lugano system is no more, and service once again governs jurisdiction. While ss.9-10 Defamation Act 2013 now limit jurisdiction over libel and slander claims, changes to CPR Part 6 (and recent cases on how those provisions are interpreted), may have significantly expanded

the substantive jurisdiction of the English courts over media claims. This session will look at those developments, and also give a round-up of miscellaneous CPR provisions and changes that deserve a little attention.

### **8 Hiscox and ITN – a client's perspective: lessons from Dyson v Channel 4 News** **Adrienne Page KC (moderator), Luke Browne, James Webster (Hiscox), John Battle KC (Hon.) (ITN)**

In February 2022, technology giant Dyson issued libel proceedings against Channel 4 and ITN over a news programme. It concerned allegations of abuse and exploitation of workers by a company in Malaysia which manufactured Dyson products, and Dyson's handling of the matter. In August 2024, the claim was abandoned.

This session will discuss how the litigation advanced in court over two and a half years,

including the Court of Appeal's decision to overturn an initial decision on reference. It will hear from ITN on why it decided to fight the case, and from Hiscox on why it decided to back Channel 4 and ITN in doing so. And it will discuss the challenges defendants facing substantial libel claims of this kind can encounter, and the key lessons to be learned from this litigation.