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## AL JAZEERA BRINGS CLAIM AGAINST EGYPT AFTER CAMPAIGN OF HARASSMENT

- Tribunal orders Egypt to ensure humane treatment of journalist held in jail
- Arbitrators say human rights violations may be relevant to an investment dispute



**Carter-Ruck client Al Jazeera Media Network is pursuing a very substantial arbitration claim against the Arab Republic of Egypt for a continuing campaign of harassment and intimidation.**

Doha-headquartered Al Jazeera says Egypt breached its 1999 Bilateral Investment Treaty (BIT) with Qatar.

The company says Egypt interrupted its broadcasting activities and ultimately forced it to cease operations in the country.

Al Jazeera also suffered the loss of its investment in the country and damage to its reputation.

The action against Al Jazeera took place over a period of several years, beginning in 2001 and reaching a peak during the network's critical coverage of the July 2013 coup in Egypt.

Al Jazeera is pursuing its claim through the International Centre for Settlement of Investment Disputes (ICSID).

The broadcaster complains of a series of oppressive measures by Egypt, including arrests, detention of staff, raids on offices and seizure of equipment.

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# SHADOW JUSTICE SECRETARY DEFEATS THE SUN IN 'NAZI SYMBOLS' LIBEL CASE

In a major victory against The Sun newspaper, Richard Burgon MP, the Shadow Justice Secretary and Shadow Lord Chancellor, was awarded substantial libel damages of £30,000 in the High Court.

The tabloid has also been ordered to pay Mr Burgon's legal costs, and an injunction was issued preventing the false statements from being published again.

The paper published an online article in April 2017 with a false allegation that Mr Burgon had joined a band – called Dream Tröll - which delighted in using Nazi symbols.

The court found that far from delighting in Nazi imagery, the band had made a single parody image of a well-known Black Sabbath album cover.

*"The courts will not condone irresponsible and untrue allegations, including against public figures"*

**Nigel Tait, Partner, Carter-Ruck, who acted for Mr Burgon**

*"It is hard to understand why the article in question was published without reference to the parody."*

**Persephone Bridgman Baker, Senior Associate, Carter-Ruck, who acted in the case**

The online article failed to include a reference to the Black Sabbath parody, despite it having been pointed out to The Sun by Mr Burgon's advisors ahead of publication. Mr Justice Dingemans dismissed the publisher's claims that the statement was true, or honest opinion, or in the public interest.

Mr Justice Dingemans refused the Defendants' application for permission to appeal, which is now with the Court of Appeal.



Seminal Black Sabbath album cover



Dream Tröll's parody album cover

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Al Jazeera argues that, in a direct attack on journalistic freedom, Egypt has prosecuted, convicted and imprisoned journalists on false and politically motivated charges - including having one journalist sentenced to death in absentia - and has attempted to pursue Al Jazeera journalists outside Egypt, including by abusing Interpol's procedures to issue international arrest warrants and Red Notices.

Al Jazeera also claims Egypt has jammed its signals in the country, interfered with its use of banking facilities, revoked its licence on spurious grounds and imposed the compulsory liquidation of Al Jazeera's Egyptian branch.

From a legal perspective, the case raises novel issues about the relevance of BIT arbitration to Egypt's numerous and systematic breaches of international human rights law. Recognising this, in a highly unusual move the Tribunal has directed Egypt to ensure the

humane treatment of an Al Jazeera journalist being held in jail without trial.

The Tribunal has also observed that human rights violations may be relevant to an investment dispute.

Al Jazeera is represented by **Cameron Doley, Alasdair Pepper, Lawrence Northmore-Ball** and **Jennifer Harvey**, with a team of Arabic-speaking lawyers from Carter-Ruck's International Department.

# LEADING BARRISTER WINS £110,000 DAMAGES AND APOLOGY FROM MAIL

Sasha Wass QC, one of the most highly-respected practitioners at the criminal bar, received a full apology and £110,000 in libel damages, plus her legal costs, over a highly defamatory article published by the Mail on Sunday and MailOnline. The publisher also apologised to Ms Wass in the High Court.

The Mail on Sunday had falsely suggested that Ms Wass had suppressed evidence of police corruption to put an "innocent man in jail", and that she had deliberately lied to the Court of Appeal.

The offending article related to highly complex confiscation proceedings concerning disgraced former solicitor and convicted fraudster Bhadresh Gohil.

**Associated Newspapers were forced to acknowledge that the article was indefensible**

Mr Gohil laundered money for James Ibori, a former governor of Nigeria's Delta State, who in 2012 pleaded guilty to extensive fraud and money laundering offences dating from his time in office – triggering one of the UK's largest asset confiscation operations. Mr Gohil had (among other things) previously pleaded guilty to a \$37 million fraud on the Nigerian people and had been sentenced to 10 years in prison – but subsequently sought, unsuccessfully, to appeal the conviction.

A full two-page spread was published in the Mail on Sunday under the banner headline "Revealed: How top QC 'buried evidence of Met bribes to put innocent man in jail'".



The article included a photograph of Ms Wass with the caption "SCANDAL: Senior Barrister Sasha Wass".

Yet these extremely serious accusations against Ms Wass were wholly untrue, and grotesquely distorted what had in fact happened in the litigation.

Remarkably, the article was in large part the product of cooperation between the Mail on Sunday's journalist and Mr Gohil himself, who the newspaper quite wrongly characterised as a "whistle blower".

The Mail on Sunday treated Ms Wass' initial detailed complaint with contempt, resulting in her making a formal complaint to IPSO.

Yet when the regulator eventually ruled in Ms Wass' favour many months later, the newspaper still refused to apologise and continued to publish the offending article online. At this point Ms Wass instructed Carter-Ruck, along with leading media barristers Adrienne Page QC and Jacob Dean of 5RB.

Twenty months after they had simply dismissed Ms Wass' first complaint, Associated Newspapers were finally forced to acknowledge that all of the allegations were untrue and that the article was indefensible.

Sasha Wass QC was represented by **Adam Tudor** and **Oliver Cox**.

# GOOGLE DEFEATED IN HISTORIC “RIGHT TO BE FORGOTTEN” CASE



Claire Gill acted for the claimants

**Carter-Ruck successfully sued Google on behalf of a businessman in a ground-breaking High Court case which established the “right to be forgotten” in England and Wales.**

The court ordered Google to delist results about a man’s spent conviction from searches against his name, and upheld his claim for breach of data protection rights and misuse of private information.

The man’s conviction is spent under the UK’s Rehabilitation of Offenders Act, which protects many ex-offenders from the lifelong stigma of past offences.

The judge said the fact that a conviction is spent “will normally be a weighty factor against the further use or disclosure of information about those matters”.

The “right to be forgotten” is now called the Right to Erasure under the EU General Data Protection Regulation (GDPR).

The claimants were represented by **Claire Gill** and **Dominic Garner**. Carter-Ruck is working closely with the charity Unlock, helping affected individuals with spent convictions.

## HOW TO EXERCISE YOUR RIGHT TO BE FORGOTTEN

There are four ways you may be able to get information removed from the internet, or made less prominent in search results.

### 1 Go to the search engine

Most search engines have an online form to request removal of search results that contain your personal data.

If they agree, they will delist a result, which means they will remove links to reports from European search results against your name.

### 2 Go to the source

You can also go directly to the source website rather than the search engine. Often people choose to do both simultaneously.

### 3 Go to the ICO

If the search engine refuses to delist, you can make a complaint to the Information Commissioner’s Office.

It applies its own delisting criteria: if it decides that it is not in the public interest for reports to remain accessible via an internet search engine, it will contact the search engine requesting that the results be removed.

### 4 Go to court

You may have a claim for data protection breaches, misuse of private information, or defamation if the information is inaccurate.

# DECORATED POLICE COMMANDER ROY RAMM WINS APOLOGY FROM MIRROR

## Compensation and costs after infamous murder investigation libel



**Mirror Group Newspapers issued an unreserved apology and agreed to pay substantial compensation and legal costs to Carter-Ruck client, former police Commander Roy Ramm, after the Mirror newspaper published false and defamatory allegations about him on its website on 8 March 2018.**

The article falsely depicted Mr Ramm as having responsibility for the police undercover operation and investigation into the murder of Rachel Nickell on Wimbledon Common in July 1992.

That operation was notorious for its flawed methods and in particular for the use of an undercover officer to “draw a confession” from Colin Stagg by feigning a romantic interest in him and exchanging letters filled with sexual fantasies.

Mr Stagg was later discovered to be innocent, and his trial judge described the police operation as being in effect a ‘honeypot’.

The article falsely alleged that, because of Mr Ramm’s supposed role, he was “disgraced”.

**Mirror Group Newspapers withdrew the false allegations, apologised and agreed to pay substantial compensation**

In fact Mr Ramm’s role was limited to supplying a police officer for undercover work in the investigation, and it was completely untrue to suggest that he was in any way responsible for the flawed operation.

Having worked in the police force from 1970 in a series of distinguished roles until he retired in 1996, the false allegations – illustrated with four photographs of Mr Ramm – caused him great distress.

**The online article falsely alleged that Mr Ramm was “disgraced” because of his supposed role in the investigation**

Mr Ramm’s long record of public service included leadership of the Serious and Organised Crimes division, the Fraud Squad and the Firearms Branch, being part of the crisis team in COBRA and commanding international operations in five conflict zones overseas.

He was awarded the Police Long Service and Good Conduct Medal and received plaques from the FBI Crisis Management Unit and the Secret Intelligence Service.

Mirror Group Newspapers joined in a Statement in Open Court withdrawing the false allegations and expressing a full apology to Mr Ramm.

The publisher carried a full and prominent apology on the Mirror’s website, provided Mr Ramm with two private letters of apology, and paid him a substantial amount in compensation as well as his legal costs.

Mr Ramm was represented by **Nigel Tait, Helena Shipman** and **Katherine Hooley**.



# SUBSTANTIAL DAMAGES AWARDED TO PAKISTANI MAGNATE

Pakistan's first billionaire, financial and industrial magnate Mian Mohammed Mansha, has settled his claim against ARY Network Limited (now in liquidation) following defamatory allegations broadcast in 2015.

Carter-Ruck negotiated a settlement with the liquidator, which was approved in the High Court, on terms that include the payment of substantial damages and legal costs of £275,000.

Mr Mansha, who is Chairman of MCB Bank and head of Lahore-based conglomerate Nishat Group, was represented by **Alasdair Pepper** and **Antonia Foster**.

# ALL CHANGE FOR THE UK'S SANCTIONS REGIME

When Britain leaves the European Union, a new sanctions regime comes into force.

The UK's sanctions will be governed by the Sanctions and Anti-Money Laundering Act 2018. Carter-Ruck's Head of International Law, **Guy Martin**, is advising a number of individuals wrongly affected by international sanctions. Here is his quick guide to the main changes.

You can read more about our sanctions practice at [www.carter-ruck.com/international-law](http://www.carter-ruck.com/international-law)

**FOUR SANCTIONS CHANGES**

**1 Categories of persons**  
The UK government can designate categories of persons for sanctions, not just individuals - the first time UK law has allowed for this.

**2 Automatic listing**  
The UK is now obliged to designate persons listed by the UN, even if the UK minister regards those designations as wrong, for example based on mistaken identity.

**3 International reach**  
Prohibitions or requirements may be imposed on conduct in the UK, or globally if the conduct is by a United Kingdom person.

**4 More UK court cases**  
Previously an EU listing could only be challenged in the EU, but now requests for ministers to alter decisions will be heard in the UK courts.

# LEADING DIRECTORIES CONFIRM CARTER-RUCK IN TOP TIER FOR REPUTATION MANAGEMENT

## Chambers and Legal 500 directories once again praise firm for media law

The leading legal directories have again confirmed Carter-Ruck's position in the top tier of firms for reputation management and media law. Chambers UK praised the firm's "record of excellence in high-profile privacy and defamation actions" and Legal 500 noted our "impressive client list."

Chambers and Legal 500 are the leading independent directories ranking law firms and individual lawyers for expertise and quality of service, in the UK and around the world.

Ranking us in their top band for Defamation/Reputation Management, Chambers quoted one impressed source who said: "They are the absolute best in this space."

Several of the firm's partners secured individual rankings.

Alasdair Pepper is noted for his work on behalf of "celebrities, sports personalities and other high net worth individuals", and Nigel Tait is lauded for his "fantastically good judgement".

Adam Tudor is described as "a very significant player with a notable practice," and Claire Gill is described as "a technically brilliant lawyer".

Rebecca Toman is described as "the type of lawyer who gives her all to her work and to her clients."

In Chambers, Senior Associate Persephone Bridgman Baker is named as "an impressive individual".

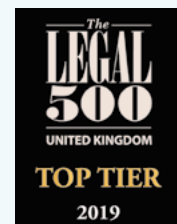
In the Legal 500, Nigel Tait and Adam Tudor were listed as Leading Individuals in the directory's 'Hall of Fame' and our partner Antonia Foster rose in the rankings.

The Legal 500 also listed Rebecca Toman as a leading 'Next Generation Lawyer'.



**"You can tell the quality of the lawyer you are dealing with by the letters they write - sensible, measured arguments, with no rhetoric or hyperbole. They are the absolute best in this space."**

**Chambers**



**"Impressive client list includes celebrities, leading business people, politicians and multinational companies"**

**Legal 500**

# LANDMARK \$35 MILLION REFUGEE DONATION

Qatari businessman and philanthropist Sheikh Thani Bin Abdullah Bin Thani Al-Thani has donated more than \$35 million to the United Nations High Commissioner for Refugees to help provide aid to Rohingya refugees in Bangladesh and displaced Yemenis.

The donation is the largest ever provided to the UNHCR by an individual.

Sheikh Thani was advised by Carter-Ruck Senior Partner **Cameron Doley**.

# NEWS ABOUT THE FIRM

## Big Voice charity breaks down barriers into law

Carter-Ruck is delighted to be associated sponsor for youth empowerment and social mobility charity Big Voice London, who hosted their annual Model Law Commission report launch at the UK Parliament in February 2019 (pictured).

The firm is especially proud of Victoria Anderson, CEO of Big Voice London and a solicitor at Carter-Ruck. She is helping to give students from disadvantaged backgrounds opportunities to engage in law and legal policy, encouraging diversity within the future legal profession.



Big Voice London Model Law Commission launch

## Nigel Tait wins Spear's Wealth Management Lawyer of the Year Award

Nigel Tait, Head of Media Law at Carter-Ruck, was named Lawyer of the Year for Reputation and Defamation at the Spear's Wealth Management Awards in November 2018.

Spear's, the magazine for high net worth individuals and their advisors, praised Nigel's "outstanding service, innovation, quality of service and client feedback".

## Guy Martin commended for international law

Carter-Ruck and our Partner and Head of International Law Guy Martin were both Highly Commended in the 2018 awards from WorldECR, the leading journal for sanctions and export controls practitioners.

The awards are in the respective categories of 'Practitioner of the Year' and 'Sanctions Law Firm of the Year, Europe'.

The magazine said Guy's work "is at the forefront of the field of challenges to asset freezing measures, or 'targeted sanctions'" and adds that Carter-Ruck's "success in representing high profile figures in complex and precedent-setting cases has led to it being associated with a number of significant rulings."

## Carter-Ruck welcomes François Holmey

Carter-Ruck is delighted to announce that François Holmey joins us as an Associate from a leading global law firm. He will primarily work in our International team.

François has experience in ICC and UNCITRAL international arbitrations and disputes in the English courts. He has recently completed a Masters in International Law, Development and Globalisation at the School of Oriental and African Studies, University of London.



François Holmey

**Carter-Ruck specialises in disputes of the greatest sensitivity, when reputations, livelihoods and fortunes are at stake. Available 24 hours on +44 (0)20 7353 5005.**

If you have any comments on this update or would like any further information, please contact Alison Phillips on 020 7353 5005 or email [alison.phillips@carter-ruck.com](mailto:alison.phillips@carter-ruck.com). This material is for general information and is not intended to provide legal advice. The material is provided by Carter-Ruck, a partnership authorised and regulated by the Solicitors Regulation Authority (SRA Number 44769).