

## Claire Overman



Call: 2014

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### Profile

#### What the directories say

Claire is ranked as a defamation and privacy junior in both Chambers & Partners and The Legal 500. She is also ranked for data protection in The Legal 500. She accepts instructions on behalf of claimants and defendants.

*"Claire has developed into a fine advocate who is very supportive and pragmatic."* - Chambers and Partners 2023

*"She rolls up her sleeves and provides very practical advice and possesses excellent judgement, being able to read the court and her opponents well. Her written work is concise and very compelling and she has a gentle authority on her feet."* - Legal 500 2023

*"She has a really good grasp of the law and very clear advocacy in court."* - Chambers and Partners 2022

*"An exceptional legal mind with the ability to provide clear and decisive advice. An expert in her field with the ability to chart a way through difficult issues and dilemmas."* - Legal 500 2022

## Overview

Claire has represented clients in the County Court, the High Court, and the Supreme Court. She has also acted in ECtHR and international media cases. Recent clients include: a Premiership football club, several award-winning investigative journalists and journalistic organisations, and a FTSE 100 company.

Claire has particular experience of acting for media organisations challenging reporting restrictions. She has appeared in the family courts and the Court of Protection (most recently acting for the BBC and Sky News in a successful application to lift reporting restrictions: see *PH and another v Brighton and Hove City Council and others* [2021] EWCOP 63 and news reports [here](#)). In addition, she has significant experience of providing pre-publication legal and Ofcom advice to publishing houses and a range of national print and broadcast media organisations. She has advised The Sun, The Times and The Sunday Times, the BBC and Channel 5.

Claire is also developing a practice in employment law. She has experience of claims in unfair and wrongful dismissal and discrimination, as well as preliminary hearings including applications to amend. Her media and information law practice makes her well-placed to act in employment cases with a data protection or confidentiality element, as well as matters raising open justice and privacy issues in the Employment Tribunal.

In 2018, Claire was awarded a Pegasus Scholarship to participate in the Paris Bar Exchange. She spent one month attending a variety of court and arbitration hearings, and sat with the media and information team at leading French law firm, Herald. She is a contributor to *Arlidge, Eady & Smith on Contempt*, 5th edition, first supplement.

## Education

BA (Law with Law in Europe) (First Class Honours), University of Oxford (Keble College)

BCL, University of Oxford (Keble College)

Residential Scholar, Gray's Inn

Bacon Scholar, Gray's Inn, 2013-2014

Certificat Supérieur de Droit Français et Européen, Université Panthéon Assas (Paris II)

## Languages

French

## Related practice areas

Media, Defamation and Freedom of Expression

Data Protection and Information Law

International Law

International Media Law

Employment, Discrimination and Equality Law

## Defamation

- **Packham v Wightman and ors** [2022] EWHC 482 (QB) – Junior counsel for the Claimant, a well-known naturalist and television presenter, in a trial of preliminary issues in his defamation claim. Led by Jonathan Price.
- **Warnes v Forge** [2020] EWHC 1496 (QB) – Counsel for the defendant in a trial of preliminary issues in a claim for defamation, misuse of private information and harassment.
- **Peck v Williams Trade Supplies Limited and anr** [2020] EWHC 966 (QB) – Counsel for the claimant in a trial of preliminary issues in a claim for defamation, malicious falsehood, breach of the Data Protection Act 1998 and negligent misstatement.
- **Feyziyev v Radu** (2019-20) – Junior counsel for the defendant, an award-winning investigative journalist, in a defamation claim brought by an Azerbaijani MP. Led by Jonathan Price.
- **Stocker v Stocker** [2019] UKSC 17 – Junior counsel for the claimant/respondent in an appeal to the Supreme Court in a defamation claim arising from allegations published by the defendant/appellant on Facebook. Led by Manuel Barca QC (One Brick Court).
- **K&K Hire Limited and anr v Radio Taxis (Southampton) Limited** (2018) – Counsel for the defendant in a successful application for strike out and summary judgment in respect of both claimants' claims in defamation.
- **Churchil Ltd v The Office of Qualifications and Examinations Regulation** (2018) – Counsel for Ofqual in a claim originally brought in defamation, breach of the Data Protection Act 1998, and unlawful interference in business.
- **Osborn v Phillips** (2017) – Counsel for the defendant in a defamation, data protection and harassment claim.

- **Obileye v Williams and anr** (2017) – Counsel for the defendants in an application to strike out a defamation claim.
- **Wallwork and others v McDowall and another** (2016) – Counsel for the defendants in a successful application to strike out a defamation action for Jameel abuse of process and failure to surmount the serious harm threshold in section 1 of the Defamation Act 2013.

## Harassment

- **Lawal v Adeyinka and Coker** [2021] EWHC 2486 (QB) – Counsel for the First Defendant, successfully resisting the Claimant’s application for an interim injunction in a harassment claim.

## Data Protection / Privacy

- **Warnes v Forge** [2020] EWHC 1496 (QB) – see above.
- **Peck v Williams Trade Supplies Limited and anr** [2020] EWHC 966 (QB) – see above.
- **Churchil Ltd v The Office of Qualifications and Examinations Regulation** (2018) – see above.
- **Osborn v Phillips** (2017) – see above.
- **King v Kogan Page Limited** (2017) – Counsel for the defendant, successfully striking out a claim brought in the County Court under the Data Protection Act 1998.

Claire is currently instructed on a number of confidential data protection matters, including advising potential claimants on a high-profile and large-scale data breach.

## Contempt of Court, Open Justice and Reporting Restrictions

- **West Midlands Police v Christopher Mullin** [2022] – Counsel for five media organisations, successfully challenging an order under s.11 Contempt of Court Act 1981 in the hearing of a production order application under the Terrorism Act 2000 (see judgment [here](#)).
- **LF v NHS Trust** [2022] EWCOP 8 – Counsel for the BBC in support of an application to disapply reporting restrictions in Court of Protection proceedings.
- **Manchester University NHS Trust v Verden** [2022] EWCOP 4 – Counsel for the BBC in support of an application to disapply reporting restrictions in Court of Protection proceedings.
- **PH and another v Brighton and Hove City Council and others** [2021] EWCOP 63 – Counsel for the BBC and Sky News in a successful application to lift reporting restrictions (see further details [here](#)).
- **R. (Finch) v Surrey County Council** [2021] EWHC 170 (QB) – Counsel for the claimant at a directions hearing before the Divisional Court, in contempt proceedings arising from the broadcast of video-hearing footage.
- **Re. MLA submissions to the Family Division’s Transparency Review** (2020-21) – Junior counsel for the Media Lawyers’ Association, drafting **submissions** for the President of the Family Division’s **Transparency Review**. Led by Caoilfhionn Gallagher QC.
- **Re. PACE application** (2019) – Counsel for the respondent media company in an application under s.9(1) and Schedule 1 Police and Criminal Evidence Act 1984 for audio-visual footage.
- **A v B** (2019) – Counsel for the third party at a hearing in the Commercial Court, successfully obtaining restrictions on the publication of private information.
- **R v Lewis** (2018) – Counsel for two national media organisations, successfully opposing an application for a reporting direction under s.46 Youth Justice and Criminal Evidence Act 1999.

## European and International Matters

- **Wikimedia Foundation Inc. v Turkey** App. No. 25479/19 (2020) – Junior counsel for Wikimedia Foundation Inc. in an application to the European Court of Human Rights arising out of the Turkish Government’s access ban on Wikipedia. Led by Can Yeginsu (4 New Square).
- **Re. Maria Ressa and Rappler** (2019-21) – Junior counsel for award-winning journalist and Nobel Peace Prize laureate Maria Ressa in ongoing proceedings including criminal charges of cyberlibel under Filipino law. Led by Amal Clooney, Caoilfhionn Gallagher QC and Can Yeginsu.

## Media-related Inquests

- **Inquest into the death of Stephen Dymond** (2019-21) – Junior counsel for the family of Stephen Dymond, who passed away following his appearance on the Jeremy Kyle Show. Led by Caoilfhionn Gallagher QC.

## Employment

Claire’s work in this area to date includes:

- Assisting Paras Gorasia with a claim involving allegations of race discrimination in respect of recruitment decisions against a telecom infrastructure company.
- Drafting submissions opposing applications to amend claims at preliminary hearings.
- Assisting in a high value wrongful dismissal claim involving non-vesting of share options by a former Director of a technology company.