

Year called 1998

Silk 2017

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“Absolutely superb” Chambers & Partners 2016

Kate Grange QC has a broad practice which combines both public and commercial law. She is a former member of the Attorney General’s A-Panel of Counsel. She regularly appears on behalf of central government in high-profile public law proceedings with particular emphasis on human rights, terrorism, prison and immigration law. Her practice also includes substantial and complex litigation, arbitrations or mediations arising out of large-scale commercial, construction and engineering, insurance and professional negligence disputes. The nature of her practice means that she has particular experience of advising on the interface between public and commercial law issues. She has experience in all levels and types of courts and tribunals and regularly appears in the appellate courts.

PRACTICE AREAS

- Commercial, Construction & Engineering Law
- Tort Claims
- Administrative & Public

PRACTICE AREAS

COMMERCIAL, CONSTRUCTION & ENGINEERING LAW

“Very approachable, very pleasant, and she has a sharp mind too. She is very willing and keen to get into the detail.” Chambers & Partners

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Kate has been involved in a number of substantial and complex cases and the majority of her practice in this area has arisen out of large construction & engineering, commercial, insurance and professional negligence disputes.

Her more substantial cases have included:

- Advising and acting on behalf of a local authority in TCC proceedings in relation to various multi-million pound construction disputes under PFI contracts relating to the Building Schools for the Future Programme.
- Acting on behalf of a local authority in a series of adjudications concerning PFI contracts relating to the refurbishment and subsequent management and maintenance of sheltered and warden supported housing.
- A multi-million pound TCC action involving defects in an Academy School, including defective roof overhangs.
- A multi-million pound dispute between a rolling stock manufacturer and a Government owned company over the performance of trains and the consequent liabilities arising under three separate Deeds of Indemnity.
- Two substantial arbitrations regarding open-cast mining operations in the South Wales coalfields.
- A successful appeal to the Court of Appeal on the proper construction of an insurance clause in a design and build contract.
- A high-profile and long running TCC action (*Skanska v Egger*) arising out of the construction of a wood-chip board manufacturing facility in Scotland.
- Her appointment as part of the legal team in the retrial of the Co-op v ICL matter.
- A multi-million pound dispute involving cladding/curtain walling.
- A multi-million pound asbestos pollution case involving complex issues of causation.

She has substantial oral advocacy experience, including cross examination skills, both in this and other fields.

She is also an active member of the Environmental and Planning Law Team within 39 Essex Chambers and her experience in this regard includes mining, oil and gas law and health and safety. She has extensive experience of working with experts in the construction, engineering and environmental fields and in particular she has worked closely with geologists, geotechnical engineers and biological engineers.

TORT CLAIMS

Kate has extensive experience of tort claims, including particular experience of claims against public bodies. Her more high-profile cases have included:

- Junior counsel for the MoJ in the Supreme Court appeal in *Cox v Ministry of Justice* [2016] 2 WLR 806 on the circumstances in which the prison service will be held vicariously liable for the negligent

actions of prisoners.

- Lead junior in a series of tort claims by Libyan nationals against the Intelligence Agencies alleging false imprisonment, misfeasance and conspiracy to injure – *Kamoka v Security Service* [2016] EWHC 769 (QB).

ADMINISTRATIVE & PUBLIC

"She is a really top-quality barrister, who is always on top of everything and knows everything in the papers." Chambers & Partners

She has particular expertise in human rights, immigration, terrorism, inquiries and prisons and also undertakes local government and education work. Following her appointment to the Attorney General's A-panel she has acted for the Crown in many high-profile public law cases.

CLOSED /SECRET EVIDENCE

- Representing the Government in a series of cases on whether its use is permissible in court and if so in what circumstances: *Tariq v Home Office; Tariq v United Kingdom* .
- Advising and appearing in several cases involving the application of the Justice and Security Act 2013 – *Mohamed & CF* [2014] EWHC 3171 (QB), *Khaled v Security Service* [2016] EWHC 1727 (QB).
- Acting in a number of high-profile Control Order cases on behalf of the Secretary of State (*DD v SSHD* [2016] MHLR 18), including in the House of Lords (*AF (No. 3)* [2009] 3 WLR 74).

INQUIRIES

- Appointed Counsel to the Grenfell Tower Inquiry
- Advising the Chilcot Inquiry on judicial review proceedings.
- Challenge to refusal to hold a public inquiry into abuses by British Soldiers in Iraq – *Ali Zaki Mousa* .
- Advising and acting for the MOD in relation to the Iraq Fatality Inquiries *Al-Saadoon v Secretary of State for Defence* [2016] 1 WLR 3625; [2016] HRLR 10; [2016] Inquest LR 98.
- Extensive involvement in the Rosemary Nelson Inquiry, advising and acting for the Inquiry on all relevant aspects of public law and successfully defending the Inquiry in three separate judicial review challenges in the Northern Irish Courts.

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IMMIGRATION

- Deprivation of nationality cases including *Hashi v Secretary of State for the Home Department* [2016] EWCA Civ 1136 on statelessness and Somali law.
- A number of high-profile exclusion cases including of controversial “Islamophobic” US writers – *Spencer & Geller v Secretary of State for the Home Department* [2015] EWCA Civ 45.
- Successfully appeal for the Secretary of State regarding deportation of a foreign criminal convicted of rape; *MA (Somalia) v Secretary of State for the Home Department* [2015] EWCA Civ 48.
- Deportation to Ethiopia of terrorist suspect – *J1 v Secretary of State for the Home Department* [2013] EWCA Civ 729.

IRAQ

- Whether there should be a public inquiry into the allegations of ill-treatment of detainees in Iraq by British forces applying the principles in Arts. 2 and 3 ECHR; *R (Mousa) v Secretary of State for Defence* [2012] HRLR 6 (CA).
- Lead junior for MOD in Court of Appeal on scope of Art. 1 ECHR and investigative duties under Arts. 3, 5 and UNCAT – *Al-Saadoon v Secretary of State for Defence* [2016] 1 WLR 3625, [2016] HRLR 20.

INVESTIGATORY POWERS TRIBUNAL

- Acting in judicial review raising important issue of whether the Investigatory Powers Tribunal is amenable to judicial review.
- Lead junior in 4 major challenges in the IPT: each raised new legal issues and attracted considerable media attention.
- *Belhaj v Security Service* was a challenge to the regime governing the interception of communications attracting legal professional privilege.
- *Lucas v Security Service* concerned the “Wilson Doctrine”, i.e. whether the Agencies had broken a former Prime Minister’s promise to Parliament that MPs’ communications would not be intercepted.
- *Privacy International & Greennet* was a challenge to GCHQ’s ‘computer hacking’ activities in which the Tribunal upheld the lawfulness of the domestic legal regime.
- *Human Rights Watch v Secretary of State for Foreign and Commonwealth Affairs* – IPT ruled on whether it should entertain the complaints of hundreds of parties who had expressed a belief that their communications had been intercepted by the UK Intelligence Services and that they may have been subject to the sharing of intelligence between the US and UK authorities.

ENVIRONMENTAL

- Advising and representing DEFRA in relation to the badger cull – *Badger Trust v Secretary of State for Environment, Food and Rural Affairs* [2015] Env LR 12.

RECOMMENDATIONS

Kate has been recommended as a leading junior for many years in Chambers & Partners, the Legal 500 and Legal Experts. She is recommended as a leading junior in construction law and has also been recognised as a leading junior in immigration law.

Quotes

“She is precise, clear and instils confidence; a first-choice senior junior.” Legal 500 2016

“A first-class junior barrister, who is very highly regarded by the judiciary.” Legal 500 2016

“She thinks four stages ahead, keeps calm and turns work around very quickly.” “She is delightful to deal with and very responsive – clients really enjoy her style.” Chambers & Partners 2016

“She is a fantastic person to work with, because of her personality. She’s so easy to get on with and very cool under fire.” “She is absolutely superb. Very good in writing and superb in conference.” Chambers & Partners 2016

“A specialist in national security related immigration matter.” Legal 500 2015

“A delight to work with, and absolutely wonderful with clients.” Legal 500 2015

“Experienced in high-profile judicial reviews.” Legal 500 2015

“She is a really top-quality barrister, who is always on top of everything and knows everything in the papers.” Chambers & Partners 2015

“She’s very down to earth, is an incredibly practical lawyer and a delight to deal with.” Chambers & partners 2015

“Very approachable, very pleasant, and she has a sharp mind too. She is very willing and keen to get into the detail.” Chambers & partners 2015

“Experienced in litigation, arbitration and mediation.” Legal 500 2014

“Silks have total trust in all she does.” Legal 500 2014

“Excellent in national security cases.” Legal 500 2014

“Frequently chosen as the junior of choice in difficult and politically sensitive cases.” Chambers & Partners 2014

“She is a very balanced, thorough and personable advocate.” Chambers & Partners 2014

“She’s extremely user-friendly and provides superb pleadings.” Chambers & Partners 2014

“impresses commentators through combining obvious legal knowledge with a keen commercial understanding. Her grasp of technical detail and direct manner have also drawn praise from observers, who predict an impressive future for her.” Chambers & Partners 2012

“a delight to work with,” and lawyers find the level of enthusiasm that she displays for her cases to be particularly refreshing.’ Chambers & Partners 2010

“bright, tough and a pleasure to work with” Chambers & Partners 2009
“highly intelligent and utterly normal” Chambers & Partners 2006
“well-rounded” Chambers & Partners 2005
“very bright... she is equally at home talking to the company directors and to the guys who dig holes”
Chambers & Partners 2005
“a really good junior – tenacious and unfazed by complexity” Legal 500 2009
“first-rate” Legal 500 2009
“one to watch; bright, tough and a pleasure to work with” Legal 500 2007

APPOINTMENTS

The Attorney General’s A-panel

MEMBERSHIPS

The Attorney General’s A-panel (2012)

QUALIFICATIONS

Diplock Scholar Middle Temple
Inns of Court School of Law: 1998
Queens’ College, Cambridge LLB: 1994-1997

ADDITIONAL INFORMATION

She has been involved in a number of mediations both as assistant and principal mediator, and in her spare time she is a school governor for a local primary school.

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