


OLD SQUARE CHAMBERS  [www.oldsquare.co.uk](http://www.oldsquare.co.uk)

**Blacklisting:**  
No respect for private and family life

Alex Just  
1 July 2015

Old Square Chambers

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OLD SQUARE CHAMBERS 

**AGENDA**

- ✧ Brief History of Blacklisting
- ✧ High Court Group Litigation
- ✧ Human Rights + Causes of Action
- ✧ Lessons for the Labour Movement

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OLD SQUARE CHAMBERS 



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❖ **BRIEF HISTORY OF BLACKLISTING**

- Origins of Blacklisting?
- The Economic League
- The Consulting Association
- ICO Raid and Scottish Affairs Select Committee Investigations

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❖ **HIGH COURT GROUP LITIGATION**

- Master Leslie (CMCs) and Mr Justice Supperstone (Trial Judge)
- Claimant Solicitors Steering Group (CSSG)
- Multiple Defendants
- 10 week trial listed to start in May 2016

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**◇ EUROPEAN CONVENTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS 1950**

- Article 8(2) = Respect for private and family life
- Article 11(1) = Freedom of association/trade union membership
- Articles 9(1) and 10(1) = Freedom of thought/conscience
- Article 10(1) = Freedom of expression



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**◇ CAUSES OF ACTION**

1. Breach of Data Protection Act 1998
2. Unlawful Means Conspiracy
3. Breach of Privacy/Misuse of Confidential Information
4. Defamation



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**Key Legal Questions**

- Lead Cases
- Expert Evidence
- Impact on private and family life
- Privacy Damages after *Gulati & Ors v MGN Limited*

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❖ **LESSONS FOR THE LABOUR MOVEMENT**

1. Solidarity
2. Access to Justice
3. High(er) Tech Lawyering

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**SOLIDARITY**

- Trade Unions/Trade Union law firms working together
- Utilising the power of Select Committees
- Legal Mobilisation?

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**ACCESS TO JUSTICE**

- High Court Issue Fees = £10,000 for Unlimited Claim
- Members need Trade Union support to run claims
- Network of support for Blacklisting Victims

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**HIGH(ER) TECH LAWYERING**

- Data Management
- Cloud Computing
- Excel Modelling

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**Thank you**

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