

# 12

King's Bench Walk

## Kate Boakes

Call: 2014

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### AREAS OF EXPERTISE

International & Travel, Industrial Disease, Abuse, Aviation, Environment, Personal Injury, Inquests

Kate acts in all of 12KBW's core areas, with an emphasis on cross-border group actions, industrial disease, and claims arising out of intentional physical or sexual abuse.

She has considerable advocacy experience, having acted as sole counsel at multi-day trials and appeared in front of a jury. She is equally comfortable working on large-scale litigation as part of a team, and is regularly brought into complex cases by the pre-eminent silks in her fields of work.

She is presently instructed in several private international law claims brought by groups of foreign nationals against multinational corporations, including cases which arise out of mass environmental damage, workplace sexual abuse, and mistreatment by private security forces.

She regularly acts in cases involving the application of foreign law under Rome I and Rome II, and issues of jurisdiction.

She has a particular specialism in claims arising out of asbestos exposure. She is junior counsel for the claimant in *Head v Culver Heating*, which is due to be heard by the Court of Appeal in December 2020.

### International & Travel

Kate has extensive experience of acting in cross-border cases. She acts in group actions in which she is regularly led by leading silks in the field, and in individual cases as sole counsel.

In group actions, she has represented clients from Peru, Brazil, Malawi, Kenya, and Zambia, in claims against multinational corporations arising out of environmental damage and human rights abuses.

She has acted in high-profile cross-border claims brought against the UK Government, including a claim against the MOD and FCO arising out of alleged unlawful detention and torture during the invasion of Iraq in 2004, and claims brought by individuals who were sent to commonwealth countries as unaccompanied child migrants following the Second World War.

She frequently advises in claims arising out of accidents abroad, including those brought under the Package Travel Regulations. She also has experience of litigation arising out of aviation crashes.

She speaks fluent French. She wrote the applicable law chapter of the Butterworths Personal Injury Litigation Service.

## Cases include:

- *Lungowe v Vedanta Resources Plc*: acting for more than 2,000 Claimants in group litigation arising out of pollution of waterways and land surrounding a copper mine in Zambia. Listed for trial in October 2021. Led by Richard Hermer QC.
- *Rahmatullah v MoD & FCO*: acting for Mr Rahmatullah in his claim against the UK Government for its involvement in his capture in Iraq in 2004 and extraordinary rendition to Bagram, where he was held for 10 years and allegedly tortured. Settled in November 2019. Led by Richard Hermer QC.
- *GDH & PAB v Secretary of State for the Department of Health*: acting for two individuals who were migrated to Southern Rhodesia and Australia in the 1950s pursuant to the UK Government's policy of permitting the migration of unaccompanied child migrants from the UK to commonwealth countries after the Second World War. They allegedly suffered sexual abuse and general mistreatment in the institutions to which they were migrated.
- *Vilca & Ors v Xstrata Plc & Xstrata Tintaya SA*: one of The Lawyer's Top 20 Cases of 2016, in which 22 Peruvian environmental protestors brought claims for serious injuries and mistreatment sustained during demonstrations at an Andean copper mine. Kate appeared in five reported decisions in this long running litigation. Led by Phillipa Kaufmann QC, Harry Steinberg QC and Charles Béar QC.
- Instructed as sole counsel by four dependent children in their claim arising out of a road traffic accident in Lithuania in which their mother was killed (settled in September 2020).
- Instructed by an English family who sustained injuries as primary and secondary victims due to an accident in France;
- *Kenyan Emergency Group Litigation*: as a baby barrister, instructed by the Government Legal Department in litigation in which 40,000 claimants sought compensation for alleged abuses during the Mau Mau uprising in Kenya in the 1950s.
- *Bomu-Bonny Oil Pipeline Litigation*: as a pupil, assisted with litigation in which 15,600 claimants settled their claims against Shell for £55 million, following two oil spills in the Niger Delta. Assisted Harry Steinberg QC.

## Qualifications

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2012-2014: GDL & BPTC, City University Law School

2006-2010: BA (Hons) Modern Languages, Oxford University