

# 12

King's Bench Walk

## Kate Boakes

Call: 2014

boakes@12kbw.co.uk



### 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.

### Personal Injury

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Kate acts in all areas of personal injury law, including employers' liability, public liability, occupiers' liability, road traffic, sexual abuse and other intentional torts. She specialises in cases with an international element. She is regularly instructed by insurers in cases involving suspected fraud.

Cases include:

- *Head v Culver Heating Co Ltd* [2019] EWHC 1217 (QB): assessment of "lost years" claim brought by a successful businessman involving the application of *Adsett v West*. The appeal application was exceptionally re-opened by Lady Justice Simler under CPR 52.30, and is due to be heard by the Court of Appeal in mid-December 2020. Led by Harry Steinberg QC.
- *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.

- *Passey v Kevin Sears Carpentry Ltd* [2018] 12 WLUK 656: Acting as sole counsel for the Defendant at trial. Successfully established that the Claimant had brought a fraudulent claim based on a fictitious accident because she was aggrieved at the manner in which building work had been carried out next to her property. Claimant found to be fundamentally dishonest.
- 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).

## Qualifications

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

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