

## Katherine Deal KC

Call Date: 1997 | Silk Date: 2019

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- Katherine is a Recorder (Crime and Civil) for the London and South Eastern Circuit.
- She is also an accredited PICArbs panel arbitrator.
- Katherine was head of pupillage in Chambers between 2012 and 2020, and continues to take an active part in training of pupils.
- She was conciliator for the Passenger Shipping Association, as it was then known, between 2010 and 2014, mediating between cruise lines and disgruntled passengers.
- She was a volunteer barrister for Disciplinary Hearings held by the Council of the Inns of Court from 2009 to 2013.



## Legal Services

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### Alternative Dispute Resolution and Inquests

Katherine has immense experience in alternative dispute resolution, and has acted for claimants and defendants in joint settlement meetings and mediations on hundreds of occasions. She has settled claims running into many millions of pounds. She has represented clients in numerous inquests including those with juries, and was instructed throughout the lengthy and high profile inquest arising out of the Sousse terrorist attack in Tunisia in summer 2015.

### Aviation

In addition, Katherine acts in a large number of aviation claims. These range from fatal air crashes to claims arising from faulty ejector seats and seat belt airbags, as well as employers' liability claims for cabin crew. She was involved in various claims arising out of the Vauxhall helicopter crash, the Germanwings crash, the Jet Airways crash and the Indonesia Air Asia crash, amongst numerous others. She has extensive experience of

Convention claims. As part of her growing appellate practice. Katherine has recently been instructed in a successful in responding to an appeal before the Privy Council arising out of the theft of an aircraft from a Bahamian airport ([The Airport Authority v. Western Air \[2020\] UKPC 29](#)).

## Personal Injury and Travel

Katherine Deal specialises in all aspects of high value personal injury claims often involving fatal accidents and catastrophic brain injuries of maximum severity.

She has a particular expertise dealing with claims arising from overseas accidents or medical treatment, in particular concerning issues of jurisdiction and choice of law. She is widely considered a leading expert on the interpretation and application of Rome II, and acted for the claimant in the first ever decision from the Court of Justice of the European Union to consider the scope of Rome II, [Homawoo v GMF Assurances \(CJEU Case C412/10\)](#).

She has particular interest in the application by the English court of foreign principles of assessment and is very used to working with foreign law experts to achieve the best results. She has acted in some of the largest foreign injury and fatal accident claims ever brought in an English court. She has extensive experience of the specific issues involved where British employees are injured or killed whilst working overseas, as well as cross-border abuse claims (often involving questions of foreign limitation). She has been involved in numerous appeals to the Privy Council, with recent cases involving alleged police brutality in The Bahamas, clinical negligence in Trinidad, road accidents in Mauritius and stolen aircraft in The Bahamas.

She has considerable experience in jurisdictional disputes and has acted in numerous landmark judgments concerning the direct right to sue foreign domiciled defendants in England, including [Jones v AGF \[2010\] IL Pr 4](#), [Thwaites v Aviva Assurances \[2010\] Lloyd's Rep IR 661](#), [Panagaki v Minetta SA General Insurance \[2015\] EWHC 2700 \(QB\)](#), and [Le Guevel-Mouly v. AIG Europe Ltd \[2016\] EWHC 1794 \(QB\)](#). She acted with Howard Stevens QC in the landmark case of [Keefe v Mapfre & Hoteles Pinero Canarias SL \[2015\] EWCA Civ 598](#), which was considered by the Supreme Court before reference to the CJEU. She has been instructed in numerous cases arising out of the interpretation of different provisions of the Judgments Regulation, including [Lackey v Mallorca Mega Resorts SL \[2019\] EWHC 1028 \(QB\)](#); [Cole v IVI Madrid SL \[2019\] 9 WLJK 373](#), which was referred to the CJEU in late 2019; and [Flowers v Centro Medico and another \[2021\] EWHC 2437 \(QB\)](#); and is currently instructed in several post-Brexit claims with jurisdictional issues.

She also has extensive experience in package travel claims, acting for and against all of the major tour operators in claims ranging from mass outbreaks of gastric illness in hotels or on cruise ships to skiing accidents and deaths overseas. She acted for numerous victims of the Tunisia terrorist attack in the inquest and subsequent civil claims. She was also instructed on behalf of the claimant in the first package travel appeal to the Supreme Court (and one of the last cases referred to the CJEU) in the case of [X v Kuoni Travel Ltd \[2019\] UKSC 37](#) which clarified the law as it relates to liability of tour operators for deliberate assaults overseas.

## Public Inquiries

Katherine has an interest in Inquiries work as a result of acting in many inquests including the inquests resulting from the terrorist attack in Sousse, Tunisia, in which 30 British nationals were killed where Katherine acted for many of the families of the deceased.

## Publications

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- She edits and contributes to the Chambers' Travel and Personal Injury bulletins.
- She gives frequent talks on various areas of interest in the fields of travel or personal injury law and regularly lectures at PEOPIIL, PIBA and APIL conferences.
- New Law Journal – [The implications of Brexit for international travel claims](#)
- She contributed to Oliver & Dingemans on Employers' Liability Cases, to the original APIL Guide to Accidents Abroad, and for many years wrote the chapter in BPILS on litigating overseas claims.

## Memberships

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- Personal Injury Bar Association (PIBA)
- London Common Law & Commercial Bar Association (LCLCBA)
- Pan-European Organisation of Personal Injury Lawyers (PEOPIL)

## Qualifications

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- MA (Modern Languages) (First Class), St Hugh's College, Oxford

## Languages

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- French
- German
- Spanish (basic)