



## Romana Canneti - Barrister Called 1997

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### PRACTICE AREAS:

- Media & IP
- General civil

### PROFESSIONAL MEMBERSHIPS:

- Media Lawyers' Association

### PROFILE:

Since 1999 and before returning to the bar, Romana regularly advised newspapers and broadcasters (including Associated Newspapers, ITN, the BBC, Independent Print Limited, The Telegraph Group, Times Newspapers and News Group Newspapers) on pre-publication and pre-broadcast media. She also regularly advises the Press Association, the UK's major national news agency.

Romana regularly gives detailed pre-publication advice to authors and book publishers, and also to the writers and producers of podcasts.

Romana has over twenty years' experience in libel and defamation: during the course of her employment at *The Independent*, where she was employed as part of the in-house legal team between 2006 and 2016, the claims she handled for the company included libel and privacy (later, when the group acquired the paper, she also became a legal adviser to the *Evening Standard*). In addition to the increasing overlap of privacy/defamation and data protection law, Romana is well versed in regulatory issues affecting both the broadcast and print media. For many years she handled IPSO (formerly PCC) adjudications for Independent Print Limited, The Telegraph Group and Associated Newspapers.

Romana has worked on numerous copyright claims from photographers and claimants' solicitors and/or agents. Where there were no reasonable grounds to refute such claims, she negotiated advantageous outcomes for her employer, sometimes by means of settlement. She often liaised with contacts across the industry to deliver a practical and costs-driven result, which was consistent with other news organisations and helped keep any such settlements to a minimum: an important factor in achieving this was an accurate assessment of the market value of the material in question.

She has successfully defended copyright claims in the Intellectual Property Enterprise Court (which hears claims worth less than £500,000). She conducted such cases without the use of external Counsel. She has also advised on trademark and passing-off matters.

She is experienced in drafting and advising on contractual and commercial issues.

Romana successfully handled the leading case *Independent News and Media v A* [2010] EWCA Civ 343, [2010] 1 WLR 2262 in which the Court of Appeal upheld a landmark decision to allow media access to private court of protection hearings. That application was eventually joined by five other national news organisations, and was the first of several more successful consortium media applications for access to court of protection hearings. A pilot project – and a judicial move to increased transparency – were the outcome of the lobbying that she undertook on behalf of the media. She was invited to contribute to the first edition of *The Court of Protection Practitioners' Handbook*, and has spoken at seminars on the media and the court of protection, including at the COPPA conference.

Over the years she has built up considerable experience advising on – and where necessary – challenging the many other varieties of reporting restriction which affect media coverage of the criminal and family courts, army disciplinary proceedings and employment proceedings.

She has also handled contempt of court issues, as well as other practical obstacles affecting journalism, such as production orders.

Romana has written articles on legal matters which were published in the *New Law Journal*, *The Times* law pages, *The Independent* and the *British Review of Journalism*. She is a regular contributor to the *New Law Journal*.

A former television producer who brings a practical and commercial approach to her legal practice, Romana has worked in France, Spain and Italy and is fluent in those languages.

Romana accepts instructions in nearly all of Chambers' advertised civil practice areas.

## Case Profile

**DEFAMATION:** Instructed (with Guy Vassall-Adams QC and Edward Craven of Matrix Chambers) by the Media Lawyers Association ['MLA'] to intervene in the Supreme Court hearing of *Lachaux v Independent Print Ltd and Another* [2019] UKSC 27. This important test case clarified the meaning of the 'serious harm' threshold set by the Defamation Act 2013. The outcome was a significant triumph for freedom of expression: Lord Sumption agreed with the MLA's submissions (and those of the defendant publishers) that a claimant must prove that his reputation has, or is likely to, suffer serious harm in order to be able to sue in libel.

**OPEN JUSTICE:** Prepared submissions for a Press Association journalist which successfully resisted a last-minute application in a £6m High Court psychiatric damage claim aimed at preventing the media reporting the claimant's name.

**OPEN JUSTICE:** Instructed by the MLA to draft submissions to the House of Commons Public Bill Committee relating to the passage through Parliament of the Crime (Overseas Production Orders) Bill. Certain measures to protect media rights were subsequently incorporated into the Act, which was passed on 12 February 2019.

**OPEN JUSTICE:** Drafted the MLA's response to a Home Office consultation seeking the views of interested parties (in this case the media) to draft Codes of Practice to the Counter-Terrorism and Border Security Act 2019, as well as modifications to the existing Code of Practice to the Terrorism Act 2000. The Codes include provisions governing police and port authorities' access to journalists' material and sources.

COPYRIGHT: Instructed to advise on a licensing/copyright matter affecting a medium-sized IT firm.

EMPLOYMENT: Instructed by the claimant in a high value employment claim involving alleged disability and beliefs discrimination and unfair dismissal.

EMPLOYMENT: Instructed to represent the claimant in a three-day unfair dismissal hearing.