



## Kate Gardiner

Call 2022

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Kate is developing a broad practice across all of Chambers' main areas, with a particular focus on commercial litigation, group actions, and environmental disputes.

Kate's recent work includes appearing in the Supreme Court and Court of Appeal in an appeal against a planning decision (led by Patrick Green KC), assisting in an appeal regarding recognition and enforcement of an arbitration award (led by Patrick Green KC), and acting for the petitioner in an unfair prejudice petition (led by Henry Warwick KC). She regularly appears in the County Court and has significant experience as sole counsel in the High Court, including successfully appearing unled in a heavy application in the Chancery Division.

Kate was awarded the Lord Denning and Lord Brougham scholarships for her legal studies, prior to which she ranked second in her year as an undergraduate at Oxford and interned at UNHCR, the UN Refugee Agency.

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*Please [click here](#) for a copy of Kate Gardiner's privacy policy.*

## Commercial

Kate has significant experience of commercial litigation and has a particular interest in disputes related to energy, commodities, and sports.

Examples of Kate's recent work include:

- Instructions to assist Patrick Green KC in *Infrastructure Services v The Kingdom of Spain*, concerning the recognition and enforcement of a €120 million arbitration award (one of the Lawyer's Top 10 Appeals of 2024);
- Acting for the claimant in relation to a \$2.6 million debt arising from the financing of a South African gold

mine (*Alphier Capital LLP v Blyvoor Gold Capital (Pty) Ltd*), led by Arnold Ayoo. Kate has appeared as sole counsel on multiple occasions, including at a heavy application hearing where she successfully resisted the defendant's strike out application;

- Instructions in proceedings for an unfair prejudice petition, led by Henry Warwick KC;
- Instructions in intended proceedings for breach of contract, unjust enrichment, unlawful means conspiracy, and breach of fiduciary duty in relation to interlinking oil & gas development agreements, worth c.\$90 million, led by Arnold Ayoo and William Moody;
- Varied cases on behalf of banks, including successfully resisting injunction applications;
- Varied cases involving fraud, including APP fraud;
- Assisting with the permission to appeal application in *Your Lawyers v Therium*, one of The Lawyer's Top 10 Appeals of 2025) (as a pupil, for Thomas Samuels); and

Varied research and drafting on two high profile claims under s90A of FSMA 2000 (including one of The Lawyer's Top 20 Cases of 2024) (as a pupil).

## Representative Cases

- *Alphier Capital LLP v Blyvoor Gold Capital (Pty) Ltd* [2024] EWHC 2649 (ChD)

## Company, Insolvency, and Bankruptcy

Kate has varied experience of company, insolvency, and bankruptcy law.

Examples of her recent work include:

- *Re D.W.B. Waste Management Ltd* [2025] EWHC 476 (Ch): Kate appeared *pro bono* at trial and successfully obtained an 11<sup>th</sup> hour adjournment on behalf of the Respondent director. Kate continues to advise in the proceedings (valued at over £500,000) which are brought for breach of fiduciary duty under s212 IA 1986 and for transactions at undervalue under s238 IA 1986 in relation to alleged under-declaration of VAT, unlawful payments and unlawful cash withdrawals.
- Instruction in proceedings for an unfair prejudice petition, led by Henry Warwick KC;
- Attending on and drafting winding up and bankruptcy petitions, including successfully resisting a bankruptcy order in the amount of £1.2 million; and
- Drafting written submissions on behalf of a Respondent for proceedings before the Takeover Panel Hearings Committee (as a pupil).

## Representative Cases

- *Re D.W.B. Waste Management Ltd* [2025] EWHC 476 (Ch)

## Group Actions and Competition

Kate is currently instructed in:

- The Pan NOx emissions litigation on behalf of the Claimants; and
- An environmental group action on behalf of the Defendant.

Kate recently undertook a five-month part-time secondment to the Competition and Markets Authority, where she gained unique insight into all aspects of competition litigation. Her work covered the CMA's involvement in:

- Director disqualification in competition cases;
- Remedy negotiations pursuant to a Chapter II breach;
- Possible interventions in High Court proceedings; and
- Varied consumer matters.

As a pupil, Kate gained experience in various other group actions, including an environmental nuisance claim, the PPI group action, and a proposed group action arising from a terrorist attack.

She is also experienced with claims under s.90A of FSMA 2000.

## Public and Environmental Law

Kate has growing experience in public law. Examples of her recent work include:

- Acting for the claimant/appellant in an appeal against a planning decision in the Supreme Court and Court of Appeal (led by Patrick Green KC) (Supreme Court judgment pending; *Wathen-Fayed v Secretary of State for Levelling Up, Housing and Communities* [2024] EWCA Civ 507), and acting in related judicial review and statutory review proceedings;
- Acting for a private client in potential judicial review proceedings (led by Patrick Green KC);
- Acting for the Ministry of Housing, Communities, and Local Government in relation to the UK Covid-19 Inquiry; and
- Research on multiple matters before the Investigatory Powers Tribunal (as a pupil).

Kate has a particular interest in environmental law, having studied Geography at university. She is currently instructed in an environmental group action as well as the Pan NOx emissions litigation.

## Representative Cases

- *Wathen-Fayed v Secretary of State for Levelling Up, Housing and Communities* [2024] EWCA Civ 507

## Sports

Kate has a particular interest in sports disputes, whether commercial or regulatory. She is a keen sportswoman who played Lacrosse for Wales at junior level and was awarded a Full Blue at Oxford University.

Examples of her recent work include:

- Advising a major sporting governing body on their regulatory framework (led by Adam Heppinstall KC);
- Advice (as a pupil) in relation to a commercial dispute between a La Liga football club, major international player, and a football agent, involving allegations of breach of fiduciary duty;
- Drafting pleadings (as a pupil) in a dispute between two major sportswear brands; and
- Winning the Littleton Chambers Sports Law Essay Prize 2023.

## Banking, Finance and Consumer

Kate regularly appears in court in consumer and consumer finance disputes, including:

- PPI, solar panel, and motor finance commission claims;
- Acting for energy companies in consumer disputes; and
- Acting for banks in mortgage-related proceedings.

## Professional Negligence and Insurance

Before joining chambers, Kate completed pupillage at a leading commercial set, where she gained specialist knowledge in professional negligence and insurance.

Kate's experience of insurance disputes includes advice on coverage, notification, and aggregation, as well as brokers' negligence and advising on potential unregulated insurance policies.

Kate is particularly experienced with professional negligence claims of all types, having worked on disputes across the legal, insurance, construction, and financial services industries. She welcomes instructions in this area.

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## Appointments

Government Legal Department, Junior Junior scheme (2024 to 16/03/2028)

## Memberships

- COMBAR
- Environmental Law Foundation (pro bono member)

## Education

Education

- BVS, City University – Distinction

- GDL, City University – Distinction
- BA (Hons) Geography, University of Oxford (Hertford College) – First Class (2<sup>nd</sup> in year)

### Scholarships and Prizes

- 1<sup>st</sup> Place – Littleton Chambers Sports Law Essay Prize 2023
- Lord Denning Scholarship, Lincoln's Inn
- Lord Brougham Scholarship, Lincoln's Inn
- Gibbs Prize (*proxime accessit*) for Geography, University of Oxford
- Highly commended in the Royal Geographical Society DARG Dissertation Prize (top three dissertations in country)
- Hertford College Final Honour School Prize
- Hertford College Academic Scholarship

### Awards & Recognitions

