

Josephine Gillingwater

Call: 2024

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Josephine Gillingwater practices across Chambers' practice areas including public law and human rights, public international law, commercial law, employment and discrimination law, data and information law, procurement, and sports law.

Josephine was the Judicial Assistant to Lord Lloyd-Jones in the Supreme Court and the Judicial Committee of the Privy Council from 2025 to 2026.

As a Judicial Assistant, Josephine has worked on a number of the leading cases of the past year, including *The Kingdom of Bahrain v Shehabi* [2026] UKSC 25, concerning the territorial scope of the personal injury exception to state immunity, and *Infrastructure Services Luxembourg S.A.R.L. v The Kingdom of Spain* [2026] UKSC 9 concerning whether foreign states can rely on state immunity to resist the registration of ICSID awards.

Before coming to the Bar, Josephine worked in international arbitration at Freshfields, WilmerHale, and the London Court of International Arbitration (LCIA). She also worked at the International Law Commission of the United Nations. She has volunteered with several pro bono organisations including the Free Representation Unit (FRU), Advocate, the Environmental Law Foundation, and Support Through Court.

Expertise

Public Law and Human Rights

Josephine practices in all areas of public law and human rights, including judicial review proceedings and claims under the Human Rights Act 1998. Her recent experience includes:

- Advised the Home Office on the compatibility of secondary legislation with Articles 6 and 8 of the European Convention on Human Rights (as a pupil, assisting Christopher Knight KC).
- Advised on a damages claim under the Human Rights Act 1998 for breach of Article 1 of the First Protocol (A1P1) to the European Convention on Human Rights (as a pupil, assisting Joanne Clement KC).
- A disability discrimination claim against a school before the First-tier Tribunal (Special Educational Needs and Disability) (as a pupil, assisting Paul Greatorex).
- Advised on a prospective appeal from the High Court in a judicial review concerning apparent bias by a public body in the healthcare sector (as a pupil, assisting Daniel Stilitz KC and Patrick Halliday).

CC v the United Kingdom

(APPLICATION NO. 25191/23)

European Court of Human Rights claim concerning whether the unavailability of compensation under domestic law for disability discrimination is compatible with Article 14 read with Article 8 and/or Articles 1 and 2 of Protocol 1 (led by Galina Ward KC and Christopher Knight KC).

Q v the United Kingdom

(APPLICATION NO. 11826/23)

European Court of Human Rights claim concerning the right to education of a child with special educational needs under Article 2 of Protocol 1 (led by Galina Ward KC and Christopher Knight KC).

Cruelty Free International v The Information Commissioner and the Home Office

Upper Tribunal hearing concerning the compatibility of statutory restrictions on disclosure under section 24 of the Animals (Scientific Procedures) Act 1986 with Article 10 of the European Convention on Human Rights (led by Christopher Knight KC).

R (ALX) v Chancellor of the Exchequer

[2025] EWHC 1467 (ADMIN)

Human rights challenge on behalf of parents of children with special educational needs against the Finance Act 2025, which imposed VAT on private school fees (as a pupil, assisting Tom Cross KC).

R (The Lifescape Project) v The Secretary of State for Energy Security and Net Zero

Judicial review challenge under the Climate Change Act 2008 of the Biomass Strategy which relies on biomass as a "low carbon fuel" to reach net zero (as a pupil, assisting Peter Lockley).

Public International

Josephine has experience across a wide range of areas including treaty interpretation, immunities, the law of international organisations, international human rights law, international environmental law, international investment law, State responsibility, transboundary disputes, and the law of the sea. Her recent experience includes:

- Advised an intergovernmental organisation on the enforceability of agreements with States (as a pupil, assisting Professor Philippe Sands KC, Ruth Kennedy and Lucy Jones).
- Advised a consortium of States on the negotiation of an international treaty on marine biodiversity (the BBNJ Agreement, now called the High Seas Treaty) (assisting Professor Makane Moïse Mbengue).*

Dillon

[2026] UKSC 15

Supreme Court appeal concerning whether article 2(1) of the Windsor Framework has direct effect and can be relied on to disapply provisions of the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 (as a Judicial Assistant to Lord Lloyd-Jones).

R (Siderise Ltd) v Royal Borough of Kensington and Chelsea

[2025] EWHC 1178 (ADMIN)

Judicial review challenge to a ban of certain contractors and suppliers from local government contracts following the Grenfell Inquiry (as a pupil, assisting James Goudie KC and Aliya Al-Yassin).

- Assisted in an UNCITRAL arbitration arising from a contract for the provision of goods and services to an intergovernmental organisation.*
- Advised the United Nations Environment Programme (UNEP) on fossil fuel subsidy reform.*
- Advised a political organisation on the right to self-determination of an Indigenous group (assisting Ali Al-Karim).*

*Before coming to the Bar.

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European Court of Human Rights claim concerning whether the unavailability of compensation under domestic law for disability discrimination is compatible with Article 14 read with Article 8 and/or Articles 1 and 2 of Protocol 1 (led by Galina Ward KC and Christopher Knight KC).

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The Kingdom of Bahrain v Shehabi

[2026] UKSC 25

Supreme Court appeal concerning territorial scope of the personal injury exception to state immunity (as a Judicial Assistant to Lord Lloyd-Jones).

Infrastructure Services Luxembourg S.A.R.L. v The Kingdom of Spain

[2026] UKSC 9

Supreme Court appeal concerning whether foreign states can rely on state immunity to resist the registration of ICSID awards (as a Judicial Assistant to Lord Lloyd-Jones).

Minerali Industriali SRL v Republic of Tunisia

ICSID CASE NO ARB/24/52

Dispute under the Italy-Tunisia BIT relating to sand mining (assisting Ali Al-Karim).

Commercial Litigation

Josephine worked in arbitration and has experience in matters conducted under the ICC, UNCITRAL and LCIA rules. She has often worked on cases with an international element raising issues of private international law. Her experience in this field includes:

- Assisted in an ICC arbitration governed by English law relating to a West African subsea project and LNG sales to third parties during the lifetime of a sales agreement.*
- Assisted in an ICC arbitration governed by English law arising in the energy sector in the Caribbean.*
- Assisted in an LCIA arbitration governed by Sri Lankan law against a state-owned entity relating to a construction project.*
- Assisted in an UNCITRAL arbitration governed by the UNIDROIT Principles arising from a contract for the provision of goods and services to an intergovernmental organisation.*

*Before coming to the Bar.

Employment

Josephine practices across statutory and commercial employment matters. Her recent experience in this area includes:

- A preliminary hearing to determine whether the employment tribunal has international and territorial jurisdiction in a cross-border unfair dismissal and disability discrimination claim (as a pupil, assisting Andrew Smith).
- A claim for belief discrimination arising from the dismissal of an employee for the expression of anti-Zionist beliefs on social media (as a pupil, assisting Katherine Eddy).
- A preliminary hearing to determine whether the claimant has employment status to bring an unfair dismissal claim under the Employment Rights Act 1996 (as a pupil, assisting Judy Stone KC).

Information and Data Protection

Josephine practices in data protection, privacy and information law. Her recent experience includes:

- A claim in the High Court against Meta regarding the right to object to personalised advertising under Article 21 of the UK GDPR (as a pupil, assisting Heather Emmerson).

Cruelty Free International v The Information Commissioner and the Home Office

Upper Tribunal hearing concerning the compatibility of statutory restrictions on disclosure under section 24 of the Animals (Scientific Procedures) Act 1986 with Article 10 of the European Convention on Human Rights (led by Christopher Knight KC).

Procurement

Josephine practices in procurement disputes.

R (Siderise Ltd) v Royal Borough of Kensington and Chelsea

[2025] EWHC 1178 (ADMIN)

a judicial review challenge to a ban of a company from local government contracts following the Grenfell Inquiry (as a pupil, assisting James Goudie KC and Aliya Al-Yassin).

Sport

Josephine is a contributing author to the chapter on the Court of Arbitration for Sports (CAS) in *International Encyclopaedia of Laws: Sports Law*. She has a particular interest in sports arbitration.

Achievements

Education

LLB (First Class Honours), University of Birmingham, 2017 – 2021

Visiting Student in the Faculty of Law, McGill University, 2019 – 2020

LLM in International Law (Summa Cum Laude), Geneva Graduate Institute, 2021 – 2022

PGDip in Bar Practice, Inns of Court College of Advocacy, 2023 – 2024

Awards

Lord Denning Scholarship, Lincoln's Inn

Sir John and Lady Sophie Laws Scholarship, Bar European Group

Pegasus Scholarship, Inner Temple