

## LUCY BONE

Call: 1999



***"Quickly grasps the issues and delivers practical strategic advice. She is responsive and commercially aware... She goes the extra mile. It is a pleasure to work with her."***

Chambers and Partners 2019

***"Gives responsive and pragmatic advice and demonstrates great rapport with clients. "***

Chambers and Partners 2018

***"Very responsive, willing to be flexible with availability, good to work with, good with clients and definitely knows her stuff"***

Chambers and Partners 2017

***"An acclaimed senior junior who is praised for her grasp of detail and understanding of commercial reality... A dogged and brave advocate, she will press points even if the judge may not be with her in the beginning"***

Chambers and Partners 2016

***Hailed by peers as a rising force ... "She is very effective in cross-examination" "Very organised, she is dependable, calm and articulate"***

Chambers and Partners 2015

Depth of experience across all aspects of employment law and the crossover to commercial work. Lucy is known for her strong advocacy, in written submissions and skeletons as well as in court where she has been said to have ***"pulverized the witness in a stellar cross examination"***.

Lucy's High Court practice has an emphasis on **confidential information, fraud, competitive activity and breaches of directors' duties**. Cases often involve including soft IP, regulatory and company matters. Clients instruct Lucy for her particular experience in litigation concerning **restrictive covenants and team moves**, including **injunctions** and speedy trials.

In the tribunal, Lucy has experience across the spectrum of statutory disputes and is sought out for her deft handling of heavyweight **discrimination** and **whistleblowing** cases including the widely publicized recent case of **Abildgaard v. IFM**.

Lucy is also sought out for complex **internal investigations** particularly in the financial sector and professional services, as well as for disciplinary hearings and appeals. Lucy is known for her forensic skill combined with

pragmatic approach, and for producing reports that are **“impressively balanced”**. She offers a bespoke approach depending on the nature of allegations and seniority of those involved.

Alongside practice, Lucy sits on the Bar Council Equality and Diversity Committee. She regularly provides in-house training and speaks at conferences.

## Injunctions

Lucy has extensive expertise in a range of post-termination matters, including restrictive covenants, fiduciary duties and preparatory steps to compete. She has depth of experience across market sectors in particular traders and hedge funds, insurance brokers, account executive and the recruitment sector. Some recent examples:

- Acted for Insurance Brokers in obtaining urgent injunction including springboard relief following a team move and conspiracy involving 12 employees and a former director.
- Successfully obtained Springboard injunction for a housebuilding firm following a team move. Allegations include misuse of confidential information and unlawful preparatory steps to compete. Now proceeding to trial in QBD.
- Acted for former employee of PR and Communications firm in defending an injunction application to enforce Post Termination Restraints. The case raised issues as to the basis for and appropriate scope of springboard relief, and the interplay between the necessary pre-action steps and delay.
- Acted for the Claimant media company in the first known contested injunction controlling the Defendants' use of Linked-In groups and connections. Successfully obtained relief including forcing the Defendants to give up password access to the account
- Instructed to advise and assist a solicitors firm with 100 clients implicated in the Panama Papers scandal, including a prominent foreign statesman. Advised on injunction against publication and related privacy/confidentiality issues.
- Instructed by international accountancy firm to obtain General Civil Restraint Order against vexatious litigant on interim basis, to cover all potential Defendants in the civil courts and employment tribunals. This is the widest form of civil restraint and is rarely ordered.

## Commercial Litigation

Lucy undertakes general commercial work with an emphasis on business protection and unlawful competition, directors' duties and fiduciary duties. Many of her cases are resolved before proceedings are issued and/or are commercially sensitive. Recent cases include:

- Represented Defendants in a team move to a newly formed financial advisory company, resisting springboard relief and Wrotham Park damages.
- Instructed by one of the Defendant employees in the Capco litigation, facing a £130 million claim in the fintech sector including conspiracy and breach of intellectual property.
- Acted for Defendant employee in alleged team move, facing claim under Computer Misuse Act and for misappropriation of confidential information and breach of copyright.
- Represented a Proprietary Hedge Fund against several former traders and a competitor fund re infringement of copyright and misappropriation of trade secrets including trading data and algorithms.
- Instructed by a financial services provider working with retail outlets following a team move. Advised on

potential claims, and availability of Wrotham Park damages.

- Advised a media and communications company following the discovery that one of its directors had used information stolen from a competitor in devising customer lists and marketing strategies.

## Discrimination and Harassment

Lucy is known for her comprehensive experience of all aspects of statutory employment claims, particularly high value claims, including discrimination and equal pay, and Public Interest Disclosure dismissals. Recent experience of note includes:

- Acting for Nathalie Abildgaard in a s.26(2) sexual harassment claim arising from advances made by an Executive Director of hedge fund IFM. Represented at 2 week hearing which was widely reported in the national press. Settled after Respondent received Lucy's closing submissions, for £270,000 and without a gagging clause.
- Advising an accountancy firm on the defence of equal pay complaints made by a senior manager in respect of a cross-border role.
- Acting for executive in an aviation firm claiming equal pay for like work.
- Acting for a medical Professor accused of sexual harassment by several female colleagues. Having successfully resisted dismissal, the Professor is now arguing sex discrimination in a "reverse MeToo" claim.
- Represented two former employees at FTSE in complex whistleblowing claims concerning alleged inaccuracies in financial indices and failures in regulatory compliance. The Claimants sought loss of earnings and payment of LTIPs worth +£750,000. Acted unled against David Reade QC. Case settled on confidential terms on the second day of trial.
- Acting for a senior executive in an engineering company, dismissed upon being diagnosed with cancer, despite 30 years' service. Disability discrimination claim is valued at £1.6 million.
- Successfully defended an international investment bank in a 2 week hearing against allegations of sex harassment and victimization arising from conduct on a trading desk.
- Represented an employee at a major investment and retail bank in substantial claim for whistleblowing and victimisation. Case settled on confidential terms shortly before trial.
- Acted in a substantial whistleblowing claim for senior banker dismissed after 20 years' clean service. The disclosures concerned issues of regulatory non-compliance and white-collar crime including 'front-running' of trades.

## Senior Employees and Directors issues

Lucy acts frequently on matters concerning senior executives including remuneration and bonus claims, and allegations of breach of directors' duties including fiduciary duties. Recent experience includes:

- Defended hedge fund against dismissal and bonus claim by former employee. Bonus claim concerned arguments on the exercise of discretion during the notice period.
- Advised a hedge fund on strategy for exiting an underperforming executive and shareholder, and defending the firm against his allegations of age discrimination.
- Conducted Internal Investigation into misconduct by LLP member of a well-known PR and consultancy firm.
- Advised a travel agents in relation to misfeasance by Managing Director including expenses fraud and

misappropriation of company monies.

- Advised the London branch of a Swiss hedge fund on the termination of a director of a hedge fund, where the director had shareholdings in the Swiss parent company.

## Disciplinary and Regulatory

Lucy's disciplinary and regulatory practice includes acting as Investigator, as well as representing at internal hearings. Specific experience of sex harassment investigations, and Lucy is known for handling such investigations with sensitivity to all sides while ensuring a thorough investigation. She has is often involved in cases with a financial services dimension, and undertook the LSE short course on Financial Services Regulation in May 2015. Recent experience includes:

- Acting for a medical Professor accused of sexual harassment by several female colleagues. Having successfully resisted dismissal, the Professor is now arguing sex discrimination in a "reverse MeToo" claim.
- Acted as Independent Investigator in relation to alleged sex harassment and predatory behavior by the Managing Director of international City-based PR firm.
- Appointed by renowned association in the arts world as Independent Appeal Officer to hear appeals of several members expelled for bullying an employee.
- Appointed by a national TV channel as Independent Investigator to determine a grievance brought by a senior 58 year old female employee against the CEO. As well as allegations of sexual harassment and assault, there were fraud allegations including accounting irregularities, misuse of company monies and manipulation of due diligence pending a takeover.
- Acted for regulated trader (CF30), on his suspension and the Bank's investigations in relation to c£50m trading losses.