

## LUCY BONE

Call: 1999



***"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

Frequently instructed on high value and complex matters and often against silks. Lucy has depth and breadth of experience of all aspects of employment law and the crossover to commercial work including soft IP, regulatory and company matters. Lucy's High Court practice has an emphasis on confidential information, fraud, competitive activity and breaches of directors' duties. She has particular experience in litigation concerning post-termination restraints and team moves, including applications for injunctive relief and speedy trials.

With a wealth of experience across the spectrum of employment law including all forms of discrimination and statutory complaints, Lucy frequently acts in the Employment Tribunal, Employment Appeal Tribunal and High Court. High value or complex discrimination and equal pay claims, and whistleblowing complaints are a particular feature of Lucy's practice.

Lucy is also sought out for internal matters including investigations and appeals, with particular expertise in sex harassment; recently she investigated allegations of sexual assault by the CEO of a Television Channel. She offers a bespoke approach depending on the nature of allegations and seniority of those involved.

### Employment and Discrimination

Lucy is a Band 3 Employment Junior in Chambers and Partners, and known for her comprehensive experience of all aspects of tribunal claims, particularly high value claims. Frequently acts in cases unfair dismissal including Public Interest Disclosure dismissals. Her experience of direct and indirect discrimination claims extends to all forms of discrimination, and Lucy has regular experience of high value claims, in the public and private sectors. Particular experience of note includes:

- ***Bourne & Morrison v. FTSE*** [2018]: Acting for the Claimants in complex whistleblowing claims concerning alleged inaccuracies in financial indices and failures in regulatory compliance.
- ***Moukaideche v. Crédit Agricole*** [2017]: successfully defended the bank in a 2 week hearing against allegations of sex harassment and victimization.
- ***Machray v. Clydesdale Bank*** [2017]: represented Claimant in substantial claim for whistleblowing and victimization.
- ***Tyne and Wear Transport v. Anderson*** [2017]: acting for the appellant in this appeal concerning relevance of the background commercial context in collectively negotiated agreements and employment contracts per se.
- ***Re a Housing Association*** [2017]: Advised on the appeal against a finding of disability discrimination under s.15 EqA, where a job offer had been withdrawn following disclosure of the applicant's sickness record.
- ***Broachi v. Deutschebank*** [2016]: Acted for Claimant, for senior banker dismissed after 20 years' clean service, in this substantial whistleblowing claim. The disclosures concerned issues of regulatory non-compliance and white-collar crime including 'front-running' of trades.
- ***Re a Hedge Fund*** [2016]: advised on strategy for exiting an underperforming executive and shareholder, and defending the firm against allegations of age discrimination had been made.

## Injunctions

Lucy is frequently instructed in many forms of injunctive proceedings with particular extensive expertise in post termination restraints and has been instructed in relation to a range of post termination matters, including fiduciary duties and preparatory steps to compete.

- ***Hume Brophy v. Clark and Others*** [2017]: Acted for lead Defendant to an injunction application which sought to enforce covenants in a Shareholders Agreement. 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.
- ***Re the Panama Papers*** [2016]: 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.
- ***PriceWaterhouse Coopers Plc v. Popa*** [2016] QBD: obtained 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.
- ***CCS Media v. Yaddallee and Computer Supplies Limited*** [2015] QBD: obtained Springboard Injunction against competitor attempting to poach Claimant's employees. Also obtained relief in relation to confidential information, an order that Defendants provide Affidavit of their wrongdoing and costs.
- ***Phaidon v. Kostromski*** [2015] QBD: instructed on injunction raising issues about use of Linked-In and other social media and whether it amounted to solicitation.

## 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:

- **LEBC v. Davey & Webster** [2017]: Represented Defendants in a team move to a newly formed company, resisting springboard relief and Wrotham Park damages.
- **Capco v. Tarver and Others** [2016]: instructed by one of the Defendant employees facing a £130 million claim in the fintech sector including conspiracy and breach of intellectual property.
- **Re A Financial Services Consultancy** [2016]: acting for Defendant employee in alleged team move, facing claim under Computer Misuse Act and for misappropriation of confidential information and breach of copyright.
- **Re Proprietary Trading Hedge Fund** [2015]: representing the fund against several former traders and a competitor fund re infringement of copyright and misappropriation of trade secrets including trading data and algorithms.
- **Re Retail Financial Services Provider** [2015]: instructed by a financial services provider working with retail outlets following a team move. Advised on potential claims, and availability of Wrotham Park damages.
- **Re A Consumer Media Company** [2015]: Advising the company following the discovery that one of its directors had used information stolen from a competitor in devising customer lists and marketing strategies.
- **Re A Retail Financial Services Company** [2015]: represented Defendant company alleged to have poached employees and utilized competitor's confidential information. Advised on potential strategies re damages including Wrotham Park damages.

## Senior Employees and Directors issues

Lucy acts frequently on matters concerning allegations of breach of directors' duties including fiduciary duties. Lucy also undertakes partnership and LLP matters and recently sat on the ELA Working Party consulting with government on proposed changes to LLP members' tax status. Recent experience includes:

- **De Villiers v. Astellon Capital** [2018]: Defended hedge fund against dismissal and bonus claim by former employee
- **Re an Advertising Firm** [2018] Internal Investigation into misconduct by LLP member
- **Re a Travel Company** [2017]: advised in relation to misfeasance by Managing Director including expenses fraud and misappropriation of company monies.
- **Re a Swiss Hedge Fund** [2016]: advised 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 reflecting her City-focused client base, and undertook the LSE short course on Financial Services Regulation in May 2015. She accepts instructions in relation to investigations and internal disciplinary hearings, both chairing and representing, and has experience of appeals of regulatory decisions Her recent experience includes:

- **Re a PR and Consultancy Firm** [2018]: acting as Independent Investigator in relation to alleged sex harassment and predatory behavior by the Managing Director of international City-based PR firm.

- ***Re a Trade Association*** [2017]: appointed by renowned association in the arts world as Independent Appeal Officer to hear appeals of several members expelled for bullying an employee.
- ***Re a Television Channel*** [2016]: appointed 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. Interviewed 12 employees, reviewed documents and forensically analyzed accounts, to produce report of findings and recommendations to the Board.
- ***Lombardo v. Nomura*** [2016]: Acted for trader who is regulated (CF30), but did not have significant influence function, on his suspension and the Bank's investigations in relation to c£50m trading losses.