

Beth Grossman



Call: 2016

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Profile

Beth Grossman specialises in media, commercial and employment law. She is listed in *The Lawyer's* Hot 100 for 2023, and is ranked in Legal 500 (defamation and privacy, employment law) and in Chambers and Partners (defamation and privacy).

Beth works with a wide range of clients from blue chip companies, multi-nationals, media organisations and professional services firms through to high-profile individuals, NGOs and trades unions. Beth is known for her excellent advocacy and for cutting through the most complex of issues. She is also noted for her skill in dealing with senior stakeholders, and working collaboratively with solicitors in complex and sensitive litigation.

Beth has particular experience in cases involving the intersections between employment, reputation management and GDPR issues and between freedom of expression and equality and discrimination.

What the directories say

"Beth has a nice mix of human qualities and a good legal brain. She is also thorough, attentive and excellent at what she does". "Beth is technically very strong and pragmatic."

Chambers and Partners 2023

"Beth is an exceptionally bright barrister, who is going to go onto much bigger and better things. Her thorough analysis of the law is breathtaking, and she is unfazed by a challenge, adeptly delivering her arguments in a way that often leaves more experienced barristers standing. She focuses on the core issues of a case, quickly weeding out irrelevant points, and is able to ensure that cases remain focused, even when those around her may be drifting off down a blind alley!" Legal 500 2023

"Keen and versatile with a mind that can analyse and strategise laterally" Legal 500 2023

"Beth is the definition of rising star at the Bar. She is razor-sharp, her written work is excellent and combined with her clarity of advocacy, she is operating at a level far in excess of her call. She's incredibly popular with clients and her no-nonsense style is very refreshing" Legal 500 2022

"Beth is extremely clever and thorough, and her written work is beautifully put together" Legal 500 2022

"Beth Grossman is a talented barrister gaining strong recognition in the defamation and privacy field. She acts for both claimants and defendants in litigation, as well as pre-publication advice and international matters." "She is patient, always precise and clear in her advice, and able to explain the issues in lay terms." "She researches everything very thoroughly, has a good understanding of the law and fights tooth and nail for clients." Chambers and Partners 2022

What clients say

"The presentation of skeleton argument and advocacy of @BKGrossman at trial was a thing to behold. Just sparkling in her professional ability", lay client.

Education

MA, Modern History, University of Oxford

Graduate Diploma in Law, Distinction, BPP

BPTC, Kaplan Law School, Very Competent

Related practice areas

Media, Defamation and Freedom of Expression

Data Protection and Information Law

Employment, Discrimination and Equality Law

Discrimination

Media and Information Law

Beth practices in editorial media law (defamation, privacy, breach of confidence, copyright, harassment, reporting restrictions) as well as commercial media law (contractual and regulatory disputes, film finance, licensing), public law and human rights cases involving freedom of expression and international work. She has experience of High Court trials and injunctions as sole advocate as well as with a leader. She is listed as a rising star in Legal 500 and as up and coming in Chambers and Partners.

Beth acts for claimants and defendants, including individuals in the public eye, large corporates, national newspapers and broadcasters.

She has delivered training on freedom of expression on behalf of the Media Institute of Southern Africa in Zimbabwe and on behalf of the Council of Europe to members of the judiciary of the Western Balkans in Pristina, Kosovo.

Defamation

- Blake, Seymour and Thorp v Fox [2022] 4 WLR 77; [2022] EWHC 2726; [2002] EWHC 3542. Junior counsel (led by Heather Rogers KC) in a claim and counterclaim involving six tweets. The case involved an application, by Laurence Fox, for trial by jury: the first such application in nearly ten years.
- X v X (unreported, October 2022) counsel for the First and Second Defendants in a claim brought over allegations of sexual assault. The claim was disposed of, with wasted costs being ordered against the Claimant's legal representatives.
- Davies v Carter [2021] EWHC 3021 (QB) for the successful Claimant at trial (unled) in a claim in libel and harassment arising out of online publications.
- Wilson v Mendelsohn and ors (ongoing), counsel for the Defendants in a libel claim.
- Miller and Power v Turner [2021] EWHC 2135 (ongoing), for the Claimants in a trial of preliminary issue on meaning.
- XXXX known as Jean Hatchet v Shanu Varma [2021] EWHC 1709 (QB), for the successful Claimant in a libel case arising from allegations of fraud made on Twitter, obtaining £45,000 in damages at trial (unled) and recovery of all costs incurred.

Privacy, Confidence and Data Protection

- LCG and others v OVD and Others [2022] EWHC 3092 (ongoing). For the Claimants in a claim in misuse of private information, harassment and (contractual) duress and undue influence.
- C v B and others (High Court, April 2023 and ongoing). For the Claimant, a law firm, against two former directors in a claim in breach of confidence arising out of an alleged GDPR breach.
- Lupu, Spearmint Rhino Companies and others v Rakoff, Not Buying It and others: [2020] EMLR 6. For the First and Second Defendants in a reported case for misuse of private information and breach of the GDPR in which Beth resisted applications for an injunction, anonymised proceedings and an expedited trial successfully. The matter settled in the Defendants' favour in July 2020.
- Human rights and judicial review against and on behalf of public authorities arising from the retention and disclosure of information engaging rights under Article 8 ECHR and engaging issues of procedural regularity and fairness.

Open justice, reporting restrictions and contempt of court

- Barclay v Barclay [2022] EWHC 2026 (Fam). For Guardian News and Media in a successful challenge to an application to hold contempt proceedings in private.
- Ahmed v Director General of the Security Services [2020] EWHC 3458, for the national media in a successful application for a claim about the UK security services' alleged complicity in torture in Pakistan to be heard in public.
- Maya Forstater v CGD UKEAT/0105/20/JOJ [2021] I.R.L.R. 706: for the national media and freelance journalists in a successful application for the Employment Appeal Tribunal to lift a cap on numbers permitted to attend.
- Beth has advised journalists and media organisations facing intimidated applications for contempt of court, and has represented applicants in contempt of court proceedings arising out of injunction breaches.

Freedom of expression

- R (Julie Bindel) v Nottingham City Council. For the Claimant, a journalist and feminist campaigner successfully obtaining remedies pre-action for the unlawful cancellation of her talk on violence against women.

Commercial media litigation

- C v W: defending a breach of contract claim arising out of a film finance agreement (ongoing).
- Microsoft v K: defending a respondent in a breach of copyright claim involving a freezing injunction.
- Advice on image rights, data protection, last matching rights and other contractual matters on behalf of film and tv production companies.
- Advice and representation in film finance litigation, including insolvency litigation, arising out of the failure to distribute funds pursuant to a distribution agreement.

International

- Advice on media regulation reform in Zimbabwe.
- Advice on availability of public interest/Reynolds defences relating to a documentary in Jamaica.
- Reports into proposed hate speech legislation in Myanmar.
- Advice on freedom of expression in the context of obscenity in Uganda.

Commercial Law

Beth's commercial practice encompasses contractual disputes, insolvency, disputes between directors, commercial agency and professional negligence. She also has experience of commercial disputes which engage criminal or regulatory law (for example Companies House prosecutions and Charity Commission investigations). She has particular expertise in disputes which have a media or employment dimension to them. Her recent experience includes:

Contractual disputes

- C v W: defending a breach of contract claim arising out of a film finance agreement (ongoing).

- C v B: breach of confidence and restrictive covenants claim brought by a law firm against its former directors (ongoing).
- C v L: high-value breach of contract claim for unpaid wages (ongoing).
- In the matter of a production company: advice as to termination provisions in a contract for the television adaptation of a popular novel.
- Advice on image rights, data protection, last matching rights and other contractual matters on behalf of film and tv production companies.

Insolvency disputes

- In the matter of 106 of 2016 (hearings 2021): successfully obtaining costs orders against a trustee in bankruptcy. Successfully resisting an order for a company director to be examined under oath as to the affairs of the business.
- Re A Company 2645 of 2018, Re A Company 250 of 2019, and Re A Company 3411 of 2019: for the successful Applicants in injunctions to restrain presentation or publicity of winding-up petitions, and for Respondents in getting those petitions dismissed as abuse of process.
- Claims in misfeasance and shareholder disputes.

Professional negligence

- Langley v GMB [2020] EWHC 3619, for the successful defendant, a trade union, in a claim in professional negligence arising out of an employment dispute involving allegations of whistleblowing by a trade union representative, in a trial which reviewed the law on a union's liability and set legal precedent.

Commercial agency

- F v PC: for the defendant in a commercial agency claim (settled).
- A v N: a multi-million pound dispute arising in the broadcast industry (led by William McCormick KC) (settled).

Other commercial claims

H v S: for the Defendant in a claim in breach of fiduciary duty brought in respect of a luxury sports car

Microsoft v K: defending a Respondent in a breach of copyright claim involving a freezing injunction.

Companies House v SM: For the successful Defendant in the withdrawal of a prosecution for the failure to file accounts on the basis of Article 6 ECHR and an all reasonable steps defence.

In the matter of a Charity and its Directors v The Charity Commission: for the directors of a charitable foundation in successfully setting aside an Order and closing an inquiry by the regulator.

Employment Law

Beth acts for both respondents and claimants on complex multi-day hearings in the Employment Tribunal and the Employment Appeal Tribunal and in the High Court in restrictive covenants, contractual and partnership disputes. She also undertakes grievance and disciplinary investigations. She also represents professionals and regulatory bodies in regulatory proceedings. She is a rising star in Legal 500.

Current and recent instructions include:

Employer/Company

- C v B. For the company, a professional services firm, in a High Court claim in restrictive covenants and breach of confidence (ongoing).
- X v Y. For the successful Respondent (a blue-chip employer) in an “all reasonable steps” defence to a discrimination claim.
- A v B. For the successful Respondent (a blue chip employer) in a jurisdiction and time limits challenge to a claim in discrimination and whistleblowing.
- J v O. For the Respondents (a hedge fund and its principal) in a sexual harassment claim.
- S v B. For the successful Respondent (a local authority) in an age and disability discrimination claim.

- K v P. For a law firm in a post-termination partnership dispute about alleged discrimination.
- R v V. For an accountancy firm in a whistleblowing detriments claim.
- B v H. For the successful Respondent, a manufacturer, defending an unfair dismissal and whistleblowing detriments claim: the Claimant withdrew the case following cross-examination.
- Langley v GMB [2021] 1 IRLR 309, for the successful Defendant, a trade union, in a claim in professional negligence arising out of an employment dispute involving allegations of whistleblowing by a trade union representative, in a trial which reviewed the law on a union's liability and set legal precedent.
- S v I, for the Respondent, the service company of a solicitors' firm, for a claim in sex and race discrimination harassment and victimisation, succeeding in the dismissal of the majority of claims.
- Newman v Jabac, for the Respondent, a private bank, obtaining a stay on the eve of a seven day trial in a claim for disability discrimination and whistleblowing pending High Court determination of a related claim in breach of confidence.

Employee

- C v L: high-value breach of contract claim for unpaid wages (ongoing).
- Fox v Jaguar Land Rover (Employment Tribunal and Employment Appeal Tribunal): for the successful Claimant in a trial in disability discrimination and in resisting an appeal as to the calculation of future loss.
- Teaching Regulation Agency v H: for the successful Defendant, a teacher accused of multiple physical assaults. The Panel found that the assaults had not taken place.
- Teaching Regulation Agency v M: for the Defendant, a teacher facing historic allegations of sex abuse.
- N v C, for the Claimant in a disability discrimination claim, successfully settling proceedings in the course of trial
- M v Bradford NHS Trust, for the Claimant in an unfair dismissal, whistleblowing and racial discrimination case, succeeding in the unfair dismissal claim.

- R v An Accountancy Firm, interim relief application on grounds of whistleblowing.
- A v A Bank: for the Claimant, a former director of a major financial services institution in a discrimination and whistleblowing detriments claim (settled on eve of trial for £1m).
- S v British Airways: for the successful Claimant in a four-day trial for unfair dismissal relating to sick leave of over 100 days a year for 19 years with no identified underlying cause.
- T and Ors v CS: for the successful Claimants in a redundancy/TUPE claim brought by a large number of non-English speaking security staff.
- K v R: Employment Appeal Tribunal, for the Claimant, a disabled person, in a successful appeal.