



Elizabeth Grace

Year of Call: 2017

Direct Access: Yes

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Elizabeth is a leading junior in pensions and employment, and also has a growing commercial and private client practice. She regularly appears as sole counsel at first instance and on appeal, as well as undertaking a range of work led by the leading practitioners in their fields.

Elizabeth is registered with the Dubai International Finance Centre (DIFC) Courts as a DIFC Part II Legal Practitioner, with full Rights of Audience.

Before being called to the Bar, Elizabeth lectured in Japanese History at the University of Newcastle. She holds a PhD in Japanese and Korean cultural history (Trinity College, University of Cambridge), a Master of Studies in Modern Japanese Literature (Pembroke College, University of Oxford), and a Master of Arts in Japanese and Korean (St. Hilda's College, University of Oxford, first class). She has also spent time at several universities in Japan and Korea, including Keio University in Tokyo and Sungkyungkwan University in Seoul.

Areas of Expertise

Employment & Discrimination

Elizabeth has a specialist **employment practice** and is listed as an 'Up and Coming' Junior in Chambers & Partner and a 'Rising Star' in the Legal 500. She represents both Claimants and Respondent and is adept at handling complex preliminary matters, as well as multi-day and multi-week trials and appellate work. She has a particular interest in claims involving discrimination and whistleblowing.

Elizabeth has experience of employment-related injunctions, and has advised on related contractual matters including breach of restrictive covenants and breach of confidentiality.

Elizabeth has also advised employees of international organisations, including the European Bank for Reconstruction and Development Administrative Tribunal (EBRD), the Pan-American Health Organisation, and NATO.

Examples of recent and ongoing work include:

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- **Stennett v EY** (led by [Lydia Seymour](#)), a whistleblowing case pleaded at c.£9m brought in the financial services sector;
- **Joerand v CNWL**, representing an NHS Trust in a multi-week trial involving four separate claims of disability discrimination;
- **NSL Ltd v Zaluski** [2024] EAT 86 (led by [Lydia Seymour](#)). Overturned an Employment Tribunal decision of indirect race discrimination in relation to an employer's annual leave policy during the Covid pandemic;
- **Day v Lewisham and Greenwich NHS Trust 2300819/2019** (led by [Andrew Allen KC](#)). A complex post-employment whistleblowing detriment case (currently listed for appeal in July 2025);
- **Day v Health Education England** (led by [Andrew Allen KC](#)), a three-day wasted cost application;
- **Garrod v Riverstone Management Ltd** [2022] EAT 177, an appeal concerning the scope and application of the without prejudice rule in discrimination cases;
- **McInerney v Nottingham Healthcare NHS Foundation Trust** [2024] EAT 158, appeal on the question of medical evidence in quantifying victimisation losses. Elizabeth also successfully represented the Claimant in a complex multi-week trial raising issues of constructive dismissal and victimisation;
- **A.F. Machinery Ltd v Abrey** (led by [David Grant KC](#)), a high court claim with intersecting issues of company law, partnership law, and employment law, in which injunctive relief was sought.

Elizabeth also undertakes investigations for a range of organisations. Recent instructions include investigations involving allegations of sexual harassment, discrimination, bullying, victimisation and whistleblowing.

Elizabeth has specific expertise in Civil Restraint Orders ("**CROs**"), having obtained CROs against vexatious litigants in a number of cases both led and as sole counsel, including [London Underground v Mighton](#) [2020] EWHC 3099 (led by [Lydia Seymour](#)), one of the leading cases on CROs in the employment context.

Pensions

Elizabeth has a busy [pensions](#) practice, and has been recognised in the Legal 500 as a Leading Junior. Elizabeth regularly advises on occupational pension schemes in both the private and public sector, and has experience of advising on a range of pensions-related matters including pensions misselling, Courage fetters, rectification, recoupment, and forfeiture. She has particular expertise in areas of cross-over between employment, discrimination, and pensions, and has also advised on novel pension claims involving HRA elements.

She co-authors LexisPSL note on the principles governing the construction of pension trust deeds and rules, is a contributor to Tolley and regularly delivers training on a range of pensions topics, most recently on the Court of Appeal's decision in CMG and the Court of Appeal's decision in Virgin Media.

Notable Pensions cases

Mengrani v Mohammed

A Part 8 claim turning on trustees' duty to account in the context of a SSAS.

Perry v Leicester, Leicestershire and Rutland Combined Fire Authority

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A High Court, claim involving intersecting issues of discrimination and breach of the HRA (led by [Lydia Seymour](#)) .

Representing the Trustee in matters arising in relation to the **Pentland Group Retirement Benefits Scheme** (led by [Andrew Short KC](#)).

Representing the Trustee in matters arising in relation to the **Cheviot Trust** (led by [Nicolas Stallworthy KC](#)).

[The Pensions Ombudsman v CMG Pension Trustees UK Ltd \[2023\] EWCA Civ 1258](#)

Led by [Andrew Short KC](#). On the construction of s91(6) Pensions Act 1995, and whether the Pensions Ombudsman is a competent court.

English v AJ Bell

Representing the Defendant in a novel professional negligence claim in respect of pensions sharing order on divorce.

Williams v South Wales FRA

Representing five retired fire-fighters in claims before the Pensions Ombudsman for negligent misstatement (led by [Naomi Ling](#)).

[CMG Pension Trustees Ltd v CGI IT UK Ltd \[2022\] EWHC 2130 \(Ch\)](#)

Led by [Andrew Short KC](#). On the construction of forfeiture rules.

Commercial and Financial Services

Elizabeth has a growing practice in this area, which includes regular court appearances for cases involving contractual matters, including breach of contract, misrepresentation, and construction. Elizabeth has also advised on contracts of insurance, second-charge mortgages, and regulation of Islamic mortgages.

Between 2018 and 2024, Elizabeth is was instructed as part of the junior counsel team to the [Dame Linda Dobbs Review](#), a review into whether Lloyds Banking Group investigated and appropriately reported issues arising from the HBOS Reading

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Fraud following their acquisition of HBOS in 2009.

Notable Commercial and Financial Services cases

Advising with **Stephen Doherty** on aspects of DIFC law in relation to a claim for breach of directors' duties.

A.F. Machinery Ltd v Abrey

A high court claim with intersecting issues of company law, partnership law, and employment law, in which injunctive relief was sought (led by **David Grant KC**).

Illumina v TDL Genetics Ltd and others [2019] EWHC 1497 (Pat)

Advising on the Japanese aspects of the case for trial.

Jones & Anor v Roundlistic Ltd [2018] EWCA Civ 2284

Led by **David Grant KC**. On whether a term in a lease preventing sub-letting was an unfair term for the purposes of UTCCR.

BMS v Mercantile International Ltd (unreported),

Successfully obtaining damages for breach of contract on the basis that the Defendant had ostensible authority to enter into the relevant agreements.

Successfully assisting former members of the British Steel Pension Scheme in pension mis-selling claims for advice contrary to the FCA Conduct of Business rules.

Being part of a legal team advising on tort and trust-based liability for cryptocurrency ransom.

Insolvency & Restructuring

Elizabeth is instructed in matters of both personal and company **insolvency**. She appears in the Companies Court on a regular basis in relation to aspects of company insolvency, and has experience of winding-up petitions (including

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injunctions to restrain) and validation orders. She has also assisted litigants in person as part of the Company Law Pro Bono Scheme (COIN), providing representation for applications in the Insolvency and Companies List.

Elizabeth also has experience of matters arising out of corporate insolvencies, including wrongful trading, shadow directorship, and misfeasance.

Notable Insolvency & Restructuring cases

Kidbrook Homes v Bevin 2020-004195

Representing the Respondent to an injunction to restrain in the High Court, successfully avoiding an order for indemnity costs

ATN Marketing v HMRC

Successfully defending the company from a winding-up petition based on disputed VAT invoices; successfully obtaining a validation order.

Gain Capital v Ava (No. 240 of 2019)

Representing the petitioning creditor in prolonged bankruptcy proceedings (ongoing).

Successfully resisting an application to set aside a statutory demand on behalf of a liquidator.

Private Client

Elizabeth has a keen interest in this area and has advised on a number of areas, including inheritance tax and potentially exempt transfers, and removal of executors. Elizabeth also has experience of aspects of personal insolvency, including setting aside statutory demands.

Notable Private Client cases

Advising on a beneficial ownership dispute arising from a dispute over the construction of a trust and the beneficial interest of the legal owners.

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Advising on undue influence where P is alleged to have lacked capacity in relation to historical financial transactions.

Advising on a disputed will.

MN v OP [2019] EWCA Civ 679

Assisting **Claire van Overdijk**. On anonymity orders in variation of trusts cases.

International

Elizabeth has a strong interest in work with an **international** element. She was instructed to advise on Japanese language elements of **illumina v TDL Genetics Ltd and others** [2019] EWHC 1497 (Pat), and is comfortable reviewing evidence in multiple languages.

Elizabeth has worked on cases involving a number of international organisations, including:

- The European Bank for Reconstruction and Development Administrative Tribunal (EBRD)
- The Pan American Health Organisation (PAHO)
- NATO
- The World Bank

She has also advised on cases in the DIFC and has a growing practice in the jurisdiction.

Professional Associations

- Association of Pensions Lawyers
- Financial Services Lawyers Association
- COMBAR
- Chancery Bar Association
- Contentious Trusts Association
- Employment Law Bar Association
- British Japanese Law Association
- Association of London Welsh Lawyers

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Languages

- Japanese
- Korean
- French
- Spanish
- Welsh

Awards

- Inner Temple Major Scholarship – awarded for both the GDL and BPTC courses.
- City University Postgraduate Law Scholarship – awarded for both the GDL and BPTC courses.
- Domestic Research Studentship (DRS), University of Cambridge, competitive research studentship awarded to fund promising research projects across all disciplines (2009 – 2012).
- Japan Foundation Endowment Committee (JFEC) Research Grant
- Rouse-Ball Fund Research Grant, Trinity College, University of Cambridge (awarded twice for doctoral research)
- College Prize, St. Hilda's College, University of Oxford
- Lee Yun Taek Korean Studies Scholarship, University of Oxford
- Mitsubishi Trust Yamamuro Memorial Scholarship, Keio University
- Allen Scholar in Oriental Studies, St. Hilda's College, University of Oxford
- Moberly Exhibitioner, St. Hilda's College, University of Oxford
- Great Britain Sasakawa Fund Scholarship
- Kathleen Major Prize, St. Hilda's College, University of Oxford

Recommendations

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Privacy Policy

Read Elizabeth's [Privacy Policy](#).

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