



Victoria Brown

Year of Call: 2014

Direct Access: Yes

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Victoria is a civil and commercial practitioner with a particular focus on **pensions**, **employment** and **commercial** disputes. She is ranked as a rising star by the Legal 500 in both Pensions and Employment.

She regularly appears as sole counsel in courts and tribunals and has represented clients in the Court of Appeal, High Court and Employment Appeal Tribunal. Victoria also has significant international experience, and has appeared before the World Bank Administrative Tribunal and the Organisation of American States Administrative Tribunal. Victoria acts for and against individuals, public authorities, FTSE 100 companies, senior executives, major financial institutions and NHS Trusts.

Victoria was appointed to the Attorney General's C Panel of Civil Counsel in October 2020.

Victoria regularly provides training and CPD to firms and directly to clients, ranging from seminars to practical tribunal training (see, for example, coverage in **The Times**). She is a contributor to Tolley's Pensions, **Lexis PSL** and **Atkins Court Forms**.

Areas of Expertise

Employment & Discrimination

Victoria's employment practice spans both advisory and contentious work in the Tribunals and High Court. She regularly represents clients across the breadth of statutory employment law, with particular experience in complex discrimination and whistleblowing matters. Her High Court work includes acting for individuals and current & former employers in respect of team moves, breach of confidence and springboard relief.

She also advises on and acts in discrimination claims in the County Courts, including services and government / public function claims. She has recently acted for an arena in respect of the controversial and high-profile cancelled tour of the preacher Franklin Graham: see, for example, coverage in the **NY Times** and **BBC News**.

Victoria is frequently instructed by global and national companies, including those listed in the FTSE 100. Victoria is also experienced in acting for public authorities and local governments, including Transport for London and the Prison Service.

London (Main Office)

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Abu Dhabi

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She regularly represents individual claimants, senior executives and unions, such as Unite and GMB.

Victoria is developing a practice in internal investigations. Having recently been part of the counsel team in an extremely large investigation in the financial services sector, she is well placed to conduct investigations for clients internally.

Victoria's advisory practice spans opinions and policy drafting, covering both black letter law and topical matters such as social media and dress code policies. She is familiar with exit negotiations on behalf of employees and employers, as well as advising during disciplinary and/or grievance processes.

Notable Employment & Discrimination cases

N v A Company

Represented the claimant in a disability discrimination claim against a FTSE 250 manufacturing company. The case settled after cross examination for a figure in excess of the schedule of loss.

A v A Company & Ors

Represented the claimant in a race and sex discrimination claim against a private office and multiple individuals involving complicated points of the territorial jurisdiction of the Equality Act 2010 against individual respondents. Settled for a significant six-figure sum following successfully establishing jurisdiction at a preliminary hearing.

N v A Company

Acted for an arena in respect of the controversial and high-profile cancelled tour of the preacher Franklin Graham: see, for example, coverage in the [NY Times](#) and [BBC News](#).

E & D v World Bank

Representing two senior executives in respect of an unfair redundancy exercise.

R v Organisation of American States

Representing a senior individual in respect of unfair disciplinary proceedings.

N v A Public Authority

Acted for the public authority in a complex case as to the definition of 'necessary' and various functions with the Safety Representatives and Safety Committees Regulations 1977.

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KS v Sussex Partnership NHS Foundation Trust

Successfully defended a multi-track negligent reference trial.

O v A Company

Defended a company against a fixed-term employee detriment claim and whistleblowing allegations of criminal activity by senior executives.

Equal Pay

Acting for various employers defending equal pay claims involving all aspects of equal work and genuine material factor defences.

Y v A Public Authority

EAT appeal involving the menopause as a disability.

AB v A Public Authority

Represented the claimant in a sex discrimination claim involving sexual assault by a senior executive.

Bham v 2gether NHS Foundation Trust UKEAT/0059/17/DA

Represented the appellant in the Employment Appeal Tribunal on a new evidence appeal.

L v Chief Constable of Avon and Somerset

Led by James Arnold in a large discrimination claim on behalf of the Chief Constable of Avon and Somerset.

Lee v Ashers Baking Co Ltd [2018] UKSC 49

Assisted Sarah Crowther QC with Lee v Ashers Baking Co Ltd [2018] UKSC 49 – the 'gay cake' case.

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Pensions

Victoria has a broad practice in pensions across occupational and personal pension schemes. She has advised in relation to Part 8 claims involving construction, rectification, equalisation, revaluation and overriding statutory powers. Victoria regularly advises public authorities and their employees, particularly in relation to misrepresentation claims and the limits of their powers and/or discretion.

Victoria also has experience in the breadth of professional negligence claims against legal and actuarial advisers, including invalid scheme documentation and failed amendments (including estoppel, extrinsic contract and misrepresentation issues). She regularly advises on limitation problems and complicated issues of loss.

Victoria often acts in claims with a pensions and employment or discrimination law crossover. Victoria has completed secondments at the Pensions Ombudsman and a leading national firm in their pensions litigation team. Victoria is the co-author of the War Pensions chapter in Atkins Court Forms and has contributed to Lexis PSL on Pensions and Tolley's Pensions.

Notable Pensions cases

Briggs & ors v Clay & ors

the £60m multiparty professional negligence claim arising from the judgment of Newey J in Re Gleeds. The interlocutory judgment concerning without prejudice privilege is reported at [2019] EWHC 102 (Ch). Acting for the Defendant Solicitors led by Nicolas Stallworthy QC, Saul Margo and Nicholas Hill. The interlocutory judgment concerning without prejudice privilege is reported at [2019] EWHC 102 (Ch).

McCloud v Lord Chancellor [2018] EWCA Civ 2844

Acting for the Respondents in the 'Judges Pensions' claims of direct age discrimination and equal pay.

Re P

Led by Andrew Short QC in a proposed professional negligence claim involving repeated failed amendments with significant unintended consequences, involving issues of execution and validity.

Re C

Acting in parallel proposed Part 8 and Part 7 claims involving issues of equalisation, failed amendments, execution issues and mistakes in drafting.

A Public Sector Union

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Led by Keith Bryant QC advising a public sector union in respect of pension discrimination issues.

Re P

Acting in an application for directions in respect of equalisation.

Re P

Assisting in a rectification claim in respect of a multi-sector scheme.

Re T

Led by Andrew Short QC in a rectification claim involving unintended benefit enhancements.

E v A Public Authority

Acting for a public authority in a Pensions Ombudsman claim by their CEO.

N v A Chief Constable

Advising in respect of forfeiture following criminal activity.

S v A Fire Authority

Advising in respect of the definition of 'pensionable pay'.

N v A FTSE 100 company

Successfully applied for strike out on behalf of the Trustees of a FTSE 100 company's pension scheme in a claim for restitution.

A v Secretary of State for Defence

Representing a client in respect of their claim under the Armed Forces Compensation Scheme.

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M v PS

Representing an administrator in a multi-party application to set aside a Third Party Debt Order. The claim involved complicated issues of when a pension entitlement crystallises into a debt and unauthorised payments for the purposes of the Finance Act 2004.

Commercial & Chancery

Victoria regularly advises and appears in commercial matters covering economic torts and contractual claims. She has been instructed in claims relating to professional negligence, directors duties, debt claims including unpaid solicitors fees, property and regulatory compensation claims.

Victoria is also familiar with investigations, including document reviews, interviews, responses and representation.

Notable Commercial & Chancery cases

E v A Company

Acting as sole counsel for the company in a professional negligence and deceit claim pleaded at £10 million.

I v A Company

Led by Andrew Allen QC, advised a shareholder and director in respect of a claim for wrongful termination and contempt of court following breaches of injunctive relief.

E v A Company

Led by Nick Johnson QC in a dispute involving directors duties and owed debts.

N v A Bank

Represented the claimant in s.140 unfair relationship claim arising out of a credit agreement.

A v A Firm

Represented a solicitor in a contested claim for unpaid fees. Successfully recovered the total sum sought.

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S v Trustees

Advising on duties in respect of trust property.

Assisting with a multi-million pound breach of contract claim.

Advising a campaigning body about the extension of the Financial Ombudsman Service powers.

Public Law

Victoria has advised on and acted in a range of public law matters, including a challenge to the Spare Room Subsidy (colloquially known as the "*Bedroom Tax*") and discrimination claims against public authorities.

Victoria has significant experience in immigration and asylum, having worked for UKVI before coming to the Bar. At UKVI Victoria was one of two individuals responsible for the management of Court of Appeal and Supreme Court cases and assisted with ECHR cases.

Victoria recently successfully challenged a Coroner's interlocutory decision by way of judicial review pre-action letter.

Notable Public Law cases

Instructed by the Government Legal Department to review over 70 international trade agreements and advise on the likelihood of any relevant provision having direct effect.

Instructed to defend a judicial review involving a high-profile asylum applicant subject to a freezing injunction.

Defending a prison in a claim for disability discrimination.

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Memberships

- Association of Pensions Lawyers
- Employment Lawyers Association
- COMBAR
- Bar Pro Bono Unit

Awards

- Recommended by Legal 500 UK for Employment and Pensions

Recommendations



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