



## Anna Beale

Year of Call: 2001

Call Clerk on 020 7827 4000

### PRACTICE AREAS

Clinical Negligence | Discrimination & Equality | Employment | Human Rights | Personal Injury | Professional Discipline

### HIGHLIGHTS

*"At the junior end, [Anna Beale](#) is highlighted for her 'star quality' and 'not being afraid to "take it" to counsel many years her senior - and win'." "Always happy to hop on client calls, explains complex issues in lay terms, and is highly rated technically." "A compelling advocate who can readily put clients at their ease and win their trust." **Legal 500 2021***

*"She's absolutely fantastic: meticulously prepared, incredibly efficient and helpful, and always thinking about the strategy." "She's super bright and really easy to work with. Just brilliant." **Chambers & Partners 2021***

## OVERVIEW

Anna specialises in employment and discrimination, clinical negligence and personal injury law.

### **Employment and Discrimination**

Anna is frequently instructed on high profile cases dealing with difficult and novel points of law, and is also commended by solicitors for her client manner. She acts for both employees and employers, and her regular client base includes well-known claimant solicitors, trade unions, NHS Trusts, universities, financial institutions and multinational companies.

Anna has experience of all kinds of employment litigation. She represents clients in the EAT and the Court of Appeal (as sole counsel), and has acted in numerous lengthy, high profile employment tribunal claims. Anna also has extensive civil court experience, obtained in part through her parallel clinical negligence and personal injury practice, and is regularly instructed in County and High Court claims dealing with employment and discrimination matters.

Equal pay, sex, pregnancy and maternity discrimination are areas in which Anna has particular expertise. As well as acting in high profile multiple equal pay claims involving public and private employers, she is regularly instructed by both employers and employees in high value individual claims, and has a wealth of experience and tactical knowledge in this difficult area. In January 2017, she was appointed as a member of the Fawcett Society's Sex Discrimination Law Review Panel, which produced a report advising on the future of sex discrimination law in the UK, and in particular the implications of Brexit. The report's recommendations were welcomed by the Chair of the Women and Equalities Select Committee, Maria Miller. Anna regularly speaks on the burden of proof in discrimination claims at the ERA seminar 'Applying EU Anti-Discrimination Law' in Trier.

Away from equal pay and sex discrimination, Anna has recent experience of claims involving whistleblowing, the minimum wage and issues around employment status. Her personal injury expertise advantages her in dealing

with disability discrimination claims, and in preparing complex schedules of loss, particularly where there are claims for psychiatric injury and long-term earnings and pension loss. As a co-author of 'Employment Law and Human Rights' (OUP, 2018) Anna also has detailed knowledge of human rights issues arising in the workplace.

Anna's civil court practice encompasses contractual and Protection from Harassment Act 1997 claims in the employment context, as well as goods and services discrimination. Anna recently recovered almost £250,000 in damages for failure to pay the minimum wage, harassment and personal injury on behalf of a victim of trafficking.

Anna is frequently instructed to conduct internal investigations and to advise on disciplinary/ grievance processes by employers. Anna has also represented individuals in internal employment processes before the litigation stage is reached.

Anna has been recognised as a leading employment barrister by Chambers UK, the Legal 500 and Who's Who Legal for many years.

## **Clinical Negligence and Personal Injury**

Anna undertakes the full range of clinical negligence and personal injury work. Her parallel employment and discrimination practice means that she has unusually extensive advocacy experience for a barrister of her call in this area.

Anna's clinical negligence practice has expanded in recent years. She has acted as junior counsel in a range of medically complex and high value claims involving spinal injury, spinal surgery, negligent cancer treatment and delay in treating severe brain injury. As sole counsel, she has been instructed in claims arising from negligent spinal, hip and bariatric surgery, cauda equina, delay in diagnosing spinal infection and spinal tumours, delay in cancer diagnosis and a number of claims relating to the development of severe pressure sores. She also has experience of fatal accident claims in the context of clinical negligence. Anna has a particular interest in complex causation issues. In 2016, she successfully established causation on conventional principles where non-negligent surgery, which had been performed three months earlier than it should have been owing to a negligent failure to follow a conservative management plan, resulted in nerve root injury (*Crossman v St George's*

Healthcare NHS Trust (HC)).

Anna is recommended as a leading junior in clinical negligence by the Legal 500.

Anna has experience of all kinds of personal injury litigation, including road traffic and highway accidents, employer's liability and occupational disease, occupier's liability, fatal accidents and Protection from Harassment Act claims. Her employment law practice makes her particularly suited to "crossover" personal injury claims relating to modern slavery and harassment at work.

Anna is skilled in producing complex and detailed schedules of loss, and applies her employment law knowledge to ensure clients are fully compensated for earnings losses and care claims.

## REFERENCES

**Chambers & Partners 2021:** "She's absolutely fantastic: meticulously prepared, incredibly efficient and helpful, and always thinking about the strategy." "She's super bright and really easy to work with. Just brilliant."

**Legal 500 2021:** "At the junior end, Anna Beale is highlighted for her 'star quality' and 'not being afraid to "take it" to counsel many years her senior - and win'." "Always happy to hop on client calls, explains complex issues in lay terms, and is highly rated technically." "A compelling advocate who can readily put clients at their ease and win their trust."

**Chambers & Partners 2020:** "She is extremely quick and knows every case like the back of her hand." "An extremely intelligent barrister who also has a fantastic bedside manner."

**Legal 500 2020:** "An extremely intelligent standout barrister, who is fantastic with clients and a real pleasure to work with." "A junior whose work ethic is second-to-none."

**Chambers UK 2019:** "Strong tribunal advocate representing employers and

individuals in complex discrimination and whistle-blowing cases. She also has experience dealing with equal pay disputes. She has appeared in tribunals and at appellate level." "A real all-rounder. She is really good with clients and she really cares about the cases." "Fantastic. Very bright and very reliable."

**Legal 500 2019:** "An excellent barrister to work with and is technically excellent."

**Chambers UK 2018:** "A really good all-rounder. Sharp and good with the legal side but also good with clients." "Her work is thorough and technically very good. She is also very pragmatic and commercial."

**Who's Who Legal 2018:** "Anna Beale is highly regarded in the field of employment and discrimination law and is praised for her expert handling of complex litigation. She is frequently instructed by corporations, trade unions and government bodies for her deep experience in the field."

**Legal 500 2017:** "Technically and strategically excellent."

**Chambers UK 2017:** "Strong tribunal advocate representing employers and individuals in complex discrimination and whistle-blowing cases. Clients attest that she is an extremely hard worker who can quickly turn around large pieces of work.... 'She really engages with the client and will go the extra mile - she will not give up for a client. She is very positive and determined.'"

Ranked as one of ten most highly regarded junior employment counsel in **Who's Who Legal 2017:** "Anna is very impressive, very pragmatic and commercial. She is responsive to enquiries, and very easy and pleasant to deal with. She has good client-handling skills, even under serious pressure."

**Legal 500 2016:** "A flawless barrister, who is acutely aware of client needs."

**Chambers UK 2016:** "She has a particularly strong reputation for handling technically complex disputes, and is known for her skill in dealing with sensitive clients....'She is incredibly bright and very good with clients; the whole package.'"

**Legal 500 2015:** "She wins the totally unwinnable cases and works so hard for

her clients."

**Chambers UK 2015:** "well respected for her work on cutting-edge discrimination cases... 'personable and intelligent, she has a practical attitude and can really progress a case'."

**Legal 500 2014:** "impressive attention to detail."

**Chambers UK 2014:** "'she is a specialist in the discrimination field', who 'has a tremendous ability to simplify complex legal issues and convey them to the layman'."

**Legal 500 2013:** "instils utmost confidence in clients."

**Chambers UK 2012:** "sharp as a pin and very crisp in court...instructing solicitors agree she is 'a delight to work with'."

**Legal 500 2012:** "first-rate judgment and sensitivity."

**Elias LJ, JP Morgan Europe Ltd v Chweidan [2011] EWCA Civ 648; [2012] ICR 268:** "...a forceful and attractive argument..."

**Chambers UK 2011:** "meticulous preparation and savvy tactical insight."

## APPOINTMENTS AND MEMBERSHIPS

Appointed as a member of the Fawcett Society's Sex Discrimination Law Review Panel in January 2017.

Re-elected as Secretary of the Industrial Law Society for a second term in April 2017.

Member of ELA, ELBA, the Institute of Employment Rights, HRLA, AVMA and PIBA.

## PUBLICATIONS AND TRAINING

Co-author with Robin Allen Q.C., Rachel Crasnow Q.C., Claire McCann and Rachel Barrett of 'Employment Law and Human Rights' (OUP, 3rd Edition, 2018)

Panel member and contributor to the Fawcett Society's Sex Discrimination Law Review (January 2018)

Contributor to 'Blackstone's Guide to the Equality Act 2010' (ed Wadham, Robinson, Ruebain and Uppal, OUP, 3rd Edition, 2016).

Editor (with Declan O'Dempsey, Catherine Casserley and Sally Robertson) of 'Discrimination in Employment: A Claims Handbook' (LAG, 2013).

Contributor to 'Family Rights at Work' (ed Allen and Crasnow, Jordans, 2012).

Co-author with Declan O'Dempsey of 'Age and Employment' (Publications Office of the European Union, 2011).

Co-author with Robin Allen Q.C. and Rachel Crasnow of 'Employment Law and Human Rights' (OUP, 2nd Edition, 2007).

## QUALIFICATIONS

BA Jurisprudence (Oxon): 1st class

## HIGHLIGHT CASES

### EMPLOYMENT AND DISCRIMINATION

- ***DPP Law Ltd v Greenberg* [2021] EWCA Civ 672**: successfully restored the ET's decision that a partner in a solicitors' firm, who accepted £150 in cash

from the father of a legally aided client, was fairly dismissed, after the EAT, which overturned the original judgment, was found by the Court of Appeal to have adopted an over-critical approach.

- ***Ajayi v Abu & Abu* [2017] EWHC Civ 3098 (QB); [2018] IRLR 1028:** recovered almost £250,000 in damages for failure to pay the minimum wage, harassment and personal injury on behalf of a victim of trafficking, deploying an unusual argument on fraudulent concealment to extend the minimum wage claim back beyond 6 years.
- ***Ajayi v Abu & Abu* [2017] EWHC Civ 1946 (QB); [2017] IRLR 1113:** first case on the meaning of "deductions" in respect of living accommodation and meals in the context of the "family worker" exception to the requirement to pay the minimum wage.
- ***JP Morgan Europe Ltd v Chweidan* [2011] EWCA Civ 648; [2012] ICR 268 (CA):** considered the relationship between direct and disability-related discrimination under the DDA 1995.
- ***BP Plc v Elstone* [2010] ICR 879; [2011] 1 All ER 718 (EAT):** determined the novel point that the whistleblowing legislation applies when a worker is subjected to detriment by reason of a disclosure made whilst in a previous employment.
- ***Williams and Jermin v DfT* (ET, 2011):** ground-breaking equal pay test case comparing claimants employed by the DVLA with male comparators in the Driving Standards Agency.
- ***Hartley v Northumbria NHS Trust* (ET, 2008 - 2009):** national equal pay test case challenging the NHS job evaluation scheme, Agenda for Change.
- ***Davies v Farnborough College* [2008] IRLR 14 (EAT):** concerning the proper interpretation of the statutory dismissal procedure in a redundancy situation.
- ***Wong v Igen Ltd* [2005] 1 ICR 931 (CA):** leading case on the revised discrimination burden of proof provisions.



## CLINICAL NEGLIGENCE / PERSONAL INJURY

- ***Crossman v St George's Healthcare NHS Trust* [2016] EWHC 2878; (2017) 154 B.M.L.R. 204**: successfully established causation on conventional principles where non-negligent surgery, which had been performed three months earlier than it should have been owing to a negligent failure to follow a conservative management plan, resulted in nerve root injury.
- ***Masterman-Lister v Jewell and Home Counties Dairies* [2003] 1 WLR 1511 (CA)**: leading case on capacity to litigate.