One of the very highly regarded practices in the sector.

LEGAL 500, 2018

Their advice was business focussed and useful in a business context.

CHAMBERS, 2018

The overall level of service was exceptional, from beginning to end. The knowledge and professionalism was remarkable.

CHAMBERS, 2017

RECOGNISED SPECIALIST EXPERTISE

Addleshaw Goddard is recognised as having one of the leading reputation and information protection teams in the UK. Our lawyers are consistently identified as leaders in the field by the two principal legal directories, Chambers and Legal 500.

Media enquiries, regulatory or police investigations, sensitive litigation, operational issues, pressure groups, aggrieved customers, disaffected employees and activist shareholders can all put at risk the reputation of a business, its brands and its directors.

The ease with which confidential or commercially (or personally) sensitive information can be unlawfully obtained and/or circulated is also a growing challenge for many businesses, which now face the threats of data breaches, cyberattacks, loss of confidential information, leaks to the media, data protection disputes and Freedom of Information Act requests.
We are experienced in advising organisations and individuals on how to deal with potentially damaging exposure in the media at the pre-publication/broadcast stage, as well as during and following publication when damage needs to be prevented or mitigated, including if necessary taking legal action and/or ensuring the record is set straight. Usually this means working with in-house communications teams and/or external PR agencies to manage the crisis.

Whatever the source of the reputational threat, we provide strategic board level advice and assist with reputational risk management, for example by conducting internal investigations and reviews.
A positive reputation requires that at least 20% of the stories in the leading media be positive, no more than 10% negative, and the rest neutral.
The ease with which economically valuable or reputationally sensitive information can be stored and transmitted creates significant risk for any business.

Information security issues, such as data loss, cyberattacks, leaks to the media and misuse of confidential information can be reputationally and commercially damaging.

Mischievous and vexatious subject access and Freedom of Information Act requests can waste time (and money), as well as pose a reputational threat.

Even in the absence of such issues, ‘Big Data’ can create big litigation risk, as all sectors, but particularly retailers and financial services, seek to take advantage of the commercial opportunities created by technical advances.
SOCIAL MEDIA RISK

Social media and the internet generally is now a major risk area for many businesses. Addleshaw Goddard has extensive experience (dating back to the UK’s first internet libel case in 1995) and expertise in the protection of rights and reputation online, whether there is a one-off problem to be resolved or a requirement for an ongoing reputation protection programme.

We are familiar with the way in which the internet operates, the many and varied sources of information available on it and the many and varied ruses employed by those who seek to infringe the rights or damage the reputation of others. The internet is an ever changing and fast moving medium. Speed is often of the essence.

Clearly this is often cross-border work, and we work with our international offices and with our preferred firms in other territories to harness local expertise and obtain local representation for our clients.

Where necessary, we work with technical specialists to monitor such activity and to identify its source. If a full online protection programme is required, typically we would first commission an audit by a specialist online investigative service to ascertain the nature and extent of the problem.

Then we would prepare a proposed strategy, including realistic commercial, PR and legal objectives and the most appropriate means of achieving them.
Our team of lawyers is available out of hours and at weekends, to provide urgent round-the-clock advice, to negotiate with the media or other interest group, and to make emergency injunction applications.

An organisation with a crisis team in place is able to respond swiftly and effectively. We help our clients put in place such arrangements and provide customised training workshops to ensure that our clients’ legal and communications teams are up to date with current law and practice.

Our aim is always to provide quick, practical and commercial advice, and to complement our clients’ protection of their valuable reputations.

Unlike the niche media law firms, as a large full service firm, we have specialist lawyers in all areas which may be relevant to a reputational threat, on whose expertise we can quickly draw.

Similarly, with our own overseas offices and our proven international Preferred Firms network, we are able to take quick and effective legal action, with the assistance of local experts, wherever in the world a problem surfaces.

We have successfully acted for many major organisations and companies in connection with reputational issues. We have also acted for numerous high profile individuals in business, public life, the arts, entertainment and sport.

In an economy where 70% to 80% of market value comes from hard-to-assess intangible assets such as brand equity, intellectual capital, and goodwill, organizations are especially vulnerable to anything that damages their reputations.
EXAMPLES OF OUR EXPERIENCE

- Advising High Street retailer facing #MeToo allegations
- Preventing broadcast on BBC’s *Watchdog* of allegations about a motoring organisation
- Representing Cambridge University academic in relation to Facebook data controversy
- Preventing and mitigating broadcast on *Panorama* and *Newsnight* of tax avoidance allegations against a FTSE100 company
- Defending Freedom of Information requests against public bodies
- Preventing broadcast on BBC’s *Rip Off Britain* of allegations about a bathroom retailer
Advising a company and its directors in relation to reputational aspects of SFO investigation

 Acting for bank and real estate company in US$800m claim in libel, malicious falsehood and breach of confidence

 Bringing over 100 successful claims against News of the World and the Daily Mirror over phone hacking

 Representing large retailer in connection with media coverage of high profile employment proceedings

 Preventing broadcast by Channel 4 of allegations about a convenience food outlet

 Obtaining removal of Google search results under ‘right to be forgotten’

 Preventing publication in a national newspaper of allegations about the private life of a professional sportsman

 Defending data privacy claims against various companies
Makes use of its international network to advise global businesses on reputation management issues, including social media and data protection matters.

CHAMBERS, 2019

Despite heavy responsibilities for other clients, they are available at short notice. The quality of advice is high and knowledge of media organisations’ in-house legal practices extensive and useful.

CHAMBERS, 2016

They’ve been excellent in terms of their knowledge and in coming up with solutions.

CHAMBERS, 2018
David Engel
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David has specialised in reputation and privacy law for almost 25 years, and has led our Reputation & Information Protection team since 2008. His practice has for many years been recognised as a market leader in the field. He is currently ranked as a Leading Individual by both the Legal 500 and Chambers legal directories, and as one of the UK’s Top Ten reputation lawyers by Spear’s.

David has acted for claimants in landmark cases such as the UK’s first internet libel case (Western Provident Association v Norwich Union) and the UK’s biggest ever defamation claim for US $850 million (Dar Al Arkan & Anor v Al Refai & Ors). He acted for the claimants in one of the first ever privacy and data protection claims (Douglas & Zeta-Jones v Hello!), successfully defended one of the earliest data protection damages claims in the High Court (Hughes v British Airways), and successfully represented almost 100 victims of phone hacking in privacy claims against News International and Mirror Group.

He advises listed and privately held companies, owner managers, family offices, and other businesses and individuals facing threats to their reputation, whether from mainstream or social media, disaffected employees, unhappy customers, competitors, activists, regulatory or police investigations, operational issues or sensitive litigation.

He also advises on contentious privacy and data protection issues, including data breaches, civil claims and litigation risk under GDPR, defending ICO investigations, ‘right to be forgotten’ claims against online platforms, representing public authorities or private sector third parties facing FOIA requests, and defending contentious data subject access requests.

His work includes crisis management, advisory, internal investigations, and litigation. His legal specialisms therefore include defamation, confidentiality, privacy, harassment and data protection.

David adjudicates on domain name disputes as an Independent Expert for Nominet’s dispute resolution service, and has made over 75 such adjudications.

David regularly speaks publicly and provides comment to the media on topical legal issues.

Experienced reputation management specialist with deep knowledge of defamation and privacy matters.
CHAMBERS, 2019

Extremely knowledgeable, calm, very strong on tactics and forceful when required.
CHAMBERS, 2017

Among the elite practitioners in media and privacy law.
LEGAL 500, 2016
As well as advising on defamation and other reputation protection issues, Abigail specialises in information law, including in particular data privacy, data breach issues, cybersecurity, loss or theft of confidential information, and defending data subject access and Freedom of Information Act requests.

She has also acted for numerous companies in relation to social media issues, including the removal of content from websites and online platforms, and advises on social media policies for businesses.

Abigail retains full Higher Court Rights of Audience. She regularly speaks and writes on data and privacy topics.

Samantha is winning increasing recognition, including as a ‘Next Generation lawyer’ by Legal 500, for her work in reputation and information protection, including in particular in data privacy cases.

Neil joined the team in 2018, and advises on the full range of reputation, privacy, crisis management and information law issues.