Althea Brown

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Profile

Althea Brown has a specialist practice in the ‘core’ civil liberties fields of employment, equality law and professional discipline and regulation. As well as her practice as a barrister, Althea is also a busy mediator.

Her employment and non employment discrimination law practice encompass cases brought in the private and public law arena. Althea’s practice is claimant based and she has successfully and regularly arguing cases in employment tribunals, the County Court, High Court and the Court of Appeal. She is regularly instructed in substantial multi party claims which are high value, technically and legally complex and lengthy.

Althea is regularly instructed in high profile cases and is commended for her skill in successfully tackling claims which are factually, technically and legally complex, which often involve lengthy hearings requiring forensic cross examination of witnesses (including experts) and which are frequently sensitive and controversial.

Althea is also accredited to accept public access instructions.

For information on the type of Mediation that Althea offers **click here** to view her specialist brochure.

Althea is a **Registered Mediator** for Civil/Commercial mediation with the Civil Mediation Council.

Education

University of Leicester LLB
Winner May prize University of Leicester 1993
Lincoln's Inn Bursary Prize 1994

Languages

French

Related practice areas

Employment, Discrimination and Equality Law
Professional Discipline and Regulation
Mediation
Data Protection and Information Law

Employment Law and Industrial Relations

Aslam v The British Broadcasting Corporation [2010] A highly respected television and radio journalist was successful in her claim for unfair dismissal. Against a background of union activism, major organisational restructuring and perceptions of deep seated historical disadvantage.; Johnstone & others v University of Bath and University of Plymouth [2011] a complex multi party claim under TUPE; O v South Staffordshire and Shropshire NHS Foundation Trust [2010] The Claimant a Consultant Psychiatrist claiming unfair dismissal and victimisation on grounds of race; Ingram v East of England Ambulance Trust [2010] successful outcome to a claim of constructive dismissal by reason of redundancy.

- Singh v Reading Borough Council [2012] EAT. Appearing as Junior counsel in a case raising a wholly novel point of law in which the EAT concluded the claimant could not rely on the alleged procurement of false witness evidence by a respondent employer in discrimination proceedings as a "final straw" entitling her to resign and claim constructive dismissal. Such actions, even if true, fell within judicial proceedings immunity**[1]**.

Equality and Discrimination

- V v LB Hammersmith [2012] V a social worker was successful in her claim of victimsation following untrue comments made about her by the employer in correspondence with ACAS arising from her claim of non promotion by reason of race discrimination.
- Conteh v Parking Partners Ltd [2010] EAT The appellant car park attendant had been racially abused by customers. The Employment Appeal Tribunal outlined the correct approach to the Race Relations Act 1976 s.3A and found that inaction could constitute "unwanted conduct" as long as it had "created" the proscribed environment and was based on grounds of race or ethnic or national origins. Applied in Sheffield City Council v Norouzi [2011]EAT;
- Singh v Reading Borough Council [2012] EAT. Appearing as Junior counsel in a case raising a wholly novel point of law in which the EAT concluded the claimant could not rely on the alleged procurement of false witness evidence by a respondent employer in discrimination proceedings as a "final straw" entitling her to resign and claim constructive dismissal. Such actions, even if true, fell within judicial proceedings immunity**[2]**.
- Aziz v The Crown Prosecution Service [2010] was one of the longest running discrimination case in UK jurisprudence. The claimant was successful in her claim of race discrimination against the CPS in 2004. The Court of Appeal reinstated the decision of the Employment Tribunal and in 2008 Ms. Aziz was awarded over £650,000 in damages including an award for aggravated damages. Some 9 years later she faces a further challenge as the CPS appealed the award of aggravated damages in the EAT which was ultimately withdrawn.
- Bijlani v Roger Stewart, Lizzy Wiseman, Justin Fenwick and John Powell [2009]. A high value claim case which also received extensive media coverage and concerned a claim for race and disability discrimination brought by a barrister against 3 former heads of chambers and the Senior Clerk. The Claimant claimed substantial damages for past and future career losses and injury to her health spanning a period of 18 years.

Professional Discipline and Regulation

Althea has acted for registrants from across the range of social welfare, health and financial services professions and regulators. These individuals faced the most serious and potentially career ending allegation of misconduct and/or lack of competence.

Althea is highly experienced in dealing with the most complex and sensitive cases before the full range of social welfare, teaching, financial services and healthcare professions regulators including the Care Standards Tribunal, the Health Care Professions Council, The General Dental Council, Nursing and Midwifery Council The Teaching Authority, and the Financial Services Authority. Her disciplinary and regulatory law practice is defined by her commitment to liaising closely with instructing solicitors and registrants on all aspects of case preparation, management, presentation and advocacy. Her strengths include the ability to assimilate complex material quickly and thoroughly coupled with persuasive, effective advocacy. Althea has an established reputation for working successfully to achieve the best possible outcomes for individuals facing what are often the most difficult challenges of their professional career whether facing allegations of lack of competence, gross negligence or professional misconduct. Feedback from professional clients and Registrants consistently report that her advocacy skills and sensitive and insightful approach is highly valued.

Before the Care Standards Tribunal – TM v Secretary of State [2012] A nurse applied under s.86(3) of the Care Standards Act for the tribunal to determine the issue whether her name should be included in the list maintained by the Secretary of State of those unsuitable to work with children and vulnerable adults. social welfare;D v GSCC [2011] A social worker dismissed for gross misconduct facing professional misconduct charges for inadequate record keeping.; M v GTC [2012] – A teacher facing striking off from the register for assaulting a pupil; E v NMC [2012]- A specialist paediatric nurse facing charges of gross misconduct relating to neonatal/special care babies in her care; R v HCPC[2012]- A dietician specialising in patients with head and neck cancer accused of providing inadequate care and poor record keeping; DT v HCPC [2011] – A senior Psychologist/university lecturer accused of plagiarism; MS v FSA [2012] –Appeal against the refusal of the Financial Services Authority to grant registration to a independent financial adviser; H v HCPC [2013]- A male physiotherapist accused of sexually assaulting a female patient; W v HCPC [2013] – A paramedic accused of misconduct in failing to provide adequate care to a child.

Mediation

Althea Brown is an accredited mediator and barrister specialising in employment and discrimination. Mediation has been a central element of her practice since 2004 and since then she has participated in mediations involving a wide variety of issues.

Althea’s mediation practise is defined by her commitment to liaising closely with participants to facilitate communication between participants and establish an environment where they

can negotiate safely and effectively. Throughout the process the aim is to identify and focus on the essentials, encourage progress, and highlight fresh perspectives to bring understanding and agreement.

Her strengths include the ability to assimilate complex material quickly and thoroughly and enhanced by her knowledge of legal process and an appreciation that participants may be facing what are often the most difficult challenges of their professional and personal lives.

Examples of her mediation experience include participation in mediations concerning

- A female police officer engaged in litigation against the Met Police alleging serious sexual harassment and bullying by male colleagues.
- A serving prisoner with disabilities alleging mistreatment by prison staff and disability discrimination
- A senior company executive seeking 6 figure compensation from a FTSE 100 company for breach of Equal Pay legislation

Over the years this breadth of experience has secured a keen understanding and appreciation of the variety of working practices, information management systems and protocols in place across a broad range of organisations public and private.

The feedback from professional and lay participants consistently report that her knowledge , commitment, hard work and sensitive, insightful approach is highly valued.

For information on the type of Mediation that Althea offers **click here** to view her specialist brochure.

Feedback

Feedback on Althea's recent mediations from both professional and lay participants consistently evidence that her knowledge, commitment, long experience, diligence in preparation and sensitive, insightful approach is highly valued. Comments include:

"I have to say, I was not hopeful that mediation would work for this one given the nature of the dispute. In fact it allowed the parties to discuss directly an alternative way of resolving the dispute which would not have been open to the court. The matter was then resolved without the need for an expensive contested hearing."

"Althea managed an extremely difficult mediation magnificently. She was patient and attentive with all of the parties involved."

“I was very impressed by the quality of work put in both in the mediation and behind the scenes.”

“Althea played a significant role in helping us reach a very useful result in our workplace mediation and encouraged the parties to think outside the box.”

“In our commercial mediation Althea displayed real skill and empathy…she had prepared very thoroughly.”

“Althea was very helpful in guiding the process.”