

## Louise Price



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### Profile

Louise specialises in employment, discrimination and education law. She also undertakes work in the related fields of public law, regulatory law and professional discipline.

She is described as being “an experienced and sophisticated advocate and adviser, who provides her clients with an enviably high level of service” and that “she’s a good advocate and really does the best she can for her clients by knowing the case inside out, knowing how to run it properly and knowing how to make sure it’s in her clients’ best interests”. She is felt to be “very calm, very approachable and very easy to deal with” and that she is “highly knowledgeable with excellent analytical skills.” She has been recognised as a leading specialist in regulatory law in both Chambers & Partners UK and the Legal 500.

Louise is on the Attorney General’s Junior Counsel to the Crown (C Panel), she sits as a Chair of the Fitness to Practise hearings at the General Pharmaceutical Council and is a member of the Independent Appeal Panel for schools admissions and exclusions for the London Borough of Harrow. She is a member of the Bar Standards Board panel of experts and advises the regulator on matters concerning equality and diversity and professional discipline. She is a trustee of the Women’s Resources Centre.

Prior to coming to the Bar, Louise was awarded a Joseph Priestly Scholarship to undertake an internship for the Centre of Capital Punishment studies, working in Malawi for CHREAA, a local NGO, in partnership with Open Society, South Africa. During her time in Malawi she assisted the Paralegal Advisory Service providing legal education workshops in prison. Whilst completing her legal studies, Louise worked as an advisor and tribunal representative for the London Borough of Brent's Citizen's Advice Bureaux.

## Recent Publications

- Jurisdiction of the ET to hear complaints against qualification bodies: *Michalak v The General Medical Council & Ors* [2016] EWCA Civ 172, Discrimination Law Association briefings July 2016.
- Payment in respect of injury to feelings made on the termination of employment subject to tax: *Moorthy v HMRC* [2010] UKUT 13 (TCC) (co-authored with Henrietta Hill QC), Discrimination Law Association briefings July 2016.
- Contributor to Halsbury's Law of England, Volume on Human Rights (vol. 88A) on the right to education and right to religious freedom.
- Contributor to Munkman on Employer's Liability (16th edition).
- Author of chapter on Equality law in the 2nd edition of disabled children, A legal handbook, LAG, 2016.
- Disabled children (2nd edition), LAG; contributing author to the chapter on the equality and discrimination.
- Professional Discipline and Healthcare Regulators; a legal handbook; contributing author.
- The treatment of homosexuality within Southern African justice systems; a trial observation of *Rep. v Chimbalanga and Monjeza*, African Human Rights Law Journal, Vol 10, No 2 2010.

## Education

BA (Hons) Modern History and Politics (1st Class); MSc International Politics (Distinction); Post Graduate Diploma in Law (Distinction). Major Scholar Inner Temple 2005 and 2006.

## Related practice areas

Employment, Discrimination and Equality Law  
Administrative & Public Law

Education

Professional Discipline and Regulation

Clinical Negligence, Personal Injury & Product Liability

Data Protection and Information Law

Children's Rights Group

## Equality and Discrimination

Louise has a depth of experience of both advisory work and representation in the field of employment law and she is known for her expertise in complex disability discrimination matters. She has been instructed in a number of cases concerning the United Nations Convention on the Rights of Persons with Disabilities. She has also advised extensively on the application of the public sector equality duty and provides training to public bodies on how to meet this duty including the Bar Council, the Bar Standards Board, and a wide number of local authorities across London.

She regularly appears in the Employment Tribunal and her appellant practice includes the Employment Appeal Tribunal and the Court of Appeal. Louise's experience of acting in employment matters covers a broad range of issues including unfair and wrongful dismissal, Working Time Regulations, TUPE, whistle blowing and all areas of discrimination law. She is part of the Panel of Counsel of the Traveller Movement, and the Equality and Social Justice Unit (ESJU) and is a member of the Deaf and Disabled People's Organisations (DDPO) Legal Network.

In addition, Louise has experience of advising on goods and services discrimination issues, particularly those concerning the duty to make reasonable adjustments. She undertakes a significant amount of advisory work in this area and has acted in claims brought against transport providers, education providers, treatment decisions within the NHS, the Post Office and sporting venues.

She also acts in a pro bono capacity for the Employment Law Association Advisory Scheme (ELAAS) appearing in the Employment Appeal Tribunal.

## Professional Discipline and Regulation

Louise has extensive experience of regulatory law and compliance work in the fields of health and social care and education. She is recognized as a leading junior in the area of

Professional Disciplinary law in both Chambers & Partners UK and the Legal 500. She is described as being “an experienced and sophisticated advocate and adviser, who provides her clients with an enviably high level of service”. And that "She's a good advocate and really does the best she can for her clients by knowing the case inside out, knowing how to run it properly and knowing how to make sure it's in her clients' best interests". She is felt to be “very calm, very approachable and very easy to deal with” and that she is “highly knowledgeable with excellent analytical skills”.

## Compliance

Louise has advised and represented in a wide range of regulatory and compliance matters arising out of the provision of healthcare and education.

She has represented both health and social care providers in the Care Standards Tribunal. Most recently she represented F Ltd. v CQC in an appeal under section 31(1)(a) of the Health and Social Care Act 2008 of a notice of decision to impose a conditions and then revoke F Ltd.’s registration with the CQC following anonymous allegations of abuse. She also experience of healthcare regulation, she has advised and representing both pharmaceutical service providers and General Practitioners in applications arising out of The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013.

She additionally has experience of advising on claims for judicial review arising out of a range of decisions relating to education bodies and institutions, including inspections conducted by Ofsted, DfE decisions on the need to register as an independent education institution under section 96 of the Education and Skills Act 2008 and a notification of consideration by the DfE to prohibit from management of independent schools under s.128 of the Education and Skills Act 2008.

## Fitness to Practise

She advises and represents registrants at all stages of professional disciplinary proceedings and has extensive experience appearing before the GDC, MPTS (GMC), NMC, HCPC and the NCTL. She has a breadth of experience of both first instance hearings and appeals, including matters concerning health, dishonesty and sexual misconduct. Most recently she has been instructed in a High Court appeal of a finding of unprofessional conduct against a number of the teachers involved in the alleged Birmingham ‘**Trojan horse**’ plot. Other

recent cases include:

Grant v HCPC: High Court appeal against a decision to impose an interim order under article 38 of the Health and Care Professions Council.

IA v NCTL: advising on a claim for judicial review of a notice under the section 128 of the Education and Skills Act 2008, proposing to impose a life long banning order on an individual, preventing him from being involved with the conduct of or teaching within in independent schools.

Bedesha v (1) NCTL (2) Secretary of State for Education: High Court appeal on the basis of interference with Article 8 (right to a private life) of a decision to prohibit a teacher from working for a minimum period of three years on the basis of driving convictions.

B v NMC: Represented a midwife charged with clinical incompetence and misconduct involving the neonatal death of a baby in a long running and complex case. The case garnered considerable media attention, including being the subject of an episode of Panorama.

K and K v GDC: represented the statutory regulator in a matter involving two registered dentists concerning allegations of failing to register with the CQC and in addition a range of serious clinical failings.

H v GMC: represented a doctor in a matter concerning the registrant's health. The registrant was allegedly unfit to work through alcohol consumption, in circumstances where the registrant had previously breached three conditions of practice orders.

C v HCPC: represented a biomedical scientist who faced a charge of clinical incompetence by failing to complete her specialist microbiologist profile within a 2 year period and a charge of dishonestly plagiarising a colleague's work. The case involved complex expert evidence concerning the competency of the registrant's workload.

Louise is a contributor to the publication of Professional Discipline and Health Care Regulators: a Legal Handbook. She co-authored the chapter on appeals in the upcoming second edition. Louise is a member of the Association of Regulatory and Disciplinary Lawyers (ARDL).

## Education Law

Louise represents individuals, families, local authorities and institutions in both tribunal and

public law proceedings. She regularly appears in the FTT on matters concerning the provision for special education needs and in appeals from those decisions before the Upper Tribunal. She acts in judicial review claims relating to all aspects of the provision of education, including exclusions and admissions. In respect of higher education she has experience of challenges brought against the decisions of both qualification bodies and universities.

She also advises on all aspects of the regulatory framework concerning the provision of education including the processes of Ofsted, the OIA and the ISI, as well as the registration requirements of the Department of Education. She has considerable experience representing individual teachers before the National College of Teaching and Learning, including acting for teachers who were subject to allegations following the Trojan Horse affair in Birmingham and Stanbridge Earls residential school.

JT v The Governing Body of Ormiston Sir Stanley Matthews Academy: a claim for judicial review arising out of a refusal by an Academy to admit a pupil.

IB v Imperial College School of Medicine: acted for student pursuing internal appeal regarding the exercise of a discretion for passing final year examinations and advising on referral to the OIA.

HH v St X School: breach of contract claim for outstanding school fees and advising on referring safeguarding issues to Independent Schools Inspectorate.

AK v Surrey County Council: claim for judicial review brought against a local authority for failing to provide a pupil with education in accordance with part 4 of a statement of special educational needs, contrary to section 324 (5) of the Education Act 1996.

HY v Hampshire County Council: a claim for judicial review concerning the provision of education for an individual who was over 18 years of age and was the subject of a Learning Difficulties Assessment under section 139A of the Learning and Skills Act 2000.

ED v South Tyneside: UTT appeal of an FTT decision concerning the contents of a special education needs statement on the basis of insufficiently specific provision and insufficiency of reasons.

Hussain and Rani v Birmingham City Council: UTT appeal of an FTT decision to amend a statement of special education needs which altered the aspects of the provision on which the parties had reached an agreement on aspects of the provision, without giving sufficient reasons in circumstances.

FH v Kent County Council: UTT appeal of the decision of an FTT to refuse an appeal of a

decision to cease to maintain a statement of special education needs, the UTT considered the impact of the Children and Families Act 2014 (Transitional and Saving Provisions) (No. 2) Order 2014 (SI 2014/2270) on children who were aged 18.

Louise has worked with the Mental Disability Advocacy Centre (MDAC) to bring a number of cases before the European Court of Human Rights involving the right to inclusive education and reasonable accommodation of children with disabilities. She has worked on *Stoian v Romanian* Application no. 89/14, *Pilska v Czech Republic*; *Hradzia v Czech Republic* intervening on behalf of the Mental Disability Advice Centre. She also acted in ***Blohkin v Russia***, Application no. 47152/06, (led by Paul Bowen QC and Caoilfhionn Gallagher) in which the Grand Chamber of the European Court of Human Rights ruled that Russia subjected a 12-year-old boy with physical and mental disabilities to inhuman and degrading treatment or punishment, denied his right of access to justice, and unlawfully detained him.

Upon completion of her pupillage, Louise undertook a secondment at the (former) Department of Children, Schools and Families, where she was assisted in drafting and advising upon the content of the School Admissions Code and the School Admissions Appeal Code (2007).

## Clinical Negligence and Personal Injury

Louise has a depth of experience within the field of product liability, she is currently instructed to act for the claimants in the PIP breast implant Group Litigation Order.

She has extensive experience in all aspects of personal injury however she has a particular specialism in claims involving damages for gender based violence or sexuality-related claims. She has both advised and represented in claims for sexual harassment under the Protection from Harassment Act 1997 and in claims in the Criminal Injuries Compensation Scheme following sexual assault. She is currently acting in *AKW v Chief Commissioner of the Police for the Metropolis* representing in a civil claim against the police brought by a group of women who formed relationships with policemen whilst they were working undercover (led by Phillippa Kaufmann QC and Charlotte Kilroy).

Louise has been instructed in all forums relevant to personal injury; including the High Court, Coroner's Inquests and costs Hearings. She accepts instructions at all levels of the fast track and multi track and her practice encompasses work at all stages of the litigation process from pre-issue advisory work, through to post-judgment costs assessments and appeals. She also have experience of representing individuals concerning quantum issues in a range

of forums, including appeals to the Police Medical Board against injury on duty awards.

She is a contributory author to Munkman on Employer's Liability (16th edition).