

## **Sue Sleeman (Associate)**



Call: 2001

### **Profile**

Sue joined Doughty Street Chambers as a tenant in 2004, having undertaken the first part of her pupillage here in 2001. She was called to the Bar in 2001 following many years working in local government and also in the trade union movement.

Sue's practice comprised employment and professional discipline, having gained some familiarity with both during her time as a trade union activist and official. Her employment cases covered the full range of issues including unfair dismissal, all aspects of discrimination, TUPE, trade union activity and contract claims, almost always acting for claimants and instructed by their trade union. She represented claimants against many large public sector employers, including police forces, NHS trusts, schools and universities. Her practice focussed on those with complex cases, often involving several different types of claim.

Sue's professional discipline practice came about from her time working as a full-time official of the Chartered Society of Physiotherapy, in which role she represented physiotherapists facing sanctions, including strike off, by their statutory regulatory body. At Doughty Street Chambers her practice broadened to include other professionals including nurses, midwives, paramedics, educational psychologists and teachers. Her clients faced allegations ranging from the most serious, such as dishonesty, to lack of competence or impairment of their fitness to practise by reason of ill health.

Sue authored the chapter on the Health and Care Professions Council in Professional Discipline and Healthcare Regulators – a legal handbook, published by Legal Action Group and was ranked in Chambers and Partners in its Professional Discipline category for several years.

Sue decided to retire from practice in March 2023, and was delighted to be offered Honorary Associate Tenancy in order to maintain a relationship with Chambers.

### **Education**

MSc (Econ)

BA (Hons) French

Grad Dip Law

### **Related practice areas**

Employment, Discrimination and Equality Law

Professional Discipline and Regulation

Discrimination

## **Professional Discipline and Regulation**

In her professional disciplinary practice Sue appears regularly at a number of statutory regulatory bodies, only ever representing the individual practitioner. The focus of her practice is on health care professions and she regularly represents nurses, health visitors and midwives appearing before the Nursing and Midwifery Council: physiotherapists, paramedics and speech and language therapists appearing before the Health and Care Professions Council, as well as pharmacists, teachers and solicitors. She has experience of cases involving allegations of serious misconduct, including inappropriate touching of patients, incorrect clinical treatment, criminal convictions and health issues.

Recent notable cases include:

- NMC v JN: The Registrant, a nurse, faced numerous allegations of misconduct towards vulnerable service users in a residential home. The allegations included some of physical and verbal abuse. The panel heard from seven witnesses for the NMC and the hearing took place over nine days. After Sue's cross examination of the NMC witnesses and hearing evidence from the Registrant, the panel found all of the most serious allegations not to be proven. After further submissions from Sue the panel found that the Registrant was not currently impaired.

- HCPC v RS: The Registrant, a physiotherapist, faced serious allegations of inappropriate touching of two female patients. He was subject to interim orders over a lengthy period while criminal proceedings were ongoing. He was acquitted at criminal trial but then faced misconduct proceedings based on the same allegations. Although the Registrant admitted many of the factual particulars and the panel found them to amount to misconduct, following his evidence and Sue's submissions as to his level of insight and remediation, the panel found him not to be currently impaired.

## Employment Law and Industrial Relations

Sue represents Claimants bringing claims in the Employment Tribunals on a wide range of issues including unfair dismissal, contract claims, collective redundancy consultation and transfer of undertakings. In recent years the focus of her work has been on complex discrimination cases and whistleblowing. While Sue's employment work is primarily at first instance she also appears in the Employment Appeal Tribunal and the High Court.

Recent notable cases include:

- DP v Metropolitan Police: Sue represented a detective constable who had been victimised by his employer for having previously brought, and settled, claims for discrimination on grounds of his Russian national origin. The Employment Tribunal found that he had been victimised by reference to his previous claims in response to a question about his vetting status and suitability by another force to which he was applying for a post. Compensation was agreed following the Tribunal's findings and recommendations were then made regarding the Met's policies and procedures to avoid future victimisation.
- Anderson v Ryanair: Sue represented the Claimant, a pilot who had been dismissed for seeking to recruit cabin staff to a trade union. Sue, instructed alone against a QC, succeeded on a preliminary point following which the matter settled.
- Raw-Rees v Governing Body of St Padarn's Primary School: Sue represented the Claimant in his successful claim for direct discrimination on grounds of religion or belief. The Claimant had been prevented from applying for the post of headteacher as the school would only consider applications from individuals who were practising Catholics. The Tribunal held that statutory provisions that permit voluntary aided schools to give preference to candidates whose religious opinions are in accordance with those of the school did not provide a defence to an allegation of direct discrimination where other candidates were excluded from the recruitment process.

Before coming to the Bar, Sue worked in the trade union movement for many years including for the National Union of Teachers and the Chartered Society of Physiotherapy. Since joining Doughty Street Chambers in 2004, she has continued to maintain strong links with the trade union movement as the majority of her cases, both in employment and professional discipline, are for members of national trade unions. She has also acted for trade unions and the TUC when facing claims against them in the Employment Tribunals.