

Hannah Freeman

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Overview

Hannah Freeman specialises in employment and discrimination law and in professional discipline. She has considerable experience of acting and advising across a wide range of work within those areas of law.

Hannah read Classics at Merton College, Oxford where she took a double First. She then completed the Diploma in Law at City University and the Bar Vocational Course at ICSL where she was classed Outstanding. She was also awarded Hardwicke and Lady MacMurray Scholarships by Lincoln's Inn.

Hannah joined Old Square on completion of her pupillage in October 2006.

Hannah is able to accept [Public Access](#) instructions.

Employment & Discrimination

Hannah represents both employers and employees in all areas of employment and discrimination law both at tribunal and appellate level. She has experience of claims from a wide variety of sectors including the NHS, local authorities, well-known retailers, financial services and the hospitality industry.

Hannah is regularly instructed in cases involving unfair or wrongful dismissals, contractual disputes, deductions from wages, working time and TUPE.

Hannah also undertakes work in all areas of discrimination law, including equal pay. She regularly appears in complex and lengthy discrimination cases. She was recently led by Jennifer Eady QC in a multi-day discrimination and equal pay case for a leading professional services firm.

Hannah represents parties at case management discussions, pre-hearing reviews, and other hearings such as costs and remedies and has experience of drafting pleadings. She also undertakes advisory work.

Hannah is a member of the Employment Law Bar Association, Employment Lawyers Association, Industrial Law Society and The Institute of Employment Rights.

Discrimination

- *Fullah v. Medical Research Council* (ET): represented the successful Respondent in a 10-day race discrimination claim.
- *Enamejewa v. Newham University Hospital NHS Trust* (ET): acted for the Respondent in a 10-day race discrimination case where the Claimant had been dismissed when it became apparent that he had made misrepresentations during the application and interview process for his post.
- *Poduri v. Ocado* (ET): acted for the Respondent in age, race and religious discrimination claims arising out of a recruitment exercise.
- *Cavanagh v. Barclays Bank*: advised the Respondent in relation to a County Court disability discrimination claim brought by a disabled customer complaining about physical features of branches of the bank.
- *Esposito v. Natural History Museum* (ET): acted for the Respondent in a multi-day disability discrimination claim.
- *Guire v. Croydon College* (ET): acted for the Respondent in a race discrimination claim where the Claimant had been dismissed because he had been unable to provide evidence of his ongoing right to work in the UK.
- *Gecer v. Marriott Hotels* ET: acted for the Respondent in a race

Expertise

- Education & Safeguarding
- Employment & Discrimination
- HR Professional Support
- Professional Regulatory & Discipline

Recommendations

"First port of call for employment barristers; it has excellent strength in depth from juniors to seniors."
The Legal 500

Key contacts

discrimination and unfair dismissal claim.

TUPE

- *Alemo-Herron & Others v. Parkwood Leisure Ltd* (ET): acted for the Claimants in unlawful deduction from wages claims where the issue was whether collective agreements reached after a TUPE transfer bind the transferee.

Unfair Dismissal & Jurisdictional

- *Duffell v. Whipps Cross University Hospital NHS Trust*: acted for the Respondent; successfully opposed Claimant's application to amend in circumstances where Claimant sought to add new claims that would have been out of time when she presented original ET1. Tribunal accepted Respondent's argument that it has no discretion to allow an amendment in those circumstances.
- *Hughes v. Alan Dick & Co Ltd* EWCA Civ 937 CA: represented the Respondent in the Employment Tribunal and successfully argued that an Employment Tribunal had no jurisdiction to hear an unfair dismissal claim by a British man employed by an overseas branch of a British company as the employment did not have a sufficient connection with Britain. The judgment was upheld on appeal by the EAT and Court of Appeal.
- *Stubbs v. Thames Water*: acted for the Respondent in a constructive unfair dismissal claim; one of the breaches relied on was an indication by the Respondent that a trade union representative from a union that was not recognised by the company could not accompany the Claimant to a disciplinary hearing.

Professional Regulatory & Discipline

Hannah has a growing professional disciplinary practice particularly in respect of healthcare professionals. Hannah regularly advises and represents medical professionals before their regulatory bodies, such as the NMC and the HCPC, both at interim and final stage. Examples of Hannah's recent cases include:

- Successfully representing before the HCPC a physiotherapist facing charges of sexually motivated misconduct. The case attracted press attention due to the nature of the allegations. Hannah was successful in having all the charges dismissed at the fact-finding stage.
- A four-day hearing before the NMC at which Hannah represented a midwife facing misconduct and dishonesty charges. The dishonesty charges were found not proved and the final determination was that there had been no conduct amounting to misconduct and as such the practitioner's fitness to practise was not impaired.
- Representing a podiatrist at an IOC where Hannah succeeded in having conditions imposed that allowed the podiatrist to continue working alone in circumstances where the practitioner faced numerous allegations of lack of competency and misconduct.

Hannah has also been instructed as junior counsel on behalf of doctors in applications for injunctive relief in relation to the operation of contractual disciplinary proceedings. Hannah's experience in employment law and her knowledge of the NHS means that she is well placed to advise and represent clients in the healthcare context.

Outside the healthcare sector, Hannah has appeared in regulatory proceedings before the Institute of Management Consultants. She has also represented teachers at internal disciplinary hearings and advised educational establishments on internal disciplinary proceedings.

HR Professional Support

Hannah is an employment law specialist. Her experience includes:

- Advising on investigations;
- Advising grievance and disciplinary panels;
- Sitting as an appeal decision maker;
- Providing training on investigations and disciplinary procedures.

Hannah is approachable and skilled in handling sensitive situations. She is happy to accept public access instructions.

Notable Cases

- *Hughes v. Alan Dick & Co Ltd* EWCA Civ 937 CA: represented the Respondent in the Employment Tribunal and successfully argued that an Employment Tribunal had no jurisdiction to hear an unfair dismissal claim by a British man employed by an overseas branch of a British company as the employment did not have a sufficient connection with Britain. The judgment was upheld on appeal by the EAT and Court of Appeal;
- *Fullah v. Medical Research Council* (ET): represented the successful Respondent in a 10-day race discrimination claim;
- *Enamejewa v. Newham University Hospital NHS Trust* (ET): acted for the Respondent in a 10-day race discrimination case where the Claimant had been dismissed when it became apparent that he had made misrepresentations during the application and interview process for his post;
- *Alemo-Herron & Others v. Parkwood Leisure Ltd* (ET): acted for the Claimants in unlawful deduction from wages claims where the issue was whether collective agreements reached after a TUPE transfer bind the transferee;
- *Stubbs v. Thames Water*: acted for the Respondent in a constructive unfair dismissal claim; one of the breaches relied on was an indication by the Respondent that a trade union representative from a union that was not recognised by the company could not accompany the Claimant to a disciplinary hearing.