

Louise Chudleigh

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Overview

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Louise Chudleigh is an established legal practitioner who is consistently ranked in the directories as a leading junior in the field of employment law.

She has significant experience in multi-party equal pay litigation including NHS, local authority and private sector claims. She also has considerable experience of complex discrimination claims and often appears against leading counsel.

Louise enjoys, and is skilled at preparing and presenting lengthy, fact rich, document heavy, first instance employment cases. As well as practicing in the employment tribunals, Louise appears in the common law courts including in claims for injunctive relief and breach of contract and also has an appellate practice.

She has a particular interest in cases involving doctors, public sector litigation, claims by serving or former police officers and sport.

Louise has been a fee paid Employment Judge since 2001 and has also developed a busy practice conducting internal grievance and disciplinary investigations (see the separate HR Professional Support profile). She is a certified and practicing mediator and is known to be extremely effective.

Louise is trained in and accepts public access work.

Memberships

- Employment Law Bar Association – former committee member; Industrial Law Society; Employment Lawyers Association.
- Member of the Bermuda Bar.

Employment & Discrimination

Louise is recognised in the legal directories as a leading junior in employment law. Louise has significant experience in multi-party equal pay litigation and has experience of complex discrimination claims. She enjoys, and is skilled at preparing and presenting lengthy, fact rich, document heavy first instance employment cases and also has an appellate practice.

She regularly acts on behalf of local authorities, NHS Trusts, police services, financial institutions and other large employers in complex discrimination cases and has represented several local authorities, NHS Trusts and private sector employers in large multi-party equal pay. She has been instructed in the Birmingham City Council equal pay litigation (reputed to be the largest ever equal pay case) since 2007, and more recently for a large supermarket in an ongoing equal pay litigation.

Louise acts regularly on behalf of employees and trade unions. She has particular expertise in matters relating to the employment and dismissal of medical practitioners and is instructed regularly by both NHS Trusts and doctors.

A selection of recent cases

Equal Pay

Ongoing equal pay claims against a large supermarket. Recent appearances

Expertise

- Administrative & Public Law
- Commercial Law
- Education & Safeguarding
- Employment & Discrimination
- Finance
- Health
- Insurance
- Investigations
- Media and Entertainment
- Mediation
- Professional Regulatory & Discipline
- Public Law
- Retail and Consumer
- Sport
- Travel

Recommendations

"Louise is a pleasure to work with, giving pragmatic advice and helping clients see the bigger picture. She is calm under pressure and good with clients and witnesses." Chambers & Partners 2024

"A junior who demonstrates the ability to get to grips with complex cases quickly." The Legal 500 2024

"Louise is always willing to listen and discuss detailed matters, and she will always respect alternative views and opinions." "She is very popular with clients as she is very good at discussing and thinking through intelligent strategies." Chambers & Partners 2023

"Louise has phenomenal attention to detail, a great grasp of litigation, and a second-to-none work ethic." The Legal 500 2023

Key contacts

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Senior Clerk

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Olivia Moliterno

include EAT hearings in relation to a dispute about the validity of a job evaluation scheme, comparator disclosure ([2021] 1 WLUK 474) and a stay. The case is listed for a multi week employment tribunal hearing in 2023;

Birmingham City Council equal pay litigation which has included a 5-week GMF hearing and multiple other appearances in the tribunal, EAT, CA and the Supreme Court (*in Abdulla & others* [2013] IRLR 38);

Many other multiple and individual claims in both the private and public sector organisations.

Discrimination

- *Smo v Hywel DDA University Health Board* [2022] – a complex employment tribunal claim for direct race discrimination, victimisation, unfair dismissal and wrongful dismissal in which Louise acted for the respondent against leading counsel and succeeded on all issues, including establishing that a complaint of race discrimination was made in bad faith;
- *Shittu v South London & Maudsley NHS Foundation Trust* [2022] IRLR 382 – disability discrimination and other matters (EAT);
- *The Commissioner of the City of London Police v Geldart* [2021] I.C.R. 1329 – sex/maternity discrimination (CA);
- *X v a firm* [2019] – complex associative discrimination claim involving a vulnerable witness;
- *Dahou v Serco Ltd* – trade union dismissal claim – went to the Court of Appeal via the EAT and was remitted to the tribunal;
- *Kudrath v National Policing Improvement Agency* – 5-week ET case about sex and race discrimination. Acted for the Respondent and succeeded in relation to all 62 allegations.

Injunctions

- *Jain v Manchester University NHS Foundation Trust*;
- *Elangovan v The Pennine Acute Hospitals NHS Trust*;
- *Fynes v St Georges Healthcare NHS Trust* [2014] All ER (D) 210 (Mar) – claim for an injunction to restrain a Trust for pursuing conduct proceedings;
- *West London Mental Health Trust v Dr Chhabra* [2013] IRLR 398 – CA case about injunctive relief so as to restrain proposed disciplinary proceedings;
- *Kulkarni v Milton Keynes Hospitals NHS Foundation Trust* [2009] IRLR 829 – Louise obtained the initial HC injunction in this case;
- *WRN Ltd v Ayris* [2008] IRLR 889, a case involving the enforcement of restrictive covenants.

Investigations

Louise has practiced in the field of employment law for a significant time and has been a fee-paid employment judge since 2001. She has extensive experience of conducting all types of investigations as well as presiding over both disciplinary and grievance proceedings.

Feedback from clients has included:

- “Many thanks for your report – it’s exactly what’s required.”
- “Thank you very much Louise for being so thorough and diligent throughout”.

Recent examples of Louise’s work in this area include:

- A confidential investigation into sensitive matters for a national sporting body.
- Conducting a sensitive investigation for a local authority into allegations of serious sexual assault.
- Investigating allegations of fraud for a medical supplies company.
- Chairing a disciplinary appeal following a dismissal for historic sexual harassment.
- Investigating allegations of sexual misconduct outside the workplace.
- Determining an internal workplace grievance and making recommendations.
- Conducting a fact-finding investigation into allegations of race discrimination for the purposes of a grievance appeal by woman employed in a global engineering company.

Professional Regulatory & Discipline

Louise Chudleigh’s practice has encompassed matters relating to the disciplining and dismissing of doctors, dentists, other health-care professionals and the police

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for over 20 years.

Louise has frequently appeared in medical employment cases in the employment tribunal, in the High Court and on appeal, including in the Supreme Court in *Chhabra v West London Mental Health NHS Trust*. She sits as a legal adviser to NHS disciplinary panels and also acts as an advocate in disciplinary hearings. Louise has appeared before the GMC and the HPC and other regulatory bodies, and has acted as a legal assessor for the British Psychological Society's Conduct and Fitness to Practice Committees.

A sample of cases in which Louise has appeared includes:

- *Dr X v NHS Trust Y* [2019] – attempt to halt disciplinary process;
- *Jain v Manchester University NHS Foundation Trust* [2018] – injunction relating to a proposed a SOSR disciplinary hearing;
- *Elangovan v The Pennine Acute Hospitals NHS Trust* [2018] – case involving misconduct and SOSR;
- *Dowsing v Shrewsbury & Telford NHS Trust* [2016] – successfully acted for consultant orthodontist in case concerning whistleblowing about breach of waiting list referral to treatment times;
- *Re Dr A* [2016] – appeared for consultant cardiothoracic surgeon in matters relating to alleged misconduct;
- *Ni'Man v Norfolk Community Healthcare NHS Trust* [2016] – instructed in internal disciplinary hearings and employment tribunal in long running dispute regarding alleged misconduct by an associate specialist;
- *Re Dr B* [2015] – acted for practitioner before GMC in issues related to fitness to practice;
- *Fynes v St George's Hospital NHS Trust* [2014] EWHC 756 (QB) – HC decision concerning classification of disciplinary allegations as between conduct and health;
- *Chhabra v West London Mental Health NHS Trust* [2014] IRLR 22 – SC decision about injunctive relief in relation to disciplinary proceedings.

HR Professional Support

Louise Chudleigh's practice has encompassed matters relating to the disciplining and dismissing of doctors, dentists, other health-care professionals and the police for over 20 years.

Louise has frequently appeared in medical employment cases in the employment tribunal, in the High Court and on appeal, including in the Supreme Court in *Chhabra v West London Mental Health NHS Trust*. She sits as a legal adviser to NHS disciplinary panels and also acts as an advocate in disciplinary hearings. Louise has appeared before the GMC and the HPC and other regulatory bodies, and has acted as a legal assessor for the British Psychological Society's Conduct and Fitness to Practice Committees.

A sample of cases in which Louise has appeared includes:

- *NHS Trust v Dr X* [2021] – internal disciplinary hearing against a doctor accused of very serious sexual assault. Louise acted for the Trust at the initial hearing and then (against leading counsel) at the appeal;
- *Dr X v NHS Trust Y* [2019] – attempt to halt disciplinary process;
- *Jain v Manchester University NHS Foundation Trust* [2018] – injunction relating to a proposed a SOSR disciplinary hearing;
- *Elangovan v The Pennine Acute Hospitals NHS Trust* [2018] – case involving misconduct and SOSR;
- *Dowsing v Shrewsbury & Telford NHS Trust* [2016] – successfully acted for consultant orthodontist in case concerning whistleblowing about breach of waiting list referral to treatment times;
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Recent and current work

- *Lichters v Commissioner of Police of the Metropolis*;
- *Serco v Dahou*;
- *Sefton Borough Council v Wainwright* [2015] I.C.R. 652: Claimant's post deleted while on maternity leave – Claimant interviewed but failed to

obtain suitable new post — When obligation to offer suitable vacancy arising —Whether maternity discrimination under Equality Act 2010 s 18;

- *Serco Ltd v Dahou* [2015] I.R.L.R. 30: trade union activities case about the burden of proof in detriment and automatic unfair dismissal claims. Court of appeal hearing pending;
- *Thomson v Imperial College Healthcare NHS Trust*, Employment Appeal Tribunal, 30 January 2015: Disability discrimination and unfair dismissal case regarding reasonable adjustments, Polkey and range of reasonable responses;
- *Fynes v St George's Hospital NHS Trust* [2014] EWHC 756 (QB), [2014] All ER (D) 210 (Mar): HC decision concerning classification of disciplinary allegations as between conduct and health;
- *Bashford v NFU* [2014]: ET case concerning victimisation and unfair dismissal. Acted for Claimant and succeeded in both claims;
- *Dr Chhabra v West London Mental Health NHS Trust* [2014] IRLR 22: SC decision about injunctive relief in relation to disciplinary proceedings;
- *West London Mental Health Trust v Chhabra* [2013] IRLR 398: CA case about injunctive relief so as to restrain proposed disciplinary proceedings. SC decision awaited;
- *Dahou v Serco Ltd* [2013]: complex ET claim in which the ET was successfully persuaded to find that the dismissal of a trade union representative was for union related reasons;
- *Birmingham City Council v Abdulla & others*, SC [2013] IRLR 38: SC decision about the right to bring equal pay claims in the common law courts;
- *Thompson v Imperial College Healthcare NHS Trust* [2013]: ET case about whether there had been a failure to make reasonable adjustments in relation to a doctor who was dismissed from gross misconduct;
- *Peat v Birmingham City Council* [2012] All ER (D) 178: EAT decision successfully defending a large award of costs by an ET;
- *Beddoes and others v Birmingham City Council* [2011] 3 CMLR 1151: EAT case about various issues related to equal pay claims;
- *Sefton Metropolitan Borough Council & Sefton New Directions v Hincks and others* [2011] ICR 1357;
- *Ashby and ors v Birmingham City Council* [2011] EWHC 424: HC equal pay claim;
- *BCC v Akhtar* [2012] EWCA Civ 585, [2012] All ER (D) 28: CA case concerning dispute resolution procedures.

Professional Recommendations



“Louise is a pleasure to work with, giving pragmatic advice and helping clients see the bigger picture. She is calm under pressure and good with clients and witnesses.”

Chambers & Partners 2024

“Louise is analytical, strong on detail and collaborative to work with.”

Chambers & Partners 2024

“Louise is fantastic and does great work for us on very tricky and sensitive cases.”

Chambers & Partners 2024

“A junior who demonstrates the ability to get to grips with complex cases quickly.”

The Legal 500 2024

“She is very popular with clients as she is very good at discussing and thinking through intelligent strategies.”

Chambers & Partners 2023

"Louise is always willing to listen and discuss detailed matters, and she will always respect alternative views and opinions."

Chambers & Partners 2023

"Louise has phenomenal attention to detail, a great grasp of litigation, and a second-to-none work ethic."

The Legal 500 2023

"Louise is considered, as well as challenging, in the advice she provides, and uses her substantial experience of the relevant statute and case law to great effect, while also sustaining a practical approach to the detail of the work involved. She is approachable and personal at all times, while providing authoritative and valuable advice."

The Legal 500 2022

"Louise is always willing to listen and discuss detailed matters, and she will always respect alternative views and opinions." "She is very popular with clients as she is very good at discussing and thinking through intelligent strategies."

Chambers & Partners 2022

"Her ability to orchestrate incredibly complex facts is quite amazing; she is absolutely fabulous." "She has deep knowledge, strategic insight and is really excellent at seeing what will work at a practical level."

Chambers & Partners 2021

"Extremely strong on equal pay cases, and sitting as a part time employment judge she can provide valuable insights as to how an employment judge will react to particular arguments."

The Legal 500 2021

"An extremely responsive, knowledgeable and strategic barrister." "Very client-focused and technically strong while being straightforward and practical in her advice and approach."

Chambers & Partners 2020

"She has a terrific eye for detail, huge levels of application and is a true expert in the field of equal pay."

The Legal 500 2020

"She has well-tuned tactical antennae."

Chambers & Partners 2019

Observations in the legal directories have also included:

"Senior junior with over 20 years' worth of practice in (the employment) field. She has earned an impressive reputation for her work in the discrimination sphere."

"She is very familiar with the law, has an excellent style and is very practical."

"Skilled cross-examiner and is popular with clients."

"Known for her excellent people skills and her clear and erudite judgment."

"Gets to the root of a case ignoring those matters peripheral to winning or losing."

"Composed and measured, she never flusters and is extremely client-friendly."

"User friendly approach, firm but fair advocacy style and good tactical awareness."

"Strong on equal pay work."

"Part-time judge Louise Chudleigh's practice focuses on complex discrimination and equal pay, with her cases having included Barker v. Birmingham City Council."

"Louise Chudleigh regularly acts on behalf of local authorities, NHS Trusts, police services and financial institutions and is known for her 'meticulous preparation.'"

