



Shruti Sharma

Year of Call: 2011

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Overview

Shruti Sharma has an impressive professional discipline, regulatory and healthcare practice. She regularly appears before disciplinary tribunals, coroner's courts and the High Court. She has been instructed in a number of cases which have received national press coverage.

Prior to completing pupillage, Shruti worked for Fieldfisher, where she conducted high profile fitness to practise investigations, including the General Medical Council cases of Dr David Southall and Dr Freddy Patel. She also assisted in the drafting of the Solicitors Regulation Authority Code of Conduct 2011 and was seconded to the Financial Reporting Council. In 2011, she spent some time working as a Case Examiner for the General Social Care Council prior to the transfer of its power to the Health and Care Professionals Council.

In 2009, Shruti completed a three-month internship at the Independent Jamaican Council for Human Rights in Kingston, where she worked on death row cases and assisted on a range of civil cases, particularly those involving police misfeasance.

Shruti is accredited by the Bar Standard Board to act directly on behalf of individuals and organisations under the Public Access Scheme for public and regulatory law.

Secondments

- Nursing and Midwifery Council, case presenter – 4 months
- Capsticks, Inquest Team – 9 months
- British Horseracing Authority, case presenter – 5 months

Publications

- Contributed to The Law of Legal Services by John Gould

Academic qualifications

- 2009 - 2010 Bar Vocational Course, BPP Law, "Very Competent"
- 2008 - 2009 Graduate Diploma in Law, BPP Law School, awarded "Commendation"
- 2005 - 2008 BA (Hons) Modern History, Lady Margaret Hall, Oxford University

Scholarships

- 2009 Lord Denning Scholarship, Lincoln's Inn
- 2009 Internship Award, Lincoln's Inn
- 2008 Hardwicke Entrance Award, Lincoln's Inn

Professional qualifications & appointments

- 2009 - 2010 Bar Vocational Course, BPP Law, "Very Competent"

Professional bodies

- Association of Regulatory & Disciplinary Lawyers
- Bar Pro Bono Unit
- Personal Injury Bar Association (PIBA)
- Treasury Solicitors' Baby Barristers Panel

Direct Access

Shruti Sharma is qualified to accept instructions directly from members of the public and professional clients under the Direct Public Access scheme.

Expertise

Public and Regulatory

Shruti is a regulatory specialist. She recently contributed to the Law of Legal Services by John Gould, undertaking extensive research on the legal regulatory framework. Prior to joining chambers, she also assisted in the drafting of the Solicitors' Regulation Authority Code of Conduct.

Shruti regularly appears before the various disciplinary tribunals including the Nursing and Midwifery Council, Health Care Professionals Council and General Pharmaceutical Council. Her expertise as a public law practitioner has focused on the area of inquests, and she has fast become the 'go to girl' for representing the NHS in complex cases.

She frequently writes articles and delivers lectures and seminars within her fields of expertise.

Disciplinary and Regulatory Proceedings

Shruti has developed a strong practice in professional discipline and regulation. She presents for a range of regulators and also appears for practitioners before disciplinary tribunals on a regular basis. Shruti has been instructed by the Nursing and Midwifery Council (NMC), the Medical Protection Society (MPS), the Royal College of Nursing (RCN), the General Dental Council (GDC), the General Pharmaceutical Council (GPhC), the General Chiropractic Council (GCC) and NHS England.

Due to her extensive experience in the areas of professional discipline (please see Shruti's general profile for more information), she has a keen understanding of the regulatory framework, respective codes of conduct and case law in this area. As a former case officer for the General Social Care Council (GSCC, now the Health Care and Professions Council) and panel secretary for the NMC, she also has a unique insight into how cases are prepared and how professional panels come to make their determinations.

Recently, Shruti has been increasingly involved in student disciplinary hearings, having acted on behalf of Regent's Park College Oxford and the Chartered Institute of Management Accountants.

Shruti takes instruction in all professional disciplinary cases including those relating to doctors, nurses, dentists, chiropractors, osteopaths, optometrists, accountants, teachers, actuaries and other professionals who operate under a regulatory regime.

Notable cases

General Chiropractic Council v BM (2017)

Shruti presented the complex case on behalf of the regulator, which involved examining the efficacy of a particular therapeutic technique and multiple opposing expert opinions.

Regent's Park College v JM (2016)

Shruti acted for Regent's Park College in an appeal by a student against a two year rustication. The appeal was dismissed.

General Medical Council v MH (2016)

Shruti represented a doctor who was appealing the decision not to admit him to the Trauma and Orthopaedic Specialist register. This three day hearing involved complex arguments around whether the doctor met the requirements of the Certificate of Eligibility for Specialist Registration.

Association of Child Psychotherapists v TN (2016)

Shruti advised and acted for the registrant following an investigation by the ACP which related to an alleged failure to disclose the details of another practitioner to a third party. Following a meeting with the ACP where the registrant was represented by Shruti, the proposed allegations were dropped.

Nursing and Midwifery Council v SPG (2016)

Shruti acted for a nurse in a factually complex case in which the expert accepted, under cross-examination, that the charges

brought by the NMC related to best practise rather than misconduct.

Nursing and Midwifery Council v BRG (2016)

Shruti represented the NMC in a high profile hearing, involving sexual misconduct by a nurse manager. The registrant, who denied the allegations, was struck off the register.

General Pharmaceutical Council v PS (2015)

Shruti acted for the Council in a case involving twenty-six allegations relating to poor management, unsafe storage of medication, an absence of procedures, inappropriate behaviour and dishonesty, of which twenty-four were found proven. A twelve-month suspension order was made.

O v Nursing and Midwifery Council [2015] QBD (Admin)

Shruti acted for a nurse who had been struck for using a false passport to obtain work within the NHS.

Health and Care Professions Council v RC, MH and GP (2015)

Shruti acted for a social worker in a three-week high profile case where failures by social workers had led to a mother murdering her child. A finding of no impairment was made in respect of the social worker represented by Shruti.

National College of Teaching and Leadership v RJ (2015)

Shruti represented a teacher who had formerly been deregistered for accessing pornography on a school computer in New Zealand and was facing allegations of dishonesty for failing to inform schools in the UK. In this factually complex case, the charges were not found proved.

General Dental Council v JS (2015)

Shruti secured an interim conditions of practise order for a dentist who was facing sixteen allegations relating to failures in record keeping, failing to conduct dental work in a sterile environment and inappropriate behaviour towards dental technicians.

NHS England v DA (2014)

Shruti represented the interests of NHS England in a hearing where a doctor faced allegations of sexual assault during a consultation with a patient. Robust interim conditions of practise were imposed which restricted the doctor's practise as a GP in the NHS, despite the GMC's pre-existing interim conditions of practise.

Nursing and Midwifery Council v SMH (2014)

Shruti represented the interests of the NMC in a case where the nurse had failed to check a palliative patient's nasogastric tube, which led to his nutrition being delivered to his lungs. The panel imposed a strike off order.

Professional Regulation

Shruti has a huge experience in the field of professional regulation. She was involved in the drafting of the 2011 Solicitors Regulation Authority Code of Conduct and recently, she advised the Chartered Institute of Management Consultant in relation to the regulation of student members.

More information about Shruti's professional disciplinary practice can be found [here](#).

Publications

It's not over until it's over - TZ v General Medical Council [2015] EWHC 1001 Admin, Gilbert J - A case review by Shruti Sharma

[View Publication](#)

The issue of the inadequate charge: Public Law and Regulatory Barrister Shruti Sharma examines if the panel should amend the charges after hearing evidence. 3PB's Shruti Sharma discusses the issue of late applications to amend charges and the approach that will be taken by adjudicating panels following the case of Doree.

[View Publication](#)

Inquests

Shruti has built a niche practice in healthcare and medical law. She has extensive experience in acting for various National Health Service Trusts in high profile inquests. Following a nine-month secondment in the Clinical Negligence department of Capsticks Solicitors, she has represented both acute and mental health NHS Trusts, care homes, ambulance services and individuals at inquests. Shruti's cases often involve complex mental health and mental capacity issues, complicated clinical expert evidence and a number of interested persons (IPs). She has also acted in sensitive cases involving infant deaths and deaths in custody.

Shruti is regularly instructed by the NHS, local councils and families. Her in-depth knowledge of the procedures and protocols within the NHS (and the clinical setting in which care is provided) has also assisted her in providing robust advice and representation for families of the deceased in inquests.

Notable cases

Cox Inquest (2016)

Shruti was instructed by Bristol Adults Safeguarding Board (BSAB's) to assist the coroner with the issue of whether all aspects of BSAB's investigation should be put into the public domain. Shruti successfully convinced the coroner that full disclosure could undermine the safeguarding authority's investigation process and have nationwide ramifications for adult safeguarding investigations.

Brennan Inquest (2016)

Shruti was instructed to represent Oxleas NHS Foundation Trust in a high profile inquest involving the death of an adolescent in a psychiatric ward which generated national media attention. Oxleas provided care in the community and were not criticised in the coroner's conclusion.

Robertson Inquest (2016)

Shruti represented James Paget University Hospital in a five week jury inquest into the death of a serving prisoner who fatally self harmed whilst detained at HMP Blundeston. This factually complex Article 2 inquest raised a number of issues about self-harm, mental health and the right of an individual with capacity to refuse medical treatment.

Poulton Inquest (2016)

Shruti represented the family of the deceased in an Article 2 jury inquest. The deceased was the passenger in a ultra-lite aircraft, which impacted with obstructions at the end of the runway. The coroner issued a Prevent Future Deaths report following the disclosure that the private airfield was going to continue to use the end of the runway for private storage.

Del Rosario Inquest (2015)

Shruti advised and represented the London Ambulance Service (LAS) in a case where the paramedics decided not to commence advanced life support on a young woman who had ingested oral anorexics. The coroner did not criticise the LAS in her conclusion or issue a prevent future deaths report.

Meregini Inquest (2015)

Shruti represented the London Ambulance Service (LAS) in an Article 2 Middleton-type inquest in which the LAS were delayed in responding to the deceased, who was detained under the Mental Health Act.

Tung Inquest (2015)

Shruti acted for the London Ambulance Service (LAS) in a case where a decision was made by an attending paramedic not to convey the deceased to hospital prior to his death. The coroner did not criticise the LAS in his conclusion or issue a prevent future deaths report.

Dilloway Inquest (2015)

In this factually complex inquest, Shruti advised and represented Colchester Hospital after the deceased, (a mental health patient) ingested anti-freeze in the ward after being allowed to leave for cigarette breaks.

Williams Inquest (2015)

Shruti advised and represented Epsom and St Helier University Hospitals NHS Trust following the death of patient who was given

inappropriate treatment following the misinterpretation of radiology scans by a doctor.

Murray Inquest (2015)

Shruti represented the London Ambulance Service (LAS) in a case where the expert was extremely critical of the LAS's response time to an emergency call. Despite the critical expert evidence, the coroner did not issue a prevent future deaths report to the LAS.

Martin-Whymark Inquest (2014)

Shruti acted for Colchester Hospital in a high profile death of a baby, who suffered perinatal asphyxiation during birth. The expert was critical about failures to properly monitor the fetus within the maternity ward.

Sports

Already an experienced professional discipline practitioner, Shruti is now building her expertise in the area of sports law. Having recently completed a secondment with the British Horseracing Authority, she has appeared at numerous inquiries and disciplinary hearings and dealt with a range of issues, including animal doping, fraudulent lay betting and jockey doping. Shruti has a keen understanding of the Rules of Racing and penalties imposed by the disciplinary tribunals.

Shruti's familiarity with regulatory tribunals, makes her particular adept at representing individuals facing disciplinary issues arising from sport.

Notable Cases

British Horseracing Authority v MM (2016)

Shruti represented the interests of the BHA in a case where a horse had been raced during the stand-down period following its vaccination. The panel disqualified the horse from the race and imposed a £1000 financial penalty.

British Horseracing Authority v PG (2016)

Shruti investigated a complex case, involving a allegations of a horse flapping in Ireland and subsequently racing under the Rules of Racing under a new identity.

British Horseracing Authority v MH (2015)

Shruti acted for the BHA in case involving the use of a mobile phone by a jockey during the restricted period. A financial penalty of £750 was imposed.

British Horseracing Authority v RW (2015)

Shruti represented the interests of the BHA in a case where a horse tested positive for a prohibited substance, following post-race testing. The horse was disqualified and a financial penalty of £750 was imposed.

Education

Shruti has a growing focus on Education Law. She has advised and acted in several aspects of Education Law including:

- SEND
- Negligence within schools, including claims for inadequate educational provision
- Bullying claims
- Admissions Appeals
- Complex Admission Arrangements
- Exclusion Appeals
- Academic appeals and
- NCTL hearings.

Recently, Shruti has been instructed in a number of disciplinary education matters, particularly advising on university academic appeals. She has previously been instructed by the University of Oxford to represent individual colleges in rustication appeals. Furthermore, she has managed 58 cases of academic cheating in examinations for a leading regulator, which are due to go to hearing in December 2017.

She also has a great deal of experience of representing teachers before the National College of Teaching and Leadership and she has advised clients in relation OFSTED and Care and Social Services Inspectorate Wales (CSSIW) inspections. She looks forward to further developing this area of expertise.