



Sarah Bowen

Year of Call: 2006

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Education

Sarah accepts instructions on behalf of parents, young persons, schools, academies, local authorities and Universities to advise in relation to:

- Discrimination complaints against education institutions.
- Breach of contract claims against fee-paying schools and Universities (including claims for misrepresentation).
- Employment law related complaints brought against education institutions.

Sarah has a specialist discrimination practice and accepts instructions in all areas e.g. education, employment, service provision. As a result, Sarah has significant experience of claims brought under the Equality Act 2010 for disability, sex (including sexual harassment), age, sexual orientation and gender reassignment discrimination, harassment and victimisation.

Sarah is also a specialist employment practitioner, regularly advising and representing education institutions and employees in litigation. Examples include:

- Acting for a specialist school defending claims of unfair dismissal and disability discrimination brought by a teacher who was dismissed for gross misconduct consisting of the unreasonable use of physical restraint on a pupil.
- Defending a claim of disability discrimination brought by an agency worker on behalf of a school.
- Advising a school in relation to a claim of pregnancy and maternity discrimination and unfair dismissal brought by a teaching assistant.
- Representing a multi-academy trust in a claim of race and disability discrimination. Complaints included alleged racist behaviour by pupils towards a tutor.
- Representing a school in a 10 day hearing in a case involving tens of claims including the spectrum of discrimination complaints, whistleblowing detriment and constructive dismissal.
- Sarah has accepted instructions on several complex disability discrimination claims involving universities.

Further information about Sarah's experience can be found on her "Employment" profile.

Articles

Sarah Bowen looks at the complex and constantly evolving area of discrimination law and how cases this year have provided clarification, enforcement and development of the legal principles underpinning claims under the Equality Act 2020.

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Disability Discrimination in the Employment Tribunal: lessons for education lawyers

Sarah Bowen and Naomi Webber consider two recent appellate decisions (*Khorochilova v Euro Rep Limited* UAEAT/0266/19/DA and *Robinson v DWP* [2020] EWCA Civ 859) in respect of the provisions of the Equality Act 2010 (EqA) in relation to the protected characteristic of disability. Whilst the facts of the cases relate to the employment sector, the same definition of disability applies in the context of education. Accordingly, their principles are directly relevant and applicable to disability discrimination claims in education.

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Recommendations

Sarah Bowen is a skilled employment and discrimination law barrister who is often instructed to handle equal pay, unfair dismissal, TUPE and breach of contract claims. She regularly acts for local authorities, the NHS and education sector clients. Strengths: "Sarah will always be very well prepared, whilst being pragmatic and commercial."

Chambers UK 2024/Employment/Midlands Bar

Strengths: "Sarah is very knowledgeable and up to date. She is ahead of us in knowing the shape of the case and where it is going."

"Sarah is incredibly thorough; she picks up on things most of us would miss. She is very sensible commercially, and is able to call out the legal risk, and how outcomes might affect the business and the wider sector."

Chambers UK 2024/Employment/Western Bar

Sarah Bowen is a skilled employment and discrimination law barrister who is often instructed to handle equal pay, unfair dismissal, TUPE and breach of contract claims. She regularly acts for local authorities, the NHS and education sector clients. Strengths: "She provides good, clear communication and is also good with clients."

"She is very user-friendly, accessible, and gets great results."

Chambers UK 2023/Employment/Western Bar

Strengths: "She is probably our go-to person, who is technically excellent with a real ability to dissect complex matters, and a really excellent advocacy style that is non confrontational but gets the point across." "She has excellent attention to detail and she really does go above and beyond."

Recent work: Successfully represented VIVID Housing in resisting an application to extend time in respect of multiple claims which were brought out of time but were subject to the generous just and equitable test.

Chambers UK 2022/Employment/Western Bar

Strengths: "She is bright and enthusiastic but also friendly and down to earth."

Recent work: Successfully defended Somerset County Council in a complex unlawful deduction of wages and breach of contract claim. Successfully argued that the entire claim was out of time and it was dismissed by the tribunal.

Chambers UK 2021/Employment/Western Bar

'Sarah is incisive and very personable in the court room. She has a compelling manner with judges.'

Legal 500 2024/Employment/Leading Juniors/London Bar

'Sarah is very thorough in her preparation and is very good with supporting witnesses. She is quick on her feet, and her cross-examination is robust.'

Legal 500 2024/Employment/Leading Juniors/Midlands Circuit

Sarah Bowen, 'skillful at getting to the nub of an issue', regularly handles a wide variety of discrimination cases.

3PB 'Sarah is a superb lawyer. Frankly, she doesn't have weaknesses.'

Legal 500 2024/Employment/Leading Juniors/Western Circuit

'A talented barrister and a consummate professional. Sarah is very approachable and goes out of her way to explain complex matters in a language the lay person can understand.'

Legal 500 2023/Employment/Leading Juniors/Western Circuit

'Sarah's drafting and written opinions are a particular strength of hers. She is also a solid advocate, who is persuasive and credible.'

Legal 500 2023/Employment/Leading Juniors/London Bar

'Sarah is very knowledgeable, a good all-rounder, very pragmatic and commercial, and extremely helpful - she will always make herself available to assist.'

Legal 500 2022/Employment/Leading Juniors/London Bar

'Sarah is an approachable and confident advocate with a meticulous eye for detail.'

Legal 500 2022/Employment/Leading Juniors/Western circuit

'Provides pragmatic advice and is approachable to clients and solicitors alike. She takes a genuine interest in each case and carries out a thorough review of the facts to get the best results for the client through effective representation.'

Legal 500 2021/London Bar

'Sarah is an excellent practitioner of the highest quality. Very client focused, with care and consideration to all she comes in contact with. She is one of our favourite barristers.'

Legal 500 2021/Western Circuit

Sarah Bowen 'She is a fantastic advocate and is really able to pick out the strengths in complex cases with lots of allegations.'

Legal 500 2020/Employment/Leading Juniors/London Bar

Sarah Bowen 'An excellent practitioner with outstanding advocacy.'

Legal 500 2018/19/Employment/Leading Juniors/London Bar

Sarah Bowen 'Very good at dealing with complex cases.'

Legal 500 2017/Employment/Leading Juniors/London Bar

'Sarah Bowen - She understands the demands placed upon solicitors and the limitations they sometimes have to work within.'

Legal 500 2016/Employment/Leading Juniors/London Bar

Academic qualifications

- The College of Law, London, Bar Vocational Course (VC)
- The College of Law, G. Dip. Law
- University of Leicester, BA (Hons) History, 2:1

Professional qualifications & appointments

- part-time judge in the Special Educational Needs & Disability Tribunal (SEND)
- part-time employment tribunal judge (allocated to the South West region)

Professional bodies

- Employment Law Bar Association (ELBA)
- Employment Lawyers Association
- Industrial Law Society