

Year called 2015

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Rachel Sullivan accepts instructions across all areas of Chambers' work, with a particular interest in public, commercial, and planning and environment law. She regularly appears in the County Court, Court of Protection and High Court.

Prior to joining chambers, Rachel worked as a legal officer at the Free Representation Unit, representing employment claimants pro bono.

PRACTICE AREAS

- Administrative & Public
- Regulatory
- Planning & Environment
- Commercial & Construction
- Civil

PRACTICE AREAS

ADMINISTRATIVE & PUBLIC

Rachel regularly acts in public law matters, and has been instructed by applicants, local authorities, CCGs and the Official Solicitor. She has significant experience of education and Court of Protection matters.

Recent experience includes:

Education

- Acting for local authorities in relation to refusals to issue an EHC Plan and challenges to the content of plans
- Advising on a potential application for judicial review on behalf of a family, seeking injunctive relief to

maintain a placement identified in an EHCP

Court of Protection

- Rachel regularly acts in s. 21A MCA challenges on behalf of the Official Solicitor, CCGs and local authorities
- Acting pro bono for a family member in a serious medical treatment case regarding removal of life-sustaining treatment from a baby
- Resisting an application to set aside an order displacing a nearest relative on behalf of a Local Authority
- Acting for an NHS Trust in a successful application to be discharged as a party to proceedings
- Acting for a CCG in a sensitive case where arrangements had been made for P in breach of a court order
- Instructed by a family member in a complex case concerning P's residence and contact with the family member, including advice on injunctive relief
- Rachel is currently instructed by the Bar Pro Bono Unit for a family member in a case concerning P's residence, care and contact arrangements with his family in which complicated cultural and human rights issues arise

Public Inquiries

- Rachel is currently instructed as junior counsel to the Grenfell Tower Inquiry

Rachel has substantial experience of welfare and benefits cases in the FTT through her work with FRU.

During pupillage Rachel assisted with a range of public and administrative work, including an immigration case concerning an Article 8 appeal against refusal of entry clearance, and a case concerning the operation of ouster clauses and whether the Investigatory Powers Tribunal is amenable to judicial review (*R (Privacy International) v Investigatory Powers Tribunal*)

Prior to pupillage Rachel successfully represented the applicant at a renewal hearing for permission for judicial review in the Upper Tribunal pro bono through FRU.

REGULATORY

Rachel is regularly instructed to appear in the High Court for applications to extend interim orders imposed by panels in professional regulation cases.

She was recently instructed by a regulator to undertake a case review in relation to their handling of historic sexual abuse allegations, and is currently undertaking a secondment with Ofgem in relation to their work preparing for the Default Tariff Cap.

During pupillage, Rachel gained experience of advising on regulatory work, drafting advices in matters in front of the Police Disciplinary Tribunal and the General Osteopathic Council, and drafting Rule 5 statements and assisting in preparation for hearings in front of the SDT.

Prior to pupillage, Rachel assisted in preparing a registrant's case in front of the HCPC through FRU.

PLANNING & ENVIRONMENT

Rachel has substantial advisory experience in planning and environmental matters on behalf of both prospective claimants and LPAs, including:

- Matters relating to the Land Classes and Use of Land Orders
- Hazardous Substance Consents
- Variations to planning conditions and viability in the context of carbon neutral policy (with Andrew Tabachnik QC)
- Challenges to the grant of planning permission on environmental, landscape, heritage and flooding grounds
- Instructed by a community action group in a judicial review on environmental and highways grounds.

Rachel undertakes pro bono work in this area, often through the Environmental Law Foundation (ELF).

During pupillage Rachel gained experience of a variety of planning and environmental matters including assisting with advice, and preparation for and attendance at planning inquiries.

COMMERCIAL & CONSTRUCTION

Rachel regularly acts for insurers and companies in commercial disputes. Recent advisory and court work in this area includes:

- Advising an insurer client in relation to limitation for a prospective claim relating to alleged defects causing flooding
- Advising on causation and mitigation in a claim for damage to property and business interruption
- Acting for a company to secure the strike out of a claim regarding an alleged duty of care arising through its activities as an online directory
- Acting for a fintech company in a successful application for summary judgment in a claim concerning the Money Laundering Regulations 2007

Rachel is currently instructed as junior counsel to the Grenfell Tower Inquiry.

She is also currently undertaking a secondment with Ofgem in relation to the introduction of a cap for energy prices under default tariffs, which is to be brought into force in accordance with the Domestic Gas and Electricity (Tariff Cap) Act 2018.

During pupillage Rachel assisted with a variety of matters including:

- Drafting Particulars of Claim for oil and gas company for claim arising out of defective products supplied for use in offshore drilling
- Advice on merits and tactics in a construction dispute concerning delay and disruption and extension of time clauses
- Advice on merits in an insurance dispute relating to alleged defective workmanship in the conversion of property
- Drafting Particulars of Claim in a construction dispute arising out of the failure of a pumping system at

a sewage works

CIVIL

Rachel has a busy county court practice, and regularly acts in RTA, credit hire, and personal injury cases as well as in applications for strike out/summary judgment/relief from sanctions. She acts for both claimants and defendants, and is on the GLD's 'baby barrister' scheme.

Through her work at FRU prior to joining chambers, Rachel has significant experience of employment law issues. She has acted in multi-day ET hearings, and has experience of representing and advising claimants on matters including:

- Protected disclosures (whistleblowing) and automatically unfair dismissal
- Unfair dismissal and religious discrimination
- Constructive dismissal
- Unlawful deductions from wages
- Redundancy
- TUPE

She also has experience of acting in costs matters.

During pupillage Rachel gained exposure to a wide variety of civil law matters including clinical negligence cases, advising on the meaning of 'dependency' in the Fatal Accidents Act, preparing schedules of loss and counter schedules.

ADDITIONAL INFORMATION

Qualifications

2015, BPTC, City University London – Outstanding

2014, GDL, Oxford Brookes – Distinction

2013, MSt English (650-1550), St Hilda's, Oxford – Distinction

2012, BA Hons English Language & Literature, New College, Oxford – First

Scholarships & awards

2014 – Stephen Chapman Scholarship, Inner Temple

– OUP prize (jointly), Oxford Brookes

– Academic prize (jointly), Oxford Brookes

2013 – Scholarship, Oxford Brookes

2012 – Jeremy Griffiths Memorial Studentship, Oxford University

– Li & Fung Scholarship, Oxford University

2010 – Gibbs Prize, Oxford University

– Academic Scholar, New College Oxford

Previous Employment

2015-2016, Assistant Legal Officer Employment (Free Representation Unit)

2013-2015, Middle English Research Assistant, Oxford English Dictionary (Oxford University Press)

Languages

Rachel speaks Spanish and (some) French

Pro bono and charitable work

Rachel volunteered with the Free Representation Unit until recently and has represented claimants who would not otherwise be able to afford assistance in both employment and social security cases. She is currently the chair of FRU's management committee.

She undertakes pro bono cases across her practice, and regularly accepts instructions through the BPBU and ELF.

She has volunteered for many years on listening helplines which aim to provide people in distress with a safe place to talk, since starting to volunteer for Oxford Nightline in 2010, and continues to volunteer in this area.

She also formerly acted as an Appropriate Adult for young people and vulnerable adults detained in police custody (2014-2016) and wrote for rightsinfo.com, a website which aims to make human rights law accessible to the public.

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