

Monique Bouffé

Year of Call: 2019

Direct Access: No

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Monique joined chambers following completion of her pupillage at Outer Temple in September 2021, and brings her eight years of advocacy experience from the human rights sector. Consequently, she has held her own in courts and tribunals against significantly more experienced counsel.

Prior to coming to the Bar, Monique worked at leading human rights organisations, including Liberty. She specialised in advocacy for those deprived of access to the law and finding ways to make the law more accessible to members of the public.

Monique completed her first degree in History and Law at the University of Aberdeen, where she graduated with a First and was awarded the Forbes Medal in History for receiving the highest First in the History department. She completed her LLM in Public International Law at Leiden University.

Monique provides voluntary legal advice for Crisis at Christmas's women's shelter every year, and is a Director of Black Protest Legal Support, providing advice and legal observing to protests.

She has been described by one "very impressed" solicitor as "one to watch".

Areas of Expertise

Public Law

Monique accepts instructions in all area of public law. Prior to coming to the Bar, Monique assisted with several successful Judicial Reviews, including a challenge against Ealing Council for the unlawful sale of a Town Hall, and the failure by a local authority to accommodate a vulnerable 18 year old woman. She advised potential claimants on the merits of judicial review whilst at Liberty and Southall Black Sisters, assisted children young people threatened with homelessness at Safer London, and whilst volunteering at the Public Interest Law Centre Monique was tasked with combing the housing policies of several London Borough Councils for potential *Gillick* unlawful policies in relation to domestic violence.

Monique has acted in a number of Judicial Reviews, including advising in Pre-Action Proceedings, drafting Statement of

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Facts and Grounds, and being instructed in Interim and Final Hearings.

Monique's recent work in this area includes:

- Drafting Statement of Facts and Grounds in a JR pursuant to s.188 Housing Act 1996 in relation to provision of interim accommodation, leading to the settlement of proceedings;
- Advising on the merits of challenging a Local Authority's failure to maintain an Education Health and Care Plan;
- Drafting an appeal to the County Court on public law grounds pursuant to s.204 Housing Act 1996;
- Advising a claimant on next steps in her threatened eviction by a care home and cease of funding by a Local Authority;
- Drafting an urgent judicial review against a Local Authority for failing to discharge its duties under the Equality Act 2010 towards a transgender woman in its housing allocation.

Monique's Employment and Discrimination practice neatly dovetails with her Public law practice as she works with the intricacies of the Equality Act 2010 daily.

Employment & Discrimination

Monique has advised and represented claimants and respondents in a wide range of whistleblowing, **discrimination** and unfair dismissal claims, throughout all stages of trial. She has acted in the Fair Employment Tribunal for Northern Ireland and the Employment Tribunals in Scotland.

Monique has provided advice pre-action in complex discrimination claims and claims with a Personal Injury element. Monique has also represented claimants in Judicial Mediation and has appeared for Claimants and Respondents in numerous Preliminary Hearings. She has been praised for her attention to detail and client care skills. Monique is well placed to advise and assist education settings as a result of her Education practice.

Monique's recent work in this area include:

- Successfully representing a COVID-19 whistleblower in a 5-day hearing;
- Successfully defending a national corporation against claims of race discrimination and harassment;
- Advising in a religious/political belief discrimination claim in the Fair Tribunal for Northern Ireland;
- Through an overnight strike-out application halfway through trial, forcing settlement of a claim for a significant sum for a whistleblower in relation to payment of minimum wage;
- Successfully defending a care charity in an unlawful deduction of wages claim.

Monique does a significant amount of trade union work, and acts for precarious workers in the sex and entertainment industries in a range of claims, including worker status, trade union detriment and disability discrimination.

Education

Monique has appeared Appellants and Respondents in the First-Tier Tribunal (Special Educational Needs & Disability) and advised on appeals to the Upper Tribunal.

Prior to coming to the Bar, Monique worked closely with children, families, schools and Local Authorities in her work as a Young Woman's Advocate at Safer London. As a result, she is very familiar with schools and Children's Social Care.

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Monique's client care skills put both parents and young people at ease, and her professionalism and familiarity with this area serves her well in her Local Authority work. As a pupil, Monique was supervised by **Alexander Line** whose broad practice gave her an opportunity to work on a wide range of **education** and **public law** claims.

Monique's recent work includes:

- Successfully representing an excluded child with autism at an Independent Review Panel Hearing, quashing the exclusion decision;
- Successfully representing parents in their appeal against Sections B, F and I of their son's Education, Health and Care Plan;
- Advising a Local Authority on the merits of a "part-time" EOTAS package requested by parents;
- Representing a Local Authority in an appeal against Section I where there was a significant costs difference between the two placements;
- Drafting Grounds of Appeal to the Upper Tribunal on behalf of a Local Authority in relation to the provision of therapies in holiday time;
- Drafting Submissions to the Governing Body of a School related to their exclusion of a 16 year old boy, which lead to the school withdrawing the exclusion.

Personal Injury & Clinical Negligence

Monique regularly acts for claimants and defendants, and accepts instructions in a broad range of instructions in **personal injury** and **clinical negligence**. She regularly appears at trial, CCMC's, application hearings, and infant settlement approval hearings.

Monique is on the NHS's junior panel for claims under the Human Rights Act.

Monique's recent work in this area include:

- Representing a family in a medical negligence inquest where the coroner noted that the NHS Trust had fallen below the standard of care;
- Successfully representing a child who had suffered personal injury in a package travel claim;
- Advising an NHS Trust in advance of settlement mediation as to the merits of a novel head of loss claimed by the claimant;
- Drafting a defence for an NHS Trust in an Article 2 claim;
- Representing a claimant in the Infant Approval Hearing of an Article 3 claim related to negligence in care proceedings.

Monique's work in PI/Clinical Negligence often overlaps with her Mental Capacity/Court of Protection practice, where her knowledge and understanding of the Human Rights Act is of particular use.

Awards

- BBP Pro Bono Scholarship for the BPTC
- Forbes Medal in History

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