



Sapandeeep Singh Maini-Thompson

Year of Call: 2021

Direct Access: Yes

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Sapan Maini-Thompson practices in **employment, discrimination, public law** and **professional discipline**.

Sapan represents Claimants and Respondents in both statutory and commercial employment matters. He also conducts employment-related investigations. In public law, Sapan practices primarily in equality, education and prison law. Sapan was appointed to the Attorney General's C Panel of Counsel in his first year of eligibility. He represents government departments across a wide range of litigation.

Sapan maintains a keen academic interest in legal affairs and has written extensively for the UK Human Rights Blog, the New Law Journal and various other outlets.

Prior to joining the Bar, Sapan worked as a legal representative for the Cleaners and Allied Independent Workers Union (CAIWU) and as a researcher for the Uyghur Tribunal.

After graduating from Oxford University in History & Politics, he came top of his year in his Master's degree in Comparative Politics at the London School of Economics before obtaining first-class marks in all papers during his LLM at University College London, specialising in labour law, comparative public law and the conflict of laws in commercial disputes. Sapan received a Queen Mother scholarship from Middle Temple.

Sapan is a Governing Trustee of the charity Royal Star & Garter.

Areas of Expertise

Employment & Discrimination

Sapan represents both Claimants and Respondents in the Employment Tribunal, the Employment Appeal Tribunal (EAT) and the High Court. He has worked with clients across multiple sectors including health & social care, higher education, financial services, retail, local and central government.

His tribunal experience includes:

London (Main Office)

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Abu Dhabi

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- Successfully acting for an employee in an EAT appeal concerning an employer's obligations of consultation under Regulation 13 of TUPE (**TUPE**);
- Successfully representing a secondary school teacher against an Academy Trust in a 6-day claim for unfair dismissal and s.15 disability discrimination. The case concerned an alleged safeguarding failure (**Unfair Dismissal, Equality Act**);
- Successfully representing a worker against a national parcel delivery company in a 4-day claim for whistleblowing detriment (**Whistleblowing**);
- Successfully acting for an HR manager against a well-known food company in a 3-day claim for pregnancy & maternity discrimination & constructive unfair dismissal (**Unfair Dismissal, Equality Act**);
- Successfully defending a university in a 7-day claim brought by an academic for race discrimination & constructive unfair dismissal (**Unfair Dismissal, Equality Act**);
- Successfully acting for a financial services company in a 7-day claim for sexual harassment, sex discrimination, victimisation and wrongful dismissal (**Breach of Contract, Equality Act**);
- Successfully defending a mental health care company in a 4-day claim for whistleblowing detriment, religious belief discrimination and unfair dismissal (**Whistleblowing, Equality Act, Unfair Dismissal**);
- Representing a manufacturing company in a 4-day claim for unfair dismissal, successfully obtaining a Polkey reduction of over 50% owing to financial mismanagement by the Director (**Unfair Dismissal, Breach of Contract**);
- Representing a public sector claimant at a 2-day remedy hearing concerning complex issues of causation, divisibility and apportionment of psychiatric injury (obtaining over £50,000 in compensation) (**Remedy, Causation, Remoteness**).

His commercial employment experience includes:

- Appearing unled in the High Court for an accounting company in injunction proceedings, in relation to breach of confidence and copyright by an ex-employee (**Injunctions, Data Protection; Restricted Reporting Orders**);
- Instructed as sole counsel to an Executive Director in team move proceedings in the High Court & achieving a settlement to a claim for breach of contract and unlawful means conspiracy (**Business Protection; Restrictive Covenants**);
- Advising a law firm on the enforceability of non-compete clauses in a solicitor's contract of employment (**Restrictive Covenants**).

Sapan's work on gender reassignment and the Equality Act was published by the New Law Journal in January 2024.

Sapan undertakes investigations and inquiries for both private and public sector clients. Recent instructions include:

- Investigating a whistleblowing complaint of discrimination arising from disability on behalf of a major legal advice charity (interviewing 8 witnesses);
- Leading an employment grievance investigation into complaints of race discrimination and gross misconduct at a medium-sized London law firm (interviewing 6 witnesses).

Public Law

Sapan's public law practice spans education, equality law, data protection, prison law and inquests. He has experience representing appellants and public bodies in the First-tier Tribunal, the County Court and the High Court. He is frequently instructed by the GLD (via the Attorney General's London C Panel) in matters spanning a wide range of government litigation.

Data Protection & Information Rights

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Sapan represents both Claimants and Defendants in claims concerning breach of the GDPR, the Data Protection Act 2018 and Freedom of Information.

He has been instructed by Claimants, Local Authorities and the GLD in various proceedings before the County Court and the First-tier Tribunal.

Sapan has lectured on the law regulating facial recognition technology at Royal Holloway, University of London.

Prison Law

Sapan's primary experience in this area is with the GLD, defending claims for judicial review for breach of human rights, discrimination, prison categorisation and Parole Board decisions. Recent instructions include:

- Drafting defences to claims for judicial review of prison categorisation decisions;
- Drafting a defence to a claim for indirect discrimination on grounds of sexual orientation in relation to the denial of contact between two prisoners;
- Drafting a defence to a claim for direct discrimination on grounds of disability in relation to a prisoner's work opportunities;
- Advising on liability and quantum in relation to a breach of a prisoner's right to privacy;
- Drafting defences to claims for delays to Parole Board hearings.

Sapan has also been instructed by Claimants and has drafted grounds of judicial review in challenges to categorisation decisions and breaches of prison conditions.

Education

Sapan appears in the First-tier Tribunal (Special Educational Needs and Disability) in appeals against Educational, Health and Care Plans and in claims of disability discrimination, both for parents and local authorities. He is experienced in dealing with high-cost placements, waking-day curricula and bespoke forms of special educational provision, including post-16 provision. He has advised in claims for judicial review against the failure of local authorities to provide suitable education and in appeals to the Upper Tribunal. Sapan is also instructed in school exclusion and admission appeals.

His recent experience in the SEND Tribunal includes:

- *MAR v Stockton-on-Tees Borough Council* [2024] (Instructed by the parent in a successful appeal against Sections B, F, and H)
- *BM v London Borough of Barking & Dagenham* [2024] (Instructed by the parent in a successful appeal against Sections F and I, securing a special school placement and extensive SALT and OT provision)
- *ZA v Sandwell Local Authority* [2023] (Instructed by the parent in a successful appeal against Sections F and I);
- *CHS v London Borough of Croydon* [2023] (Instructed by the parent in an appeal concerning the need for an extended-day curriculum);
- Representing numerous Local Authorities in various appeals.

Inquests

Sapan has been instructed as sole counsel in several inquests and is familiar with both Article 2 and non-Article 2

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proceedings. His experience includes:

- Representing a prison nurse in a multiple week Article 2 jury inquest with a focus on prison conditions;
- Representing a Local Authority in an Article 2 jury inquest into the death of a patient in a mental health hospital;
- Representing an NHS Trust in an inquest relating to the death of a patient from a suspected oxygen supply failure;
- Representing a dementia care nurse in an inquest with regulatory implications for the interested party.

Professional Disciplinary & Regulatory

Sapan has a wide-ranging practice in professional discipline representing defendants before various regulators.

His experience includes:

- Defending osteopaths before the General Osteopathic Council's Professional Conduct Committee;
- Representing a dentist in an appeal to the First-tier Tribunal (Primary Health Lists);
- Advising a doctor in relation to proceedings before the Medical Practitioners Tribunal Service;
- Defending nurses before the Nursing and Midwifery Council (instructed by the RCN); Representing a prison nurse in an Article 2 jury inquest (instructed by the RCN).

Sapan has also been a case presenter for the Nursing & Midwifery Council and has represented the regulator in multiple fitness to practice proceedings across a variety of misconduct matters. These include harassment and bullying, the mis-administration of medication, errors in record-keeping and dishonesty.

During pupillage, Sapan also assisted with proceedings before the General Optical Council, the Financial Reporting Council and the Solicitors Regulation Authority.

Appointments & Memberships

- Junior Counsel to the Crown (London C Panel)
- Employment Lawyers Appeals Advice Scheme (ELAAS)
- Employment Lawyers Association
- Industrial Law Society
- Education Lawyers Association
- Governor, Royal Star & Garter

Languages

- French (Advanced)
- Urdu (Advanced)
- Punjabi (Advanced)

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□ Hindi (Advanced)

Awards

- Middle Temple: Colombos Public International Law Essay Prize (2021)
- Defence Extradition Lawyers Forum: John RWD Jones QC Essay Prize (2021)
- Geoffrey Nice Foundation Scholarship (2020)
- Middle Temple: Queen Mother Scholarship (2019)
- Middle Temple: Harmsworth Entrance Award (2019)
- BPP University: Advocacy Scholarship (2019)
- Winner of the Leicester University Medical Law Moot (2018)
- LSE: Department of Government prize for 'Best Overall Performance' (2017)
- LSE: Department of Government prize for 'Best Dissertation' (2017)
- St John's College, Oxford: Casberd Scholarship (2014-2016)

Privacy Policy

Read Sapan's Privacy Policy [here](#).

Read Sapan's Data Retention Policy [here](#).

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