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Compensation for loss of career

[Frances Gibb](#) Legal Editor

Multimillion-pound sums have been paid in settlement of similar claims involving bullying or harassment, but they have been agreed privately and never reached the courts. The highest claims to date have been in the City, where reports of seven-figure settlements are not uncommon — although they are dwarfed by sums paid in similar cases in the United States.

But yesterday's award brings that high level of claims to the public sector and in particular to the cash-strapped National Health Service.

Lawyers said yesterday that the size of the award will reflect the loss of career and potential earnings of a highly paid consultant including pension entitlements, as well as damages for injured feelings.

Ronnie Fox, head of Fox Solicitors and an employment specialist, said: "This award is far higher than usual but one reason will be Dr Michalak's loss of career.

"As a result of the way she was treated by her colleagues, she will probably never be able to work again. The tribunal decided that she should be compensated accordingly."

He added: "Any form of misconduct by a doctor is a breach of trust. In this case senior doctors abused the trust of a younger colleague. They did so because Dr Michalak was a woman who had recently had a baby."

They pretended to be supportive while planning a strategy to push her out of her job, the tribunal found.

Gill Howard, an employment law consultant, said: "This figure is entirely understandable if based on the fact that she could have earned both in the NHS and privately for another ten years or so.

"She will also have had cast-iron medical evidence of the effect of the harassment on her health. It sends out a message that public sector employers like the NHS cannot tolerate bullying or harassment in its workforce."