



Expertise

39 Essex Chambers is one of the leading education law sets. Members are highly regarded at all levels of seniority and have consistently been recognised in the legal directories as leaders in this field.

Our work covers the full spectrum of university and college related education issues for education institutions and students including contract, negligence claims and judicial review, challenges to disciplinary decisions (particularly plagiarism), discrimination claims, challenges to admission and grant decisions and appeals to the Independent Adjudicator for Higher Education (OIA).

Chambers is able to offer a unique combination of private and public law expertise, providing further and higher education instructions, students and public bodies with an across-the-board service at all levels of call.

The breadth of our expertise covers overlapping areas, including:

- Administrative & Public
- Commercial dispute resolution
- Data Protection and Freedom of Information
- Defamation
- Discrimination and disciplinary issues
- Professional discipline and regulation
- Planning, property and procurement
- Research misconduct
- Staff employment
- Student immigration issues (including Tier 4 disputes)

About us

39 Essex Chambers is a leading barristers' chambers based in London, Manchester, Singapore and Kuala Lumpur. With over 130 members, more than 48 of whom are silks, Chambers offers depth and quality of expertise across a wide range of practice areas and specialist sectors.

Our clerks can draw together teams of barristers who range from experienced silks, to the more recently qualified barristers, to offer a comprehensive and cost-effective service combining strong analytical, advisory and advocacy skills with pragmatism and approachability.

Chambers understands the business needs that are particular to each client allowing us to provide an expert, multi-faceted and practical service.

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JENNI RICHARDS QC
(Call 1991, Silk 2011)

Jenni Richards QC has an extensive public law practice acting for public bodies, institutions and individuals in all areas affected by public law. Recent work has

included advising higher education institutions on issues relating to HTS status and the Tier 4 guidance, on disputes with students over course provision and criteria, and the requirements for ATAS certificates.



VICTORIA BUTLER-COLE QC
(Call 2005, Silk 2019)

Victoria has significant expertise in judicial review, regulatory and disciplinary law, and equality law. She has advised schools and

universities on diverse issues including charging policies, refusal of qualifications and exclusion decisions. She is on the panel of the Equality and Human Rights Commission and is presently co-editing a book called *How to Make Lawful Decisions*, aimed at non-lawyer panels making administrative law decisions in settings including education. Her work has a particular focus on disability, mental health, discrimination and the public sector equality duty.



FENELLA MORRIS QC
(Call 1990, Silk 2012)

Fenella is ranked by both Chambers and Partners and the Legal 500 as a leading silk in education law, as well as having been recognised as a *“Star at*

the Bar”. She is a versatile advocate with a wide ranging practice including public law, human rights and discipline and regulation. She regularly represents educational institutions, examination and funding bodies and the Office for Students in a wide range of claims. She also advises policy, procurement and joint ventures. She has experience of cases concerning discrimination, plagiarism, research misconduct, student discipline, inadequate teaching and supervision, regulation of professional education and fitness to practise.



NICOLA GREANEY
(Call 1999)

Nicola has a wide ranging public law practice acting for public bodies and individuals. Nicola has experience of acting for higher education bodies

in discrimination and breach of contract / negligence claims. She has also been instructed in numerous discrimination claims in the context of services and employment. She recently acted for the General Pharmaceutical Council in a case about a university's entitlement to seek disclosure of criminal convictions from a student applying for a pharmacy course (*HA v University of Wolverhampton & General Pharmaceutical Council* [2018] EWHC 144). She has experience of appearing in the FTT and UT in a variety of disputes in the social welfare and immigration fields. Her judicial review practice includes acting for health care bodies in service commissioning disputes (*National Aids Trust v NHS Commissioning Board & LGA* [2016] EWCA Civ 1100 (availability of PrEP drug) and *R (Juttla & ors) v Hertfordshire Valleys CCG* [2018] EWHC 267 (commissioning of children's respite services). She also represents a variety of healthcare regulators in High Court appeals (GMC, GDC). In addition Nicola practises in personal injury law and is frequently instructed in stress at work/bullying/harassment claims. Nicola has been appointed to the Attorney General's A panel of Counsel.



KATHARINE SCOTT
(Call 2000)

Katie has a busy public law practice advising and representing public bodies, institutions and individuals. Recent higher education work has included claims

concerning breach of contract, discrimination and negligence. She has recently acted for Imperial College. In addition she has considerable experience in front of professional regulators.



ROBERT LAZARUS
(Call 2004)

Robert has been instructed in a number of educational cases. He is currently acting for a well-known public school in a claim alleging disability discrimination.

He has acted both for and against universities and for individual academics. Cases have involved exam cheating, research misconduct, fraudulent qualifications, sexual misconduct and failure to award PhD. Robert has a particular interest in disciplinary matters. He regularly appears before a number of professional disciplinary tribunals as well as sitting as Chair of appeal tribunals. He also sits as a Recorder in the Crown and County Courts.



ALEXIS HEARNDEN
(Call 2005)

Alexis' work in the higher education arena has included defending a London University in a claim alleging that the University's policy of pursuing unpaid

tuition fees was a breach of the Equality Act 2010 and assisting leading counsel in a long running discrimination action. As a junior listed in both the Legal 500 and Chambers and Partners for professional discipline, Alexis acted for a student member of the Law Society to challenge the revocation of his student membership due to academic misconduct.



JACK ANDERSON
(Call 2006)

Jack has a broad practice in education law. He has advised on the powers of further education providers, data protection and freedom of information. He is a

contributor to Education and the Courts, 3rd Edition, writing on claims in contract and tort in the educational context. He also has significant practical experience of the education sector being a founder and trustee of a free school in Greenwich.



KATHERINE APPS
(Call 2006)

Katherine has acted for the Department for Education. She is on the Attorney General’s B Panel of Counsel and EHRC panel of Counsel. Katherine has

also acted for students, for universities and for those working in the sector. Katherine has a particular interest in universities governance, equality issues (including the hostile/ compliant environment) and safeguarding. Outside of the education context Katherine practices across regulatory, public, equality and EU law.



KELLY STRICKLIN-COUTINHO
(Call 2006)

Kelly is a Foundation Governor at St. Michael’s Catholic Grammar School for Girls, where she is also on the Curriculum &

Standards committee. Her experience includes being appointed the chair of a Complaints Appeal Panel, acting on a restructure of staff and appointing a head teacher. She has taught at University of London colleges for 10 years in both undergraduate and postgraduate courses, where she has been responsible for the setting of the course and the assessments, as well as dissertation supervision. She has experience of undergraduate and postgraduate students with special educational needs and of academic appeals and plagiarism. She also has experience of the Early Years Foundation Stage statutory framework and holds a diploma in Montessori Pedagogy for Early Childhood. She appears before panels of governors and in SENDist Tribunals on a regular basis and acts in relation to primary, secondary and higher education matters. Her judicial review experience includes a broad range of issues including commercial judicial review, EU law and procurement.



THOMAS AMRAOUI
(Call 2007)

Tom Amraoui has a developing practice in the field of higher education. He has experience of representing students at academic misconduct

hearings. He has also provided advice on various higher education matters, such as student loans and discrimination and other claims arising in the higher education context.



JENNIFER THELEN
(Call 2007)

Jennifer has represented higher education institutions (including UCL and BPP) in claims for breach of contract, personal injury and defamation as well

as disability discrimination. She regularly advises and appears (in the First Tier and Upper Tribunals as well as the High Court) across a range of educational law matters including special educational needs, disability discrimination and admissions and exclusions appeals. Jennifer was recently instructed in a 7-week educational fraud case, which resulted in a finding of public misfeasance in office against the school’s governors. Jennifer has a broad legal background, having practiced corporate and regulatory law before being called to the Bar.



PHILIPPA JACKSON
(Call 2008)

Philippa has an extensive education practice which encompasses claims relating to higher education institutions. She advises on a range of education

matters including contractual disputes, Equality Act duties and educational negligence claims. She is currently instructed in judicial review proceedings concerning a challenge to a decision of the Office of the Independent Adjudicator for Higher Education on Equality Act and public law grounds.



BENJAMIN TANKEL
(Call 2009)

Ben is increasingly instructed in public and private law matters arising out of higher education disputes. Recently, this has involved advising

Universities UK about its policy on gender segregation at university events; defending class actions against universities to recover tuition fees during the national strikes by university lecturers; defending a leading medical school against a JR challenge brought by a former student who was deemed unable to progress in his studies for reasons arising out of a disability; and acting for a major university in a commercial claim about the alleged misuse of charity funds in a cancer research laboratory. Ben is also regularly instructed by the government in immigration matters involving higher education institutions and their students, including in particular college licensing disputes. Ben co-edited the last two volumes of Atkins Court Forms on Education.



ROSIE ELEANOR SCOTT
(Call 2013)

Rosie has a growing practice in education currently focussed on special educational needs and school exclusion. She is

regularly instructed by parents and young people, local authorities and national charities. Rosie has undertaken numerous appeals relating to all sections of Education, Health and Care Plans in the First-Tier Tribunal and successfully made complex costs arguments under s.39(4)(b)(ii) CFA 2014 and s.9 EA 1996. Rosie is currently instructed on appeals to the Upper Tribunal on issues relating to the national trial.



KATHERINE BARNES
(Call 2014)

Katherine has an extensive education practice and much of this concerns higher education. She has a particular interest in the relationship between judicial

review and the jurisdiction of the Office of the Independent Adjudicator (“OIA”). Examples of recent work in this field include:

- Katherine has advised on complaints to the OIA and has also drafted representations for consideration by the OIA. This work includes disputes about examination results and complaints about the adequacy of a prestigious university’s examination regulations.
- She has advised on civil claims against universities for breach of contract and educational negligence.
- Katherine has worked on various discrimination claims under the Equality Act 2010, including claims against universities and colleges.
- Katherine has also experience of disputes concerning student finance. For example, she recently advised in respect of a potential judicial review of a decision by Student Finance England to terminate a student’s eligibility for student finance.



GETHIN THOMAS
(Call 2016)

Gethin is currently consultant counsel to the Office for Students, the higher education regulator. He is developing a broad education practice. Recent

examples of instructions include assisting in a judicial review challenge of a school closure, and acting on behalf of a higher education institution in a breach of contract claim.

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