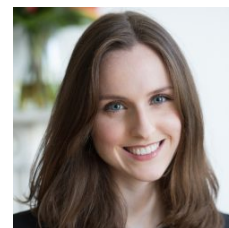

Jen Coyne

Jen runs a commercial and public law disputes practice, especially focussing on employment & business protection, procurement & administrative challenges and, increasingly, disputes involving an international element.

Jen has been recognised in the legal directories since 2020, where she is described as “*one to watch*”, “*exceptionally bright*” and an “*absolutely excellent barrister*”.

As well as fitting into larger teams, Jen is experienced in representing clients as sole counsel in the Court of Appeal, High Court, EAT and the Tribunals. Recent cases include:

- Acting for the claimants in the largest UK procurement damages claim (£100m+) against the Gambling Commission’s procurement of the 10-year Fourth National Lottery Licence (led by Philip Moser KC and Ewan West).
- Assisting the Government of Antigua and Barbuda in defending proceedings challenging its acquisition and sale of the \$120m superyacht *Alfa Nero* impacted by the US’s Russia sanctions programme (led by Paul Reichler and Richard Leiper KC).
- Defending and counter-claiming for the F1 Aston Martin Racing team against a multimillion pound High Court employment and shareholding dispute brought by its former Team Principal, Otmar Szafnauer (led by Daniel Stilitz KC).



Professional Summary

Called 2016

Contact Details

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+44 (0)20 7632 8500

Clerk Harry Gilson

Clerk Iva Mirjam

Stipanovic

[Contact Clerks](#)

Specialisms

Employment

Jen is experienced in fighting for clients in the High Court and Tribunal. She handles cases across the spectrum: from business protection and high-value contractual litigation, to whistleblowing and other statutory employment claims.

Jen is recognised in Chambers and Partners, where her clients describe her as having an “*amazing... knowledge of the law*” and “*ability to absorb complex information quickly*”, and being “*client-friendly, hugely well-prepared and an outstanding advocate*”.

Jen regularly handles high-value, multi-week trials as sole counsel, often involving complex whistleblowing or discrimination allegations. She successfully defended a multimillion-pound whistleblowing claim in *Costagliola Di Fiore v Introhive Ltd*, where she obtained the maximum costs awards available against the claimants (appeal ongoing). She represents the respondent in the forthcoming appeal in *Matthews v CGI*, in which the EAT will address the correct approach to the assessment of a dismissal without any procedure and causation in victimisation claims.

In the High Court, Jen is experienced in handling injunctive relief for clients, and in advising on and executing strategy in business protection cases (addressing restrictive covenants, team moves/unlawful conspiracy and the protection of confidential information). Jen is also adept handling contractual disputes, particularly those involving complex facts or points of law. She recently represented the F1 Aston Martin Racing team’s defence and counter claim to the multi-million pound litigation brought by its former Team Principal in relation to his resignation, bonus and shares (led by Daniel Stilitz KC).

Jen also has deep experience in employment group litigation, acting for the claimants in the high-value and potentially industry-re-shaping equal pay litigation against Tesco (led by Sean Jones KC). The litigation has already redefined the law on equal pay in the EAT and CJEU on: the single source of employment; the burden of proof; job evaluation studies; and the correct approach to disclosure.

Other examples of Jen's recent work include:

- *Costagliola Di Fiore & Qadri v Introhive Ltd* – successfully acted as sole counsel for the tech-sector respondent in a multiweek multi-million-pound whistleblowing and unfair dismissal trial; secured the maximum costs orders against both claimants in the ET; Jen continues to defend the respondent in the EAT in an appeal on the correct approach to rejecting an application for a witness order mid-trial.
- *Guy Carpenter v Howden Tiger* – assisted the reinsurance brokerage sector-claimants (led by Dan Oudkerk KC and Amy Rogers) in one of the largest High Court claims ever brought against former employees and competitors for unlawful means conspiracy and breach of restrictive covenants, following a team move raid on its business (48 employees including its Europe CEO, across several European offices).
- *Confidential High Court injunctive matter – restrictive covenants [settled]* – acted for a tech company to enforce non-compete in a senior engineer's employment contract (led by Amy Rogers).
- *Confidential discrimination & equal pay matter [settled]* – acted for a female senior executive in an investment bank in relation to her claim for sex discrimination and equal pay.
- *Kabzinski v Vistajet International Ltd* – successfully defended harassment and direct race discrimination allegations against a private jet company, proving that otherwise strong language was not unwanted or on the grounds of race in proper context. Acting for respondent in EAT appeal to the decision, initially as to the correct approach to an extension of time.
- *Matthews v CGI Ltd* – as sole counsel, successfully defended a professional services-sector respondent against whistleblowing, discrimination and unfair dismissal claims. Continues to defend the forthcoming EAT appeal, on the correct approach to dismissals without a procedure, victimisation causation and extensions of time.
- *Van Mackelenbergh v Maritime Transport Ltd* – as sole counsel, successfully defended a summary judgment application in the High Court in a high-value contractual claim from a former COO.
- *Szafnauer v Aston Martin Racing Ltd* – acted for the F1 AMR team in its High Court defence of a multimillion-pound claim alleging constructive dismissal and shareholding claim, and prosecuting its contractual counterclaim against its former Team Principal (led by Daniel Stilitz KC).
- *K Element & others v Tesco* – acting for the Leigh Day claimants in their group litigation equal pay claims against Tesco (total estimated to be worth to be potentially into hundreds of millions of pounds) which, if successful will reshape the industrial structure for the supermarket industry (led by Sean Jones KC and Andrew Blake).

Procurement & Subsidy Control

Jen has a busy procurement practice. She is experienced in procurement litigation, from advising at the preliminary stages, to Applications to Lift and wider litigation strategy. She acts as sole counsel, as well as within larger teams.

Jen represents the claimants in the high-profile and largest ever UK procurement damages claim (>£100m) in *IGT v Gambling Commission*, a challenge to the award of the 10-year Fourth National Lottery Licence, that has clarified the law on standing to claim in relation to non-bidders (led by Philip Moser KC and Ewan West).

As well as acting for claimants and defendants, Jen is experienced with representing the successful bidder Interested Party seeking to retain the contract (*MLS (Overseas) Ltd v MoD*).

Within the new Subsidy Control regime, Jen is already experienced advising clients on the assessment of subsidies and potential subsidies, including advising on a £100m transport and housing redevelopment scheme as sole counsel.

Jen's recent work includes:

- *IGT v Gambling Commission* – acting for the claimants (led by Philip Moser KC and Ewan West) in the £100m+ challenge brought by sub-contractors to an unsuccessful tenderer against the Gambling Commission's procurement of the Fourth National Lottery Licence under the CCR 2016. The high-profile litigation included a contested Application to Lift, expedited proceedings, and is legally significant as it clarifies the law on the standing of non-tenderers.
- *Confidential challenge under the PCR 2015 [settled]* – as sole counsel, defending a proposed challenge to an NHS procurement of electronic record system (contract value £80m), to

successfully avoiding issue of the claim.

- *Confidential challenge of £495m NHS contract [settled]* – advising potential claimants seeking to challenge an NHS procurement of medical equipment contract worth £495m, on matters relating to limitation and merits (led by James Goudie KC).
- *HM Passport Office's £490m contract procurement* – as sole counsel, advising and providing assurance on the procurement of a high-profile £490m contract for UK passports under the PCR 2015 (the procurement ultimately stood with no claims issued).
- *Confidential £100m Subsidy Control advice* – as sole counsel, advising a public authority on its compliance with the new subsidy control regime when spending a £100m grant to be used to develop rail and road infrastructure and a housing scheme.
- *MLS (Overseas) Ltd v MoD* – acting for the interested party success bidder in litigation under DSPCR 2011 for a £385m contract for port services (both as sole counsel, and led by Joe Barrett).
- *Confidential advice on the application of the procurement rules* – advised a public authority on the application of procurement rules, and the light touch regime, to the award of a public contract.

Jen is appointed to the Attorney General's C Panel of Counsel, and is familiar with both prosecuting and defending procurement challenges.

Regulatory and Public

Jen advises and acts for both claimants and respondents in a wide range of regulatory and public law challenges. She is particularly interested in the intersection of public and commercial law, and how public law can be utilised to work for businesses which face potentially adverse regulatory decisions.

Jen's experience in advising and acting in judicial review and competition challenge claims includes:

- As sole counsel advising a company in the media and telecoms sector on how to pursue applications to, and a potential challenge against the decisions of its regulator, OfCom.
- Led by Peter Oldham KC, defending a challenge to the decision of a local authority to close a school. The challenge involved the first judicial consideration of the Well-being of Future Generations (Wales) Act 2015 and whether the duty under it was a 'target duty'. Permission for judicial review was denied at an oral hearing (***Blackmore v Neath Port Talbot County Council***, CO/4740/2018).
- Led by Jonathan Auburn, defending a challenge brought under ***Gunning*** principles and the Public Sector Equality Duty, to a consultation being conducted by a local authority on whether to close a school. Permission for judicial review was denied at an oral hearing (***AA, by her litigation friend BB v Tower Hamlets London Borough Council***, CO/2776/2019).
- As sole counsel, advising a potential claimant in the third-sector, which was having its grant reviewed by the grant-making public authority, on a judicial review strategy and preliminary tactics against the authority.
- Led by James Goudie KC, representing two claimant local authorities in a claim against the Secretary of State arising from a local government reorganisation (***Wycombe District Council and South Chiltern District Council v SoS for the Ministry of Housing Communities & Local Government***, CO/381/2019).
- Led by Peter Oldham KC and Zac Sammour, acting for the claimant, a victim of human trafficking, in a judicial review of the Legal Aid Agency's refusal to waive the statutory charge for legal aid (***R (Tirkey) v Director of Legal Aid Casework*** [2017] EWHC 3403 (Admin), QBD).

Alongside her contentious practice, Jen is currently led by Clive Sheldon KC in the high-profile **Review into non-recent child sexual abuse allegations in football** for the Football Association.

Commercial

Jen has experience advising and acting for clients in litigation spanning chambers' diverse commercial disputes work – from business protection to fraud. She has appeared in both the High Court and County Court. She is particularly well placed to assist with commercial matters involving elements of public or employment law, but her practice extends well beyond this.

A sample of Jen's recent work includes:

- As sole counsel in the High Court, acting for an Applicant for an injunction to restrain the presentation of a winding up petition (*Tasty Tasty Ltd v Simon Rowell* (2019) Business and Property Courts).
- Assisting the Claimant in case preparation in the high-profile *Bank Mellat v HM Treasury* litigation (a \$4bn claim against the UK Government for loss in relation to breach of A1P1 ECHR rights by unlawful sanctions, in the Commercial Court).
- Led by Julian Wilson, advising a foreign client on defending a £100,000 claim for breach of contract arising out of an employment relationship.

Data Protection and Information

Jen has experience in all areas of chambers' data protection and information work. She regularly acts for the Information Commissioner, and utilises her perspective gained from this work to assist her private-sector clients.

Jen's recent work includes:

- As sole counsel in the Court of Appeal, acting for the Commissioner in the case establishing the correct approach to making anonymity orders in the Information Tribunal (*Moss v Information Commissioner* [2020] EWCA Civ 580).
- As sole counsel, acting for the global logistics company DHL, defending claims of defamation and breach of Article 15 GDPR, under sections 167 and 168 Data Protection Act 2018 (*Badita v DHL Services Ltd*, claim no. F90BM256).
- As sole counsel, advising a client on whether a data breach had occurred within its organisation, remedial action to take, and possible regulatory outcomes.
- As sole counsel, advising a client on the application of exemptions under the DPA 2018, in response to a subject access request made during litigation.
- In the First-tier Tribunal, in two separate cases, acting for the Information Commissioner to resist appeals against a Monetary Penalty Notices for breaches of PECR 2003 in *Holmes Financial Solutions v Information Commissioner*, EA/2018/0030 and *D M Design Bedrooms Ltd v Information Commissioner*, EA/2018/0287.
- Led by James Goudie KC, assisting a public authority to draft a response to the Information Commissioner's investigation in an appeal against the authority's decision under FOIA 2000 and DPA 1998. The appeal was dismissed by the Commissioner.

Investigations

Jen's investigations practice is grounded in her expertise in employment and regulatory law.

Led by Charles Bourne KC, Jen recently completed two separate large-scale internal investigations for an employer. One concerned allegations of discrimination in a restructure of a department. The other concerned ten allegations against multiple individuals of misfeasance, discrimination and failures to follow policy in recruitment decisions and governance of whistleblowing complaints.

Jen is also one of a small team the barristers appointed by the Football Association (led by Clive Sheldon KC) in the high-profile **Independent Review into non-recent child sexual abuse allegations in football**. The Review is investigating what the FA and football clubs knew and did about allegations of child abuse between 1970 and 2005.

Recommendations

"Jen is an invaluable source of support in complex employment litigation matters, particularly involving whistle-blowing and data protection issues." **Chambers and Partners**

"Jen achieves great results in tricky and novel cases. She is very thoroughly prepared and is calm and consistent. The results spoke for themselves in a judgment which exceeded our expectations." **Chambers and Partners**

“Jen is very agile and easy to work with. Her submissions are top quality. Underestimate her at your peril.” **Chambers and Partners**

“Great to work with. Excellent attention to the detail. Extremely bright. Pragmatic and sensible.” “Hugely bright” **Legal 500**

“Highly intelligent with sound judgement. Very thorough and well structured work.” – **Legal 500**

“She is very thorough with her preparation, very collaborative and very bright. Her command of a complex or large brief is extremely good, particularly given her relative lack of seniority. Her advocacy is also excellent, and it is always clear that she is well prepared – very much in demand.” **Legal 500**

“A junior who is great on her feet and very client friendly.” **Legal 500**

“Jen’s advice is extremely thorough and helpful.” **Legal 500**

“She is very thorough with her preparation, very collaborative and very bright. Her command of a complex or large brief is extremely good, particularly given her relative lack of seniority. Her advocacy is also excellent, and it is always clear that she is well prepared – very much in demand.” **Legal 500**

“An absolutely excellent barrister” **Chambers & Partners**

“She is very calm and she is very determined” **Chambers & Partners**

“She is an excellent advocate and she is one to watch for the future” **Chambers & Partners**

“Great to work with. Excellent attention to the detail. Extremely bright. Pragmatic and sensible” **Legal 500**

“Highly intelligent with sound judgement. Very thorough and well structured work. No perceived weakness” **Legal 500**

“She performs brilliantly with her seemingly instant grasp of complicated facts and her insightful advice” **Chambers & Partners**

“She grasps complex matters very quickly, is exceptionally bright and a pleasure to work with” **Chambers & Partners**

“An excellent lawyer, very thorough, innovative and user friendly” **Legal 500**

Other

Jen is a former Grand Finalist of the World University Debating Championship 2012, for the Oxford Union Debating Society.

Prior to becoming a barrister, Jen worked with international NGOs in Delhi, Berlin and London, as well in diversity outreach at the London School of Economics and Political Science.

Whilst training for the Bar, Jen acted as an appeal advocate for excluded school students, through the Communities Empowerment Network. She is now a mentor on 11KBW’s School Exclusion Project.

Awards

2016, Administrative Law Bar Association Annual Summer Conference Scholarship

2015, Bedingfield Scholarship (top BPTC award, The Honourable Society of Gray’s Inn)

2015, BPTC Scholarship (BPP Law School)

2014, David Karmel Award (top GDL award, The Honourable Society of Gray’s Inn)

2014, Full GDL Tuition Pro Bono Scholarship (top GDL award, Kaplan Law School)

2012, Brasenose College Prize for Finals Results (Brasenose College, University of Oxford)

2012, Grand Finalist, World University Debating Championship

Education

2016, BPTC, BPP University, as a Bedingfield Scholar for The Honourable Society of Gray's Inn

2015, GDL, Kaplan Law School, as a Karmel Scholar for The Honourable Society of Gray's Inn

2013, MSc International Relations Research (Distinction), London School of Economics and Political Science

2012, BA Philosophy Politics and Economics (First Class), University of Oxford, Brasenose College

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