
Jen Coyne

Jen has a varied practice which encompasses, on the one hand, employment and related commercial litigation and, on the other, procurement and regulatory public law challenges. She has experience acting, un-led, in the High Court, County Court, Employment Tribunal, and both First-tier and Upper Tribunals Information Rights.

Jen's focus on the intersection of commercial and public law underpins her specialisms. She is often brought onboard by private sector clients at the nascent stage of regulatory action, to assist in strategically shaping outcomes. Within her employment practice, Jen is also deeply familiar with the core and satellite issues parties face. She is regularly instructed as sole counsel in large, multi-day trials.

Jen is a member of ELA, ALBA, YPLG, and PLA.

Specialisms

Employment

Jen practises the full spectrum of employment law in the Tribunal and High Court. She regularly acts for both claimants and respondents. As sole counsel, Jen has substantial experience of handling cases which relate to breach of fiduciary duties, complex allegations of whistleblowing, all heads of discrimination under the Equality Act 2010, breach of contract, holiday pay, and unfair dismissal.

In addition to her trial experience, Jen is practised in a wide range of interim matters that arise commercial employment litigation – from making and resisting anonymisation applications in the Tribunal, to costs-limitation applications in the Court of Appeal.

Led by Charles Bourne QC, Jen is currently instructed on two large internal investigations at an employer into allegations of discrimination and whistleblowing.

As sole counsel, her recent work includes:

- Acting for the respondent in a sexual harassment claim for alleged “man-spreading” (*Neate v Peterborough Regional College* 3400434/2017).
- Acting for the claimant in claims for unfair dismissal, wrongful dismissal and holiday pay (*Hayler and Bretherton v Annecto UK Ltd* 3201807/2018, 3201808/2018).
- Acting for the respondent in claims for race discrimination and unfair dismissal (*Da Costa v Boots Management Services Ltd* 3327712/2017).
- Acting for the respondent in a claim for direct disability discrimination, failure to make reasonable adjustments, sexual harassment and unfair and wrongful dismissal (*Halton v Rutland Cycling Ltd* 3305596/2018).
- Acting for the claimant in the determination of employment status (*Waithe v Barts NHS Trust* 3200850/2028).
- Acting for the respondent in an unfair dismissal claim on conduct grounds (*Chojak v Hilton Foods UK Ltd* 3400516/2017).
- Acting for the respondent in an unfair dismissal on redundancy (*Hollingsworth and Lawson v Huntingdon District Council* 3302895/2018, 3302897/2018).
- Acting for the respondent in the determination of disability status (*Troughton v Croner Group Ltd* 2601846/2018)



Professional Summary

Called 2016

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Clerk Michael Smith

Clerk Hannah Rayner

Contact Clerks

- Acting for the claimant in an application to extend time to bring the claim (*Castell v Society of Motor Manufacturers and Traders Ltd*, 2200133/2019).
- Acting for the respondent in claims for failure to make reasonable adjustments, disability discrimination and unfair dismissal on capability (*Levett v London and South East Railway Ltd*, 2302286/2018)

Prior to establishing her own practice, in pupillage Jen developed her grounding in the field by assisting leading employment law practitioners on matters including:

- Injunctive relief in team move and proposed strike cases (assisting Simon Forshaw and John Cavanagh QC, respectively).
- Territorial jurisdiction, in *Ravisy v Simmons & Simmons LLP & Mr C Taylor* 2200166/2017 and 2200949/2017 (assisting Daniel Stilitz QC).
- Advising on the influence of public law principles on employment law, in relation to contractual disciplinary procedures, following *Bragaza v BP Shipping Ltd* [2015] UKSC 17 (assisting John Cavanagh QC).

Public Procurement

Jen has a fast-developing practice in public procurement law. Her recent work includes:

- Led by prominent practitioner James Goudie QC, advising on and settling the particulars of claim under the Public Contracts Regulations 2015 for a challenge to the procurement of a contract worth £42m in the healthcare sector. The threatened challenge achieved the client's objective: the reopening of negotiations with the contracting authority.
- As sole counsel, acting for the interested party, the successful tenderer in a procurement for a contract worth £385m, in *MLS (Overseas) Ltd v The Secretary of State for Defence* (2017) EWHC 3389 (TCC). The challenge was brought to the contract award by an unsuccessful tenderer, under the Defence and Security Public Contracts Regulations 2011.
- As sole counsel, delivering external assurance for the procurement process for a high-profile contract worth £490m for a central government department, under the Public Contracts Regulations 2015. The procurement has stood, unchallenged.
- As sole counsel, providing urgent advice on limitation and the merits of a prospective challenge to a procurement award.

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.

Alongside her contentious practice, Jen is currently led by Clive Sheldon QC in the high-profile review into non-recent child sexual abuse in football for the Football Association,

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

- As sole counsel (ongoing), advising a company on how to pursue applications to, and a potential challenge against the decisions of, a public regulator.
- In two separate cases, led by Peter Oldham QC and by Jonathan Auburn, respectively, defending the decision of a local authority to close a school (both times with the successful outcome that permission for judicial review was denied).
- 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. The review was successfully resolved in its favour.
- Led by James Goudie QC, representing two claimant local authorities in a claim against the Secretary of State arising from a local government reorganisation.
- Led by Peter Oldham QC and with 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 in *R (Turkey) v Director of Legal Aid Casework* [2017] EWHC 3403 (Admin), QBD.

Commercial

Jen has experience advising, drafting and acting, across chambers' diverse commercial dispute resolution 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 law. She regularly acts for the Information Commissioner, and translates her perspective developed through this work to assist private clients.

Jen's recent work includes:

- In the Upper Tribunal, acting for the Information Commissioner to successfully resist an appeal against a refusal to grant anonymity within proceedings (*D v Information Commissioner* [2018] UKUT 441 (AAC)). This matter is now on appeal to the Court of Appeal, where Jen continues to represent the Commissioner.
- Providing advice to a private 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* EA/2018/0287.
- Led by James Goudie QC, 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.

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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