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Jenni Richards KC

Year of call: 1991 | Silk: 2011

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"She is absolutely outstanding in all aspects of her career. Her ability to get on top of huge amounts of complex material in pressured circumstances is quite incredible. Her legal analysis and judgement are second to none, and her advocacy is outstanding." The Legal 500, 2022

Jenni has an extensive public law, human rights and regulatory practice acting for claimants, defendants and interested parties in all areas affected by public law and public decision-making. Her expertise is wide-ranging and includes healthcare, local government, civil liberties, equalities, professional and financial regulation, community care and mental health, education, welfare benefits and prison law. She appears before courts of all levels, in particular the Administrative Court, Court of Appeal and Supreme Court. She often advises public bodies (including local authorities, NHS bodies and regulators) on a broad range of issues relating to their powers, responsibilities and duties. Jenni is Counsel to the Infected Blood Inquiry, in which role she has been responsible for questioning government ministers, senior civil servants, clinicians and academics about aspects of political, governmental, clinical and ethical decision-making from the 1970s to the present day. Jenni is also an experienced mediator, with a particular focus on the mediation of judicial review claims and Court of Protection disputes.



Areas of expertise

Administrative and Public

Civil Liberties and Human Rights

Inquests and Inquiries

Regulatory and Disciplinary

Local Government
Healthcare
Inquests
Court of Protection and Medical Treatment
Alternative Dispute Resolution

Civil Liberties and Human Rights

Much of Jenni's work is focused on the Human Rights Act, both as it affects individuals and as it public bodies. Her cases have included consideration of the application of Article 1 of the First Protocol in the welfare benefits context, the interpretation of the Human Fertilisation and Embryology Act so as to give effect to Article 8 rights; and the extent of application of the manifestly without reasonable foundation test with respect to Article 14 and special educational needs funding. She has appeared in the leading cases regarding the procedural and substantive obligations imposed by Article 2 in the healthcare context, namely *Savage v South Essex Partnership NHS Foundation Trust* and *Rabone v Pennine Care NHS Foundation Trust*.

Cases of note:

- ***Jennings v Human Fertilisation and Embryology Authority* [2022] EWHC 1619 (Fam)** - Case concerning the lawfulness of the posthumous storage of embryos; interpretation of the Human Fertilisation and Embryology Act by reference to Article 8
[Judgment](#)
- ***R (Drexler) v Leicestershire County Council* [2020] EWCA Civ 502** - Case concerning a new school transport policy for children with special educational needs and whether it breached Article 14
[Judgment](#)
- ***Simone v Chancellor of the Exchequer* [2019] EWHC 2609 (Admin)** - Challenge to the ongoing failure to allocate sufficient resources for the provision of special educational needs, raising arguments about the public sector equality duty and Article 14, read with Article 2 of the First Protocol
Judgment- no link
- ***R (AR) v Chief Constable of Greater Manchester Police* [2018] UKSC 47** - Case challenging on Article 8 grounds the inclusion of information regarding allegations of rape and acquittal in an enhanced criminal record certificate
[Judgment](#)
- ***R (Dennehy) v Secretary of State for Justice and Sodexo Ltd* [2016] EWHC 1219** - Whether the segregation of a prisoner serving a whole life sentence amounted to a breach of Article 3
[Judgment](#)
- ***Rabone v Pennine Care NHS Foundation Trust* [2012] UKSC 19** - Leading Supreme Court decision on the scope and application of the operational obligation under Article 2, and in particular whether it was owed to a voluntary mental health patient
[Judgment](#)
- ***Savage v South Essex Partnership NHS Foundation Trust* [2010] EWHC 865 (QB)** - Whether there had been a breach of Article 2 arising out of the suicide of a patient.
[Judgment](#)

Recommendations

- *"An extremely compelling advocate and a first rate silk"*(Chambers and Partners, 2022)
- *"Her drafting and attention to detail are excellent. On her feet she is able to work quickly and has near encyclopedic knowledge"*(Chambers and Partners, 2022)
- *"She can be incredibly compassionate but also ruthless in getting witnesses to discuss facts they don't want to"*(Chambers and Partners, 2022)
- *"Always very pleasant to work with, makes herself available at short notice and is very good with clients. Extremely clever but makes things accessible to lay people. She's also a brilliant advocate."*(Chambers and Partners, 2022)
- *"Extremely steeped in regulatory work and very good"*(Chambers and Partners, 2022)
- *"Jenni's ability to devour huge amounts of information is phenomenal. She gives every case everything she has. She always has the ear of the court and brings a real clarity to the issues in her submissions. Her written work is also cogent and to the point and presented in a way that clients understand and are able to properly consider and digest."*(The Legal 500, 2022)

Memberships

- Administrative Law Bar Association
- Human Rights Lawyers Association
- Association of Regulatory and Disciplinary Lawyers

Qualifications

- 1989 BA Hons Law (First Class) – Clare College, Cambridge
- 1991 LLM – University of Toronto

Languages

- Working knowledge of French

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