



Jennifer Thelen

Year of call: 2007

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"Jennifer provides excellent advice on complex matters. She is approachable and very practical in her advice which is always appreciated by clients." Chambers and Partners, 2023.

Jennifer has a broad legal background, having practised both corporate and regulatory law before being called to the Bar. That breadth is reflected in her practice. Jennifer is a member of the Attorney General's A Panel of Junior Counsel to the Crown. Jennifer has an active public law practice. She frequently represents central and local government and is experienced in national security, education, immigration prisons, tax, local government law and regulatory law. She has a growing information rights practice and frequently advises on and appears in data protection and freedom of information claims. She continues to advise public authorities on discrimination and employment claims.

Areas of expertise

Administrative and Public

Information and Media

Education

Education

Jennifer has a long-standing education practice. She regularly represents local authorities, central government, higher and further education bodies, schools and individuals in education-linked matters. She has been instructed in a number of high court challenges across a wide range of education disputes, including teacher regulation, the treatment of political issues, higher education disciplinary proceedings, education in prisons and education and health care plans ("EHCPs"). She has extensive experience in the First-tier and Upper Tribunals in challenges to EHCPs, disability discrimination claims and school registration, and has represented education institutions in disability discrimination claims in the County Court and High Court. She was instructed in a 7-week trial in the Chancery Division on behalf of a local authority in a fraudulent conspiracy claim involving a maintained schools. She advises on a range of education matters, including funding of special educational needs, the public sector equality duty, school admissions and school exclusions.

Cases of note:

- ***Brent LBC v Davis and others*** - Jennifer was instructed by the local authority as a junior to Hefin Rees QC, in a seven-week trial in the Chancery Division in a fraudulent conspiracy claim made by the London Borough of Brent against senior management, and governors, of Copland School (see also Local Government Law), as well in the related professional negligence claim (against the auditors).
Judgment
- ***R (Kharanja) v University of West Scotland*** - Jennifer represented the University of West Scotland in this preliminary issues challenge, on service and jurisdiction. The substantive claim concerned a challenge to the University's decision to withdraw the Claimant from its Defendant's Doctor of Business Administration programme. The claim was rejected at an early stage on grounds of late service and jurisdiction.
Judgment
- ***R (Rowe) v Secretary of State for Education*** - Jennifer represented the Secretary of State for Education in this challenge to the use of the Secretary of State's powers under sections 496 and 497 of the Education Act 1996.
- ***R (Ellis) v Secretary of State for Education and Secretary of State for Justice*** - Jennifer is representing the Secretary of State for Education and Secretary of State for Justice in this challenge to the student finance regulations as they apply to prisoners.

Recommendations

- *"...Jennifer is very pragmatic."* Chambers and Partners (2023)
- *"...Jennifer has extensive experience in acting in public law cases for both central government departments and local authorities. She has a huge capacity for hard work and her turnaround rate is quick and superb."* The Legal 500 (2022)
- *"...She has an encyclopaedic knowledge of education law and is exceptionally skilled cross-examiner."* The Legal 500 (2022)

Qualifications

- 2006-2008: BPP Law School, Graduate Diploma in Law.
- 1993-1996: Harvard Law School, Juris Doctor, cum laude.
- 1989-1993: Miami University, B.Phil, magna cum laude.

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