

# Rosa Thomas

**Year of Call:** 2023

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## Overview

Rosa Thomas joined 3PB in April 2024 following the successful completion of her specialist education and employment pupillage with Chambers. She is based in the London office and practices in education, employment, and public law.

Rosa has a busy practice across all these fields, particularly specialising in equality and discrimination law.

Before coming to the Bar, Rosa worked in the public affairs team at Age UK and was responsible for drafting and updating parliamentary briefings and parliamentary questions on Age UK's key policy positions such as pension policy, social care, and fuel poverty.

## Academic qualifications

- BVS, City, University of London, Merit
- GDL, City, University of London, Distinction
- BA History and Politics, St Anne's College, Oxford University, 2.1

## Scholarships

- Bar Course Major Scholar, Inner Temple
- Serle Court/City Prize for Equity & Trusts
- GDL Exhibition Award, Inner Temple
- St Anne's College Scholar, Oxford University

# Expertise

## Employment and discrimination

Rosa Thomas has a busy employment practice acting for both claimants and respondents in final hearings, preliminary hearings, and judicial mediations. Rosa also regularly drafts pleadings and provides written advice.

Some of Rosa's recent work includes:

- Successfully representing a Claimant in a four-day constructive dismissal trial (liability and remedies).
- Successfully representing a Respondent in a three-day whistleblowing automatic unfair dismissal trial.
- Advising on quantum concerning losses to an employee who was a seller under a Share Purchase Agreement.
- Advising on the merits of a maternity discrimination claim under section 18 Equality Act 2010 leading to a successful settlement.

Rosa also acts in Equality Act claims brought outside of the employment context.

## Education

Rosa Thomas appears regularly for parents, young people, Local Authorities and schools in the First-tier Tribunal.

Rosa has acted or advised in a broad range of education law matters, including:

- Appeals to the SEND Tribunal on the content of EHC Plans
- Discrimination claims in the First-tier Tribunal
- Judicial Review claims
- Independent Review Panels for School Exclusions
- Claims for non-payment of independent school fees

Some recent examples include:

- Successfully representing a child with ASD in his section B and F Appeal enabling a detailed incremental transition plan, including transport to his residential placement, to be written into section F of the EHCP.
- Successfully representing a twenty-two-year-old young person in his "cease to maintain" appeal in a matter that also concerned whether the placement in question was a school within the meaning of the law.
- Successfully representing a Local Authority seeking to resist provision being made outside of school through an extensive EOTIS package including an ABA model.
- Rosa advises on judicial review matters and recently appeared in the High Court as junior counsel in the reported case of *The King* (on the application of (1) LM and (2) AM) v An Academy Trust [2024] EWHC 2267 (Admin).

Rosa has recently delivered training on school exclusions, school admissions, and addressing disability discrimination in schools.

Before coming to the Bar Rosa was a volunteer representative with the Schools Exclusion Project and represented parents at Governors' Disciplinary Committees and Independent Review Panels to seek the reinstatement of excluded students.

## Administrative and Public Law

Rosa accepts instructions in judicial review claims.

Some recent examples include:

- Providing merits and strategic advice on a judicial review claim brought under s.42 of the Children and Families Act 2014 that led to a successful settlement for the child.
- Appearing as junior counsel in the case of *The King (on the application of (1) LM and (2) AM) v An Academy Trust* [2024] EWHC 2267 (Admin), a school exclusions case that offers guidance on the approach that governing bodies should take when their earlier decision is quashed by an Independent Review Panel ("IRP") and they are directed to consider reinstatement.

## Articles

Rosa Thomas analyses the case of *Bailey v (1) Stonewall Equality Ltd (2) Garden Court Chambers & Ors* [2024] EAT 119, the first reported judgment that directly deals with what it means to cause or induce discrimination under s.111 Equality Act 2010.

This judgment provides helpful guidance, particularly on the mental element required under s.111 and what is required to establish causation under s.111(2).

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## Articles

[Rosa Thomas](#) writes for LexisNexis titled *Provision in the home does have a place in EHC Plans (London Borough of Camden v KT)*

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