



# Alice de Coverley

**Year of Call:** 2014

**Email Address:** [alice.decoverley@3pb.co.uk](mailto:alice.decoverley@3pb.co.uk)

**Telephone:** 020 7583 8055

## Overview

Alice de Coverley is a specialist education, equality, and public law barrister.

Alice has a busy practice across these fields. She regularly acts on behalf of children and young people, vulnerable adults, parents and carers, schools, local authorities, charities and NGOs, government departments, students, and universities.

Alice has significant experience in working with children and young people with disabilities, mental health conditions and special educational needs. Alice appears almost daily before the First-Tier Tribunal in disability discrimination claims and appeals relating to the contents of EHC Plans (Sections B, F and I and National Trial cases).

Alongside this, over the past three years, Alice has worked very closely with Ofsted providing specialist advisory and advocacy services in all areas that Ofsted regulates and inspects. This work has covered everything from mainstream to independent schools, child protection and safeguarding matters, local authority inspections, and the combating of off rolling and illegal and unregistered schools. Alice has worked on a range of complex Equality Act 2010 matters, advising HMCI directly on high-profile matters. She has also been involved in drafting guidance for inspectors and the public, including the Education Inspection Framework, and assisted in the delivery of various public consultations. Alice currently acts as Junior Counsel for Ofsted across multiple strands of the Independent Inquiry into Child Sex Abuse (IICSA). IICSA looks at how various institutions have failed to protect children from sexual abuse.

Alice is a leading light in the area of school exclusions. Alice has written a [book on the law of school exclusions](#) alongside her colleague, Charlotte Hadfield, which is due to be published later this year. [Alice is also a contributing author to "Patterson & Karim on Judicial Review" \(Lexis, 2019\)](#), heading up the Education Law chapter. This extensive knowledge of school exclusions is used to train local authorities, schools, charities, government bodies, private practice solicitors' firms and parents directly. Other colleagues in the high profile 3PB Education team often use her extensive knowledge in this area to assist with difficult and complex cases.

Alongside school exclusions, Alice has further specialism in discrimination claims brought under the Equality Act 2010. This includes claims for disability, sex, race, sexual orientation, and gender reassignment discrimination, as well as sexual harassment and victimisation. She also acts in breach of contract and negligence claims, and freedom of speech cases, against education providers and local authorities, recently successfully defending a £1 million claim against a top University.

Through her public inquiry work, Alice has developed specialist knowledge in the field of safeguarding, sexual bullying, and sexual violence. She works alongside schools, ISVAs, government bodies, charities, and women's rights organisations to develop policies and practices that aim to better protect victims of sexual violence. She is currently instructed in a claim involving the sexual assault of a female prisoner and is on the legal referral panel for the Centre for Women's Justice. She also works on inquests and inquiries involving vulnerable young people. Her prior personal injury practice continues to aid in her in being able to advise on private law matters of liability and quantum.

Alice is currently instructed in various high-profile judicial review challenges, including claims arising from the coronavirus pandemic affecting young people in education.

Alice is on the Attorney General's Junior Junior panel. She is also involved in award-winning pro-bono work.

Alice de Coverley is committed to protecting and respecting your privacy. Please contact Alice for a copy of her privacy policy which sets out the basis upon which any personal data she may collect about you, or that is provided to her, will be processed by her. She will provide a copy of this policy to you within 2 working days of its request.

## Recommendations

"Thank you so much for fighting our corner so hard. [My child] is over the moon. You gave me hope where before I honestly had none."

"I spoke with my client last night and wanted to relay to you how pleased she was with yesterday. She could not praise you enough and said that you went above and beyond what she expected."

"I thought I would pass on Mr C's comments as to how much he appreciated your time on Friday and he said what a fantastic Barrister that you are. I thought you should know how much he thought of you."

## Academic qualifications

- City Law School GDL (Commendation)
- City Law School BPTC (Very Competent)
- Durham University BA Hons Theology (2:1)

## Scholarships

- "Just Rights" Human Rights - the Big Voice Mooting Competition Champion, 2013, winning in the final at the Supreme Court
- In 2012 the School Exclusion Project won the Bar Pro Bono Award
- In 2014 the School Exclusion Project was runner up in the Attorney General LawWorks Pro Bono Awards for 'Best Contribution by a Team of Students'.

## Professional qualifications & appointments

- Attorney General's Junior Junior panel
- Editorial Board Member of [Counsel Magazine](#).

## Professional bodies

- Education Law Association (ELAS)
- Personal Injury Bar Association (PIBA)
- [Centre for Women's Justice](#)

## Direct Access

Alice accepts Direct Access instructions for Education Law cases.

Alice is particularly passionate about Education Law. Prior to commencing pupillage, Alice was the Chief Director of The School Exclusion Project for four years. This is an award-winning pro-bono unit dedicated to representing parents of permanently excluded school children.

Alice is instructed to act and advise in relation to a broad range of Education Law matters, including:

- Breach of contract and negligence claims involving education providers
- School Exclusions
- School Admissions
- Appeals to the SEND Tribunal on the content of EHC Plans
- Discrimination (particularly disability discrimination) claims in the FTT and County Court
- Internal academic appeals / Fitness to Practice appeals
- Appeals to the Office of the Independent Adjudicator

### **Recent matters which Alice has been involved in include:**

- Advising medical and nursing students in claims under the Equality Act where the University's competency assessment standards conflicted with the duty to make reasonable adjustments.
- Advising a Higher Education provider on their duties under the Equality Act when a student disclosed a previously unknown disability after examinations had taken place.
- Advising in relation to negligence claims for failure to diagnose learning difficulties.
- Advising in relation to breach of contract claims involving Independent Schools.
- Advising parents of school pupils with disabilities who have been unlawfully permanently excluded.
- Drafting funding applications to the European Human Rights Commission, to support client's cases concerning discrimination in education.
- Drafting submissions to the Health and Conduct Committee/Fitness to Practice Committee.
- Appeals against Termination of Registration.
- Drafting submissions to the Office of the Independent Adjudicator.

Alice has also helped to create a number of [BBC Radio 4](#) programmes about [school exclusions](#).

Whilst Alice was Chief Director of The School Exclusion Project, it featured in the press several times addressing unlawful exclusions – [for instance](#).

She is also a volunteer for the charity Inspiring the Future, which connects young people in state schools and colleges with those from the world of work. She has recently been part of their Inspiring Women campaign, mentoring girls from various schools to raise their aspirations and break down stereotypes.

Alice is happy to provide training in relation to Education Law. Of late she provided training on school admissions appeals to Local Authorities, a talk on disability discrimination to a children's charity and ran a seminar on school exclusions for solicitors. Please get in touch with her clerks should this be something you would wish to organize.

# Expertise

## Education

Alice has an exceptional education practice. She is passionate about Education Law and children's rights. Prior to commencing pupillage, Alice was the Chief Director of The School Exclusion Project for four years. This is an award-winning pro-bono unit dedicated to representing parents of permanently excluded school children.

Alice also acts for Ofsted in the Care Standards Tribunal, and is currently acting for Ofsted as Junior Counsel on the Independent Inquiry into Child Sex Abuse (IICSA). For full details of the work that Alice is currently dealing with please see her [Public Law profile](#).

She has specialisms within the Education arena and has dealt with a number of matters including claims brought under the Equality Act 2010 for disability, sex, race, pregnancy, sexual orientation and gender reassignment discrimination, harassment and victimization. Alice also regularly appears in appeals in the context of EHC Plans (Sections B F and I) and National Trial cases.

Alice acts for parents, children, young people, schools, Universities, Local Authorities, charities and governmental organisations. She is instructed to act and advise in relation to a broad range of education law matters, including:

- Appeals to the SEND Tribunal on the content of EHC Plans
- Discrimination (particularly disability discrimination) claims in the FTT and County Court
- Compliance with the Equality Act 2010
- School Exclusions
- Judicial Review
- Breach of contract and negligence claims involving education providers
- School Admissions
- Home Education
- Internal academic appeals
- Fitness to Practice appeals
- Appeals to the Office of the Independent Adjudicator
- Public consultations
- Public inquiries
- Data protection and subject access requests.

### **Recent education law matters which Alice has been involved in include:**

- Successfully representing a child with epilepsy in a disability discrimination claim against his school, with the decision being sent by the Tribunal to the EHRC, the DfE and to Ofsted as a result.
- Successfully representing a child with complex and mental health difficulties in a disability discrimination claim against an Academy which had unlawfully place him in isolation for 3 months.
- Successfully representing a child with ADHD ODD and sensory processing disorder in a claim against his school for failure to allow him to attend a skiing trip and punishing him for behaviors arising from hi disability.
- Successfully representing a number of children in their Section I appeals, enabling their progress at the right school which meets their needs.
- Successfully representing children in appeals against "refusal to assess" or "refusal to issue" EHC plans.
- Successfully overturning a permanent exclusion decision regarding a 6 year old child that brought a cheese knife to

school.

- Drafting Ofsted policies and consultation responses on schools, social care settings, unregistered schools, and equality law matters.
- Policy drafting in relation to counter-terrorism measures taken by schools.
- Advising medical and nursing students in claims under the Equality Act 2010 where the University's competency assessment standards conflicted with the duty to make reasonable adjustments.
- Advising and representing in relation to negligence claims for failure to spot learning difficulties.
- Advising and representing in relation to breach of contract claims involving Independent Schools.
- Advising parents of school pupils with disabilities who have been unlawfully permanently excluded.
- Drafting funding applications to the European Human Rights Commission, to support client's cases concerning discrimination in education.
- Drafting submissions to the Health and Conduct Committee/Fitness to Practise Committee.
- Drafting submissions to the Office of the Independent Adjudicator.

Alice has also helped to create a number of BBC Radio 4 programmes about [school exclusions](#). Whilst Alice was Chief Director of The School Exclusion Project, it featured in the press several times addressing unlawful exclusions – for instance this [Guardian article](#).

She is also a volunteer for the charity Inspiring the Future, which connects young people in state schools and colleges with those from the world of work. She has recently been part of their Inspiring Women campaign, mentoring girls from various schools to raise their aspirations and break down gender stereotypes.

Whilst dealing with a busy practice, Alice also finds time to assist the [Centre for Women's Justice](#) by providing pro bono legal advice to Women that approach the charity in need of assistance in a range of matters.

Alice is happy to provide training in relation to education law. Of late she provided training on school admissions appeals to Local Authorities, a talk on disability discrimination to a children's charity and ran a seminar on school exclusions for solicitors. Please get in touch with her clerks should this be something you would wish to organise.

## Publications

Matthew Wyard and Alice de Coverley have produced a guide to remote hearings in SENDIST including practical top tips for both practitioners and witnesses. They cover topics from using technology to adapting your approach to this new style of hearing.

[View Publication](#)

## Commercial

Alice acts in a wide range of contractual matters. She has particular experience and interest in contractual matters arising in the education and social care sector. In particular, she specialises in breach of contract claims involving independent/private schools, local authorities, and universities. She also acts in claims involving the supply of paid services for disabled people.

She regularly advises education providers, parents, and students on contracts regarding the sale of goods, supply of services, school fees, debt recovery action, enforcement action, agency relationships, misrepresentation, and duress.

She can also advise on the interplay between breach of contract claims and public law matters, such as the relevance of the Equality Act 2010 to independent school disputes. She regularly assists in the drafting of settlement agreements with appropriate confidentiality and indemnity clauses, if so required.

**Recent examples of cases Alice has been involved in include:**

- Successfully representing parents in claim for breach of contract against their child's independent school
- Successfully obtaining damages for a young person who was mistreated by his independent school and return of school fees for his parents
- Successfully defending universities in applications to strike out claims for disability discrimination and/or breach of contract
- Successfully defending a top university in a £1m breach of contract and negligence claim
- Advising care providers on the recovery of unpaid fees from public authorities.

## Public and Regulatory

As well as being a valued tenant at 3PB Barristers, Alice is also working very closely with Ofsted providing specialist advisory and advocacy services in all areas it inspects and regulates, from social care to independent schools to unregistered schools. Alice's experience has been used at Ofsted to focus on Equality Act matters and drafting guidance for their inspectors. She maintains a busy practice whilst working alongside Ofsted and has managed to develop a growing practice within chambers.

Alice's successful education and public law practices has been affirmed with her appointment as Junior Counsel for Ofsted in the Independent Inquiry into Child Sex Abuse (IICSA).

Within Alice role as junior counsel she is actively involved with the Inquiry's investigations of:

- Child Sexual Exploitation by Organised Networks (Oxford, Rochdale, Rotherham and Telford)
- The Roman Catholic Church
- Residential Schools
- Nottinghamshire Councils
- Lambeth Council

Alice is currently on the Attorney General's list of Junior Counsel, and her work has included acting on a range of cases including the Kenyan Emergency Group Litigation. Whilst working with the Government Legal Department, Alice has assisted with many matters ranging from Immigration, employment and discrimination cases.