

Jennifer Agyekum

Year of Call: 2009

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Overview

Jennifer is a sought-after practitioner in the fields of professional disciplinary and regulatory law. She has a well-established practice in these areas and an outstanding track record in successfully representing clients in complex and sensitive cases.

She is ranked as a Leading Junior in both Chambers and Partners and The Legal 500. Jennifer is described as "...a rising star and a force to be reckoned with", "A fearless and highly intelligent advocate" and "...knowledgeable, meticulous and always fully prepared." (see recommendations below)

A vastly experienced advocate, Jennifer is in particular demand to defend healthcare and other professionals involved in proceedings before their regulators such as the General Medical Council, General Dental Council, Nursing & Midwifery Council, General Pharmaceutical Council, Health and Care Professions Council, Ofsted, and the Teaching Regulation Agency.

Jennifer is also an expert in regulation and safeguarding within the education and health and social care sectors.

She has substantial experience in cases involving Ofsted and the regulation of childminders, nursery providers and children's homes. She regularly advises and represents providers and individuals facing serious allegations who are at risk of suspension and cancellation.

Jennifer has extensive experience of working on cases involving the Disclosure and Barring Service ("DBS") and Care Quality Commission ("CQC"). In particular, she has extensive knowledge of the application of the Safeguarding Vulnerable Groups Act 2006 and significant experience in cases involving the barred lists. In addition to this, she is regularly instructed to advise and represent nursing and care homes appealing CQC decisions.

Jennifer routinely advises and represents clients at both first instance and on appeal to the First Tier Tribunal, Upper Tribunal and High Court.

Notable cases

- NMV v Caroline Wellington & Others
- NMC v Saidat Abbas

Recommendations

Jennifer Agyekum is noted for her SEN and discrimination expertise. She acts for individuals as well as schools, universities and local authorities in tribunal proceedings.

Strengths: "Jennifer Agyekum has a very nice court manner and is quite persuasive. She takes on difficult cases and

succeeds."

Chambers UK 2025/Education/London Bar

Strengths: "Jennifer is a rising star and a force to be reckoned with."

Chambers UK 2024/Education/London Bar

'Jennifer is approachable and knowledgeable. Her calm demeanour puts clients at ease. She has strong advocacy skills.'

Chambers UK 2023/Education/London Bar

Jennifer Agyekum is ranked in the **Legal 500 2025** - /Education/ London Bar/ Leading Juniors

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Legal 500 2024/Education/Leading Junior/London Bar

'Jennifer is knowledgeable, meticulous, and always fully prepared.'

Legal 500 2024/Professional disciplinary and regulatory law/Leading Junior/London Bar

'Jennifer will go above and beyond to achieve good outcomes. She cares about the work she undertakes and those she represents. Tactical and strategic in her approach.'

Legal 500 2023/Professional disciplinary and regulatory law/Leading Junior/London Bar

'Jennifer has a calm, thoughtful and thorough approach, which instills confidence in witnesses.'

Legal 500 2023/Education/Leading Junior/London Bar

'She has an incredible legal and tactical brain. A master of every detail in complex cases but also able to get straight to the heart of any matter.'

Legal 500 2022/Professional disciplinary and regulatory law/Leading Junior/London Bar

'Jennifer is hardworking, approachable and very clear in her presentation.'

Legal 500 2022/Education/Leading Junior/London Bar

'Conscientious and excellent at managing difficult clients. Jennifer prepares well and understands the sensitivities of the case. She engages well with the clients and is confident when dealing with her opponent in a constructive way.'

Legal 500 2021/Education/Leading Individual

'She is very knowledgeable and has a great understanding of regulatory process. You can tell she really cares about her clients.'

Legal 500 2021/Professional disciplinary and regulatory law/Leading Individual

'A fearless and highly intelligent advocate.'

Legal 500 2020/Education/Leading Individual

Professional bodies

- Association of Regulatory & Disciplinary Lawyers
- Bar Pro Bono Unit

Expertise

Public and Administrative Law

Jennifer is a professional disciplinary and healthcare specialist. She regularly appears before the various disciplinary tribunals including the Nursing and Midwifery Council, General Dental Council, General Pharmaceutical Council, Health Care Professions Council and the Chartered Institute of Management Accountants.

As well as appearing in court Jennifer frequently delivers seminars, lectures and training within this specialist area. She has also taken part in stakeholder events and discussions in relation to proposed changes to the law in this area.

Jennifer's practice includes representing clients in the following areas:

- Misconduct and competence cases
- Health cases
- Registration appeals
- Restoration appeals
- Fraudulent/ incorrect entry appeals
- Substantive order reviews
- Interim order hearings
- Application hearings
- Inquests
- Disclosure & Barring Service

Notable cases

GDC v RY – Jennifer represented a dentist facing charges including dishonesty related to plagiarism in a course connected to his dentistry practice. After hearing persuasive submissions by Jennifer, the panel imposed a caution order.

NMC v CW & Others – Jennifer represented one of six nurses in a high profile four-week hearing. In the years preceding the regulatory proceedings there had been an inquest and civil proceedings. This case involved the death of a patient after he had been admitted to a ward with what had been diagnosed as back pain. The nurse that Jennifer was representing faced five charges ranging from failing to check patient records and escalate his condition to inadequacies in the administration of medication. After hearing four weeks of evidence, Jennifer persuaded the panel to impose the least restrictive of sanctions solely based on public interest grounds.

FM v NMC – Jennifer successfully represented a nurse who had been refused re- registration due to alleged ongoing health concerns. After a one-day hearing and careful cross examination of the NMC's expert witness, the nurse was restored to the register.

NMC v AL – Jennifer acted for a nurse in this dual handed case concerning multiple charges relating to alleged poor care of a patient's catheter. Jennifer made successful submissions of no case to answer in relation to some of the charges and then successful submissions resulting in findings of no misconduct for the remainder of the charges.

NMC v SA – Jennifer defended a nurse in this high profile case involving a nurse working for an NHS Trust for over 17 years without a work permit. This case involved 12 charges, some of which alleged dishonesty regarding the non-disclosure of her work status and her interaction with colleagues.

The case, on the face of it, should have attracted a striking off order. However, Jennifer managed to persuade the panel to impose a 6 months suspension order.

NMC v ES – Jennifer represented a nurse in this technically complex case concerning a Cardiac Services Team Leader. Jennifer successfully made an application of no case to answer in relation to several charges including a “contribution to death” charge. After which the only charges that remained were the charges which had been admitted by the registrant. Jennifer then went on to make submissions resulting in findings of no misconduct for the remainder of the charges.

NMC v Yeboah – Jennifer represented a nurse charged with dishonesty and working excessive hours. Jennifer secured the least restrictive of sanctions, a caution order, after a 3-day hearing.

JS v NMC – Jennifer successfully represented a registrant who had been denied registration due to historic convictions, some of which included offences involving dishonesty.

Education

Prior to coming to the Bar Jennifer was the sole In House Advocate at a specialist education law solicitors firm. Jennifer continues to provide legal advice and representation in the entire spectrum of education law. Areas of practice include:-

- Appeals to SEND tribunal
- Discrimination
- Claims in the FTT
- Admissions and exclusions from schools
- Independent Review Panels
- Clerking at Independent Review Panel hearings and governing Body meetings
- Claims against independent schools
- Claims of educational negligence
- Breach of contract and negligence
- Judicial review
- Student fitness to practise proceedings
- Plagiarism
- Termination of studies
- Issues with PhDs studies/ supervision
- Appeals to the Office of the Independent Adjudicator
- Disciplinary and grievance procedures

Jennifer has also run education law seminars/training days and given presentations to Central Law Training (the UK’s leading provider of post qualification training and accreditation for professionals working in the legal sector), Education Law Association (ELAS), Independent Appeal Panels, barristers’ chambers and a youth project run by the Supreme Court “Big Voice London”.

Professional Discipline and Regulatory Law

Jennifer has a well-established practice, successfully representing clients in the field of professional discipline and regulatory law.

Focussing on defence, Jennifer has an excellent track record of positive outcomes in complex and sensitive cases.

Jennifer routinely defends clients before professional bodies including the Nursery & Midwifery Council, General Dental Council, General Pharmaceutical Council, Health and Care Professions Council, Ofsted, and the Teaching Regulation Agency. Representation of professionals is both at first instance and on appeal to the Care Standards Tribunal and High Court.

Jennifer's practice includes representation in local level proceedings, CQC cases and Disclosure and Barring Service appeals; providing clients with continuity of representation in ancillary regulatory matters.

Articles

Jennifer Agyekum reviews the case of registered nurse Kay Allison Shemirani before the NMC's Fitness to Practice Committee, a case concerned with fitness to practise in the context of the spread of misinformation about the Covid-19 pandemic and vaccines.

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R (L, M, P) v Devon County Council [2021] EWCA Civ

Jennifer Agyekum analyses *R (L, M, P) v Devon County Council [2021] EWCA Civ*, a case in which the Administrative Court is due to have the final word on the correct interpretation of the timescales for issuing a Final EHCP.

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Health and Social Care Fitness to Practise in the context of Covid-19

Regulatory law barrister Jennifer Agyekum produces an article on health and social care fitness to practise during the Covid-19 pandemic.

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Oh my Ghosh!

Just when you thought there was no need to attend another seminar regarding dishonesty in regulatory proceedings and then comes along *Ivey (Appellant) v Genting Casino (UK) Ltd t/a Crockfords (Respondent) [2017] UKSC 67*. Please click below to read 3PB barrister Jennifer Agyekum's analysis.

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Articles

Jennifer Agyekum provides a case summary and comment of a recent A2P1 case *R (on the Application of SB and ZB) v London Borough of Croydon and NHS South West London ICB [2023] EWHC 489 (Admin)*. The claim was one of a number of proceedings attempting to secure adequate housing, education and social care provision brought by the Claimants.

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