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Year of Call: 2004 (Lincoln's Inn)



Main Areas of Practice

Discrimination & Equality	Human Rights law
Education law	Media & Information law
Employment law	Public law
Environmental law	

Tessa Hetherington's principal areas of work are public law (including education, health, community care and environmental law), human rights, employment, and discrimination and equality law.

Tessa does a wide range of public law work, including many cases involving human rights and EC law elements. She has appeared alone in the High Court in judicial review proceedings, and as a junior in the Court of Appeal and House of Lords. Tessa was instructed by Liberty and JUSTICE (along with Rabinder Singh QC and Raza Husain) to intervene in the House of Lords in *R (Limbuella, Tesema and Adam) v Secretary of State for the Home Department*, concerning the correct analysis of Article 3 ECHR in the context of support for destitute asylum seekers, and recently appeared as junior counsel in the House of Lords in *R (Edwards) v Environment Agency* on the requirements of the IPPC and EIA directives in environmental law and the exercise of remedial discretion in judicial review. She is one of the contributing authors of the 2nd edition of Clayton and Tomlinson's *Law of Human Rights*, and is currently junior counsel for the victims in the Baha Mousa Inquiry.

Tessa has a strong interest in education law, and has been instructed in a wide variety of areas, appearing before the SENDIST, Independent Appeal Panels and the High Court. Tessa appeared (with David Wolfe) in the first judicial review to examine the process of setting up Academy schools, and has been instructed in a number of other cases involving Academies. She is the deputy editor of the *Education Public Law* and the *Individual* journal.

Tessa has broad experience of employment work, including unfair dismissal, discrimination, collective rights, TUPE and trade union recognition. She frequently appears in employment tribunals, including in complex multi-day trials, and regularly delivers training sessions on employment issues. Tessa has a particular interest in discrimination and equality matters, and has been involved in cases dealing with these issues both in and outside the employment field. She was recently instructed as junior counsel to represent the lead Claimants in the race discrimination claims of fifteen prisoners against Leeds prison.

Tessa studied law at Cambridge, and was awarded the second highest first class degree in her year in 2001. She completed a Masters in Law at Harvard in 2003, and then completed the Bar Vocational Course in 2004, ranking fourth in her year with the grade of Outstanding. She became a full member of Matrix in October 2005, on completion of her traineeship.

Since joining Matrix as a full member, Tessa has appeared in the following notable cases:

Edwards & Another v Environment Agency, FSS and SSEFRA [2008] UKHL 22
Tessa appeared (with David Wolfe) in this case concerning environmental impact assessments, the pollution prevention and control regime and the common law duty of fairness.

R (Murungaru) v Secretary of State for the Home Department [2008] EWCA Civ 1015
Tessa was instructed (with Rabinder Singh QC) in this case, which dealt with the principles of natural justice in the context of the exclusion of a Kenyan national from the United Kingdom.

P v Schools Adjudicator and others [2006] ELR 557 (QB)

Tessa appeared (with David Wolfe) in this case concerning the schools adjudicator's decision to approve proposals to discontinue a maintained school in anticipation of the establishment of an Academy.

Barracks v Chief Superintendent John Coles [2007] ICR 60

Tessa appeared (with Karon Monaghan) for the appellant in this case concerning the right to a fair trial in the context of race discrimination proceedings and the Regulation of Investigatory Powers Act 2000.

R (Limbuela, Tesema & Adam) v Secretary of State for the Home Department [2006] 1 AC 396

Tessa was instructed by Liberty and JUSTICE to intervene in the House of Lords in this case, which concerned the correct analysis of Article 3 ECHR in the context of support for destitute asylum seekers.

Publications

What Not To Wear: Religious symbols and school uniform (2009) 13(1) EPLI 8

Madarassy v Nomura: Beast of Burden? ELA Briefing March 2007

Spaghetti Junction: The New School Transport Provisions (2006) 10(3) EPLI 9

Academies (2006) 10(1) EPLI 9 (with David Wolfe)

Employment Protection and Territorial Effect ELA Briefing March 2006 (with Tom Linden)

Schools and Human Rights: The Denbigh High School Case [2005] Ed. Law 229 (with Tom Linden)

Qualifications, Scholarships and Awards

Bairstow Prize, Inns of Court School of Law (2004)

Lord Denning Scholarship, Lincoln's Inn (2003)

Whittaker Scholarship, Trinity College, Cambridge (2003)

Hardwicke Award, Lincoln's Inn (2001)

Hollond Fund Travelling Scholarship, Trinity College, Cambridge (2001)

Senior Scholarship, Trinity College, Cambridge (2001)

Runner-up, Cambridge University Inter-Collegiate Mooting Competition

Lizette Bentwich Prize, Trinity College, Cambridge (2001, 2000, 1999)

Lovells Prize, Trinity College, Cambridge (2000)

Clark Miller Prize, Trinity College, Cambridge (1999)

Rebecca Flower Squire Scholarship, Cambridge University (1999)

Education

BVC - Outstanding

Inns of Court School of Law (2003-4)

LL.M (Harv)

Harvard Law School (2002-3)

BA (Cantab) Law - First Class

Trinity College, Cambridge (1997-2001)