



Alexander Line

Year of call
2009

Email
alex.line@outertemple.com

Alex Line specialises in the areas of education, employment and discrimination, court of protection, and public law. He has a busy advisory and advocacy practice, regularly appearing in the Employment Tribunal, County Court and the First-Tier Tribunal. He has High Court, Employment Appeal Tribunal, Upper Tribunal, and Court of Appeal experience. He has been appointed to the Attorney General's panel of counsel to the Crown (C Panel) and the Equality and Human Rights Commission's panel of counsel (B Panel).

London

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Employment & Discrimination

Alex has significant experience of representing both claimants and respondents in Employment Tribunal proceedings ranging from providing strategic advice, attending preliminary hearings, through to undertaking complex multi-week trials. He has experience of appearing before the EAT and the Court of Appeal in employment cases.

In the case of *J v K & Another* [2019] EWCA Civ 5, which concerned the EAT's discretion to consider an out of time appeal brought by a disabled litigant, Underhill LJ described Alex's written submissions as "exemplary" and his oral submissions as "of high quality". His EAT experience includes *Amaryllis v McLeod & Others* UKEAT/0273/15/RN and *Sole (Vale) v Jaggars* UKEAT/0218/16/DA. Alex's experience before the Employment Tribunal covers the range of claims which arise in employment litigation including unfair dismissal, wrongful dismissal, discrimination, whistleblowing, employment status, detriments, and TUPE .

Alex has represented clients in a broad range of sectors including local government, health, social care, construction, legal services, charities, banking, and retail amongst others. He has particular experience of the education sector as a consequence of his education law practice. He has been instructed in a number of cases involving teachers, members of university academic staff, schools, further education colleges and universities.

Recent examples of Alex's work include:

- Representing a local authority in a seven day trial concerning a claim for unfair dismissal and disability discrimination.
- Representing an employer in an employee status case, establishing that an agency worker was not an employee of the end user.
- Obtaining an award for an enhanced contractual redundancy payment for an employee who was found to have been made redundant because of a business relocation.
- Attending a preliminary hearing to determine whether a service provision change had occurred affecting around 15 employees, and appearing in the EAT in an appeal arising from this case on the question of whether the Tribunal had erred in its application of TUPE.
- Advising a local authority in a test claim for unlawful deduction from wages by a group of employees arising from the approach taken to overtime pay, with the potential of affecting a high number of employees.
- Representing a claimant in a complex two week trial against a leading Silk in a claim concerning protected disclosures raised by a managing director.

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- Attending a preliminary hearing to determine the question of disability status and thereafter appearing in the EAT following an appeal against the Tribunal's findings.
- Attending a five day trial to determine whether an employee had been subject to discrimination arising from disability and whether the employer had failed in its duty to make reasonable adjustments.
- Attendance at a four day trial to determine whether a chief executive of a national charity had been dismissed because of raising protected disclosures.
- Attendance at a three day trial concerning an employee with learning difficulties in a claim for unfair dismissal, wrongful dismissal and disability discrimination.
- Advising a local authority in relation to its payment arrangements for term-time only teaching staff, in particular as to whether the arrangements amounted to less favorable treatment under the Part-time Workers (Prevention of Less Favorable Treatment) Regulations 2000.
- Representing a respondent in a multi day trial relating to pregnancy-related discrimination and detriment under Maternity and Parental Leave etc Regulations 1999.

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Education

Alex has a broad range of experience in education law, covering areas including special educational needs, admissions and exclusions, safeguarding, civil and public law claims involving schools, colleges, universities and local authorities, internal appeals before university panels, complaints to the Office for the Independent Adjudicator for Higher Education, internal hearings before school governing bodies, and fitness to practice issues affecting students and teaching staff.

Alex has particular expertise of statutory appeals within the jurisdiction of the First-tier Tribunal (Special Educational Needs & Disability). Having represented both appellants and local authorities in numerous statutory appeals under the Children and Families Act 2014 (and previously under the Education Act 1996), Alex is an experienced tribunal advocate and is adept at providing pragmatic strategic advice in SEND litigation. He also has a depth of experience in the area of disability discrimination within the First-tier Tribunal's jurisdiction (and of discrimination law generally, arising from his employment practice).

Alex is highly experienced in the area of school exclusions, in particular public law challenges arising in this area. He acted for the Claimant in *R (CR) v Independent Review Panel of London Borough of Lambeth* [2014] EWHC 2461 (Admin), which was the first judicial review of an IRP's decision under the current DfE statutory guidance for school exclusions, and remains a leading case.

Alex has particular expertise in cases where issues of education, health and social care, falling within and outside of the First-tier Tribunal's jurisdiction, overlap. He acted as counsel for the Claimant in *R (JF) v London Borough of Merton* [2017] EWHC 1519, a successful challenge under the Care Act 2014 to a local authority's attempt to move a young person with autism away from a highly specialist residential setting.

Recent examples of Alex's work include:

- Representing a local authority in complex proceedings before the First-tier Tribunal and Upper Tribunal, and advising in respect of a related Local Government and Social Care Ombudsman complaint.
- Representing the parents of an excluded child in a judicial review claim, arising from an 'off-rolling' situation.
- Representing a disabled student in a county court discrimination claim against a university in respect of its admissions and scholarship application process.
- Representing an appellant before the Upper Tribunal in an appeal against a Tribunal's decision

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relating to the approach taken to school transport costs.

- Representing a student in a judicial review claim against a decision of the Office of the Independent Adjudicator for Higher Education.
- Representing a local authority in an appeal before the First-tier Tribunal concerning a cease to maintain decision and whether education otherwise than at a school could be named in Section F of an EHC Plan.
- Representing an appellant in proceedings before the First-tier and Upper Tribunal in a complex case concerning whether an unregulated institution could be specified in an EHC Plan.
- Representing a claimant in a judicial review of a local authority's failure to comply with the transition to adulthood duties under the Care Act 2014 and Children and Families Act 2014.
- Representing the governing body of a school in a claim of disability discrimination brought in the First-tier Tribunal.
- Advising in respect of the legality of a university's disciplinary and complaint procedures in a case where a student had been sexually harassed and assaulted by a supervisor.
- Representing a young person with Cerebral Palsy in proceedings before the First-tier Tribunal, securing a costly residential placement.
- Advising the parents of a child excluded from a prestigious independent school.
- Advising a group of students in respect of a misrepresentation, breach of contract and negligence claim concerning a university course which was terminated prior to its completion.
- Representing a further education college at a hearing in the High Court to strike out a claim for civil harassment and defamation.

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Public Law

Alex's public law work is focused principally on the areas of education, community care, health, and mental capacity. Please refer to Alex's education and court of protection profiles for further details. He has significant experience of judicial review litigation. Such experience includes:

- Representing a local authority as an interested party in claim brought by a child against a school that had refused to admit her notwithstanding that it was named in her EHC Plan.
- Representing a student in a claim concerning the procedural fairness of internal academic misconduct proceedings within a university. Upon the student obtaining permission to proceed at an oral permission hearing, the university conceded the claim.
- Representing the claimant in the first ever judicial review challenge against an Independent Review Panel decision (*R (CR) v Independent Review Panel of London Borough of Lambeth* [2014] EWHC 2461 (Admin)).
- Advising a school in respect of a judicial review claim against a local authority in relation to the high number of SEN students being admitted to it through EHC Plans.
- Representing a claimant in a claim under section 19 of the Education Act 1996 and Article 2 of Protocol 1 ECHR, in relation to a local authority's failure to provide home education.
- Drafting a response to a pre-action protocol letter on behalf of a further education college, in response to which the claimant did not pursue her claims.
- Representing the claimant in a successful challenge to an assessment of needs under the Care Act 2014, and decision to move the claimant to a different care home (*R (JF) v London Borough of Merton* [2017] EWHC 1519)).
- Representing the claimant in a claim against a grammar school in respect of its admission procedure.
- Representing a student in proceedings against a decision of the Office of the Independent Adjudicator for Higher Education.
- Advising in respect of any unlawful exclusion 'off-rolling' judicial review against two schools and a local authority.

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Court of Protection

Alex has a busy and developing Court of Protection practice acting in cases concerning health and welfare and property and affairs. He receives a wide range of instructions through the Official Solicitor, local authorities, family members, health bodies, and the Public Guardian. He is regularly instructed to appear at interim and complex multi-day hearings. He has experience of cases involving decisions relating to care, residence and contact; appointment and removal of deputies; medical treatment decisions; deprivation of liberty challenges; and human rights.

Recent examples of Alex's work include:

- Representing the Public Guardian in proceedings against a deputy involving serious allegations of financial and physical abuse.
- Representing an NHS Trust in proceedings concerning the appropriate care and intervention required for an individual who had been discharged from detention under the Mental Health Act 1983.
- Representing individuals and local authorities in proceedings under section 21A of the Mental Capacity Act 2005.

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Appointments & Memberships

- Attorney General's Panel of Counsel to the Crown (C Panel)
- Equality and Human Rights Commission Panel of Counsel (B Panel)
- Education Lawyers Association
- Employment Lawyers Association

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Awards

- Bedingfield Scholarship, Gray's Inn
- Reid Scholarship, Gray's Inn

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Recommendations



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Leading Set



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Testimonials

“He’s very much a go-to for complex cases – very adaptable and really good on his feet.” “He is very sensitive to the client’s needs.” **Education, Chambers and Partners 2021**

“Very clever with a first-class grasp of the law relating to SEN.” **Education, Legal 500 2021**

“He is extremely knowledgeable, approachable, bright and effective.” **Education, Chambers and Partners 2020**

“He’s an incredible researcher and a great listener. You can always be confident in his advice.” **Education, Chambers and Partners 2020**

“Very clever with a first-class grasp of the law relating to SEN.” **Education, Legal 500 2020**

“He’s a very solid advocate, a good cross-examiner and always nice to deal with.” **Education, Chambers and Partners 2019**

“Alex Line is a rising star for education and appeals.” **Education, Chambers and Partners 2019**

“Alex always provides detailed and thoroughly thought-through advice. He is able to handle difficult clients in all situations and is very good value considering the high level of expertise and the quality of work he brings to his cases.” **Education, Chambers and Partners 2018**

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