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# Jane Collier

*"Her forensic approach is really hard to beat; no stone is left unturned. She is also really constructive in her suggestions and fantastic in supporting the wider team."*

— CHAMBERS AND PARTNERS, 2023

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| Year of call: | **1994** |
| Degree: | **BA (Cantab)** |
| Languages: | **French (working knowledge)** |

Jane has an extensive public law practice specialising in data protection, education, energy, environment (including environmental information), freedom of information, housing, human rights, licensing, local authorities, National Health Service, pensions, social security, transport, and immigration and asylum.

In the regulatory field, Jane's work has involved energy regulation, housing, medical, healthcare and pharmaceuticals regulation, legal, accounting and financial services regulation, including issues concerning pensions, payments systems and prudential requirements, planning issues and transport regulation. She recently appeared as Junior Counsel for the North Sea transition Authority in Cox v Oil and Gas Authority.

In the field of environmental law, Jane advises on a wide range of issues including climate change issues and the impact of net zero, as well as issues relating to the environmental assessment, energy regulation and the environmental information regulations. She recently appeared as Junior Counsel for the North Sea Transition Authority in Cox v Oil and Gas Authority, and has appeared in a number of cases concerning environmental protection and Sites of Special Interest.

More generally, Jane also advises and represents clients on a number of issues concerning the application of the Freedom of Information Act and the General Data Protection Regulation and Data Protection Act. She appeared as Junior Counsel in the Upper Tribunal for UCAS in UCAS v Information Commissioner.

Jane's human rights practice spans and complements the whole range of her public law work, including immigration, environmental law, planning matters and questions arising in regulatory proceedings.

Jane continues to be recognised as a leading junior in the latest editions of both the leading legal directories, Chambers UK and Legal 500, for her expertise in admin and public, and environment. Recent comments include:

- "An approachable and responsive junior who has extensive expertise in information requests for environmental issues."- Legal 500, 2023
- "Jane is a dedicated adviser with an impressive breadth of expertise and legal knowledge. Her ability to digest documents at speed whilst picking up on all of the detail is fascinating."- Chambers UK, 2023
- "Her forensic approach is really hard to beat; no stone is left unturned. She is also really constructive in her suggestions and fantastic in supporting the wider team."- Chambers UK, 2023

Previous comments include:

- "Approachable and responsive and knowledgeable, she has real niche expertise in information requests for environmental issues."- Legal 500
- "She gets so close to the detail of the case - there really is no stone left unturned."- Chambers UK

# EXPERIENCE

## Public & Regulatory

Jane has an extensive public law practice specialising in data protection, education, energy regulation, environment (including environmental information), financial services and payments systems regulation, freedom of information, housing, human rights, local authorities and National Health Service, pharmaceuticals regulation, public procurement, social security, transport, and immigration and asylum. She appeared as Junior Counsel in the Court of Appeal in London Borough of Enfield v Secretary of State for Transport in a judicial review of the Secretary of State's decision on a rail transport franchise specification; and recently appeared as Junior Counsel for the Regulator of Social Housing in Inclusion Housing v Regulator of Social Housing.

In the regulatory field, Jane's work has involved utilities regulation, education, electoral law, energy, medical and health care regulation, including pharmaceuticals regulation, legal and financial services regulation, including issues concerning the Financial Ombudsman Service, planning issues and transport regulation, and the law on judicial appointments. She appeared as Junior Counsel for the Oil and Gas Authority in Cox v. Oil and Gas Authority.

In the field of environmental law, Jane has appeared in a number of cases concerning environmental protection and Sites of Special Scientific Interest, as well as advising on various related issues, such as the Habitats and Birds Directives, and waste management; and on climate change issues such as the net zero target. She also advises on the application of the Environmental Information Regulations, and appeared as Junior Counsel in the Supreme Court in Ofcom v Information Commissioner.

More generally, Jane also advises and represents clients on a number of issues concerning the application of the Freedom of Information Act and the Data Protection Act. She appeared as Junior Counsel in the Upper Tribunal for UCAS in UCAS v Information Commissioner.

Advocate: Jane is also an immigration case reviewer for Advocate, the pro bono charity of the Bar.

*"Jane is a dedicated adviser with an impressive breadth of expertise and legal knowledge. Her ability to digest documents at speed whilst picking up on all of the detail is fascinating."*

— CHAMBERS AND PARTNERS, 2023

# Cases

## Cox v Oil and Gas Authority

[2022] EWHC 75 (Admin)

Junior counsel to Oil and Gas Authority in the High Court in judicial review of the authority's strategy.

## London Borough of Enfield v Secretary of State for Transport

[2015] EWHC 3758 [2016] EWCA 480

Junior Counsel to Enfield in the High Court and the Court of Appeal in judicial review of the Secretary of State's decision on a rail transport franchise specification.

## Challenge to First Tier Tribunal decision

Counsel for third party in challenge to First Tier Tribunal's decision on disclosure of information under the Freedom of Information Act.

## Advising regulator

Advising regulator (as Junior Counsel) on conduct of an investigation under the Competition Act 1998.

## Counsel for local authority

Counsel for local authority in judicial review challenge to decision on provision of services under the Care Act.

## British Gas Ltd v Gas and Electricity Markets Authority

29 September 2015

Junior Counsel to GEMA in the Competition and Markets Authority in case concerning an appeal against GEMA's price control decision for electricity distribution network operators.

## Advising a local authority

Advising local authority on scope of powers under the Local Authorities (Goods and Services) Act 1970.

## Judicial review challenge

Counsel in case concerning judicial review challenge to a decision on a Site of Special Scientific Interest.

### NHS regulations advice

Advising in case concerning a decision to license a pharmacist under the National Health Service (Pharmaceutical Services) Regulations.

### Advice regarding challenge to release of information

Advising on a potential challenge by third parties to a public authority's decision to release information under FOIA.

### UCAS v Information Commissioner

[2014] UKUT 557

Junior Counsel for UCAS in appeals to the First Tier Tribunal and Upper Tribunal against decision of Information Commissioner concerning the scope of FOIA.

### Warren v Human Fertilisation and Embryology Authority

[2014] EWHC 602 (Fam); [2014] 2 FCR 311

Counsel for HFEA in case concerning the posthumous storage of sperm under the Human Fertilisation and Embryology Act 1990 and Embryology (Statutory Storage Period for Embryos and Gametes) Regulations 2009.

### Counsel for a Clinical Commissioning Group

Counsel for a Clinical Commissioning Group in judicial review challenge to a decision on charging overseas visitors for NHS Services.

### Pharmaceutical company challenge to NHS decision

Counsel for Interested Party pharmaceutical company in judicial review challenge to a decision by NHS England to enter into a lease agreement.

### Acting for pharmaceutical companies

Acting for pharmaceutical companies in judicial review challenges to decisions of Primary Care Trust and National Health Service Litigation Authority regarding applications for inclusion in the pharmaceutical list.

### Public Inquiry into the Great Yarmouth Harbour Revision Order 2010

March 2013

Junior Counsel for Bourne Leisure Ltd, appearing at pre inquiry meeting.

Acting as Junior Counsel in international arbitrations, involving public and public international law issues.

### DoH v Information Commissioner and Association of the British Pharmaceutical Industry

EA/2012/0162, First Tier Tribunal, 29 January 2013

Counsel for Association of the British Pharmaceutical Industry in appeal against decision of Information Commissioner concerning disclosure of pricing information.

### Office of Communications v the Information Commissioner and T-Mobile

EA/2006/0078, 4 September 2007, [2008] EWHC 1445; [2009] EWCA Civ 90, [2010] UKSC 3 [2012] UKFTT 2006 0078

Junior Counsel for Ofcom in Information Tribunal, High Court, Court of Appeal and Supreme Court in case concerning the effect of the Environmental Information Regulations and the application of the public interest test. Counsel in remitted appeal to the First Tier Tribunal.

## Environment

In the field of environmental law, Jane has appeared in a number of cases concerning environmental protection and Sites of Special Scientific Interest, as well as advising on various related issues, such as the Habitats and Birds Directives, and waste management; and climate change issues such as the net zero target. She also advises on the application of the Environmental Information Regulations, and appeared as Junior Counsel in the Supreme Court in Ofcom v Information Commissioner.

> ***"An approachable and responsive junior who has extensive expertise in information requests for environmental issues."***
>
> — LEGAL 500, 2023

## Cases

### Cox v Oil and Gas Authority

[2022] EWHC 75 (Admin)

Junior counsel to Oil and Gas Authority in the High Court in judicial review of the authority's strategy.

### Public Inquiry into the Great Yarmouth Harbour Revision Order 2010

March 2013

Junior Counsel for Bourne Leisure Ltd, appearing at pre inquiry meeting.

### Advising clients on information requests

Advising clients on information requests, and on responses to information requests, including requests for environmental information under the Environmental Information Regulations, and investigations by the Information Commissioner.

### Office of Communications v the Information Commissioner and T-Mobile

EA/2006/0078, 4 September 2007, [2008] EWHC 1445; [2009] EWCA Civ 90, [2010] UKSC 3 [2012] UKFTT 2006 0078

Junior Counsel for Ofcom in Information Tribunal, High Court, Court of Appeal and Supreme Court in case concerning the effect of the Environmental Information Regulations and the application of the public interest test. Counsel in remitted appeal to the First Tier Tribunal.

## Civil Liberties & Human Rights

Jane's human rights practice spans and complements the whole range of her public law work, including immigration, environmental law, planning matters and questions arising in regulatory proceedings.

## Cases

### Judicial review challenge

Counsel in case concerning judicial review challenge to a decision on a Site of Special Scientific Interest, including a claim for breach of property rights under Article 1 of the First Protocol of the Convention.

### Warren v Human Fertilisation and Embryology Authority

[2014] EWHC 602 (Fam); [2014] 2 FCR 311

Counsel for HFEA in case concerning the posthumous storage of sperm under the Human Fertilisation and Embryology Act 1990 and Embryology (Statutory Storage Period for Embryos and Gametes) Regulations 2009.

### W v Secretary of State

Counsel for applicant in judicial review claim concerning refugee status and family members.

## Data Protection, Freedom of Information & Privacy

Jane regularly advises on data protection, privacy and freedom of information issues, including environmental information. She appeared as Junior Counsel in the Supreme Court in Ofcom v Information Commissioner , and in the Upper Tribunal for UCAS in UCAS v Information Commissioner.

## Cases

### Challenge to First Tier Tribunal decision

Counsel for third party in challenge to First Tier Tribunal's decision on disclosure of information under the Freedom of Information Act.

### Advising third parties

Advising third parties on potential challenge to a public authority's decision to release information under FOIA.

### UCAS v Information Commissioner

[2014] UKUT 557

Junior Counsel for UCAS in appeals to the First Tier Tribunal and Upper Tribunal against decision of Information Commissioner concerning the scope of FOIA.

### DoH v Information Commissioner and Association of the British Pharmaceutical Industry

EA/2012/0162, First Tier Tribunal, 29 January 2013

Counsel for Association of the British Pharmaceutical Industry in appeal against decision of Information Commissioner concerning disclosure of pricing information.

### Advising clients on responses to information requests

Advising clients on responses to information requests, including requests for environmental information, and on investigations by Information Commissioner

### Office of Communications v the Information Commissioner and T-Mobile

EA/2006/0078, 4 September 2007, [2008] EWHC 1445; [2009] EWCA Civ 90, [2010] UKSC 3 [2012] UKFTT 2006 0078

Junior Counsel for Ofcom in Information Tribunal, High Court, Court of Appeal and Supreme Court in case concerning the effect of the Environmental Information Regulations and the application of the public interest test. Counsel in remitted appeal to the First Tier Tribunal.

## EU Law

Jane advises on a range of EU law issues including EU energy legislation, competition, public procurement including transport procurement, state aids, the effect of the data protection legislation and the Directive on access to environmental information, environmental protection directives, freedom of movement, and the Unfair Terms in Consumer Contracts regulations.

## Cases

### British Gas Ltd v Gas and Electricity Markets Authority

29 September 2015

Junior Counsel to GEMA in the Competition and Markets Authority in case concerning an appeal against GEMA's price control decision for electricity distribution network operators.

### Office of Communications v the Information Commissioner and T-Mobile

EA/2006/0078, 4 September 2007, [2008] EWHC 1445; [2009] EWCA Civ 90, [2010] UKSC 3 [2012] UKFTT 2006 0078

Junior Counsel for Ofcom in Information Tribunal, High Court, Court of Appeal and Supreme Court in case concerning the effect of the Environmental Information Regulations and the application of the public interest test. Counsel in remitted appeal to the First Tier Tribunal.

# Commercial

Jane acted as Junior Counsel for the Gas and Electricity Markets Authority in British Gas Ltd v GEMA in the Competition and Markets Authority, in a case concerning an appeal against the authority's price control decision for electricity distribution network operators. She has also acted as Junior Counsel in the international arbitration field involving issues of public and public international law as well as commercial law.

Jane has also acted and advised in a number of cases involving contractual disputes and sale and supply of goods and services.

Jane's advisory public work also frequently raises commercial issues such as questions relating to confidentiality, corporate personality, and the protection of consumer interests and property rights.

Jane's interests in this field have led to her instruction in cases dealing with EU and competition law; insurance; company law; conflict of laws and public procurement.

Jane's work in freedom of information frequently involves her in issues relating to commercial confidentiality, breach of confidence, intellectual property rights and competition issues.

## Cases

### Advising regulator

Advising regulator (as Junior Counsel) on conduct of an investigation under the Competition Act 1998.

### British Gas v GEMA

Competition and Markets Authority, 2015

Junior Counsel to GEMA in appeal against the authority's price control decision for electricity distribution network operators.

### UNCITRAL arbitrations

Junior Counsel in UNCITRAL arbitrations – part of the counsel team.

## Financial Services & Banking

Jane's regulatory practice includes advising and acting both for regulatory authorities and for other parties. She has advised on various questions relating to financial services regulation, including insurance and payments regulation, and has also advised and acted in matters concerning the Financial Ombudsman Service.

Jane was also involved in the Office of Fair Trading's work on bank charges, and the Unfair Terms in Consumer Contracts Regulations 1999 and EU Directive on unfair terms in consumer contracts. She has also advised on issues relating to building societies regulation.

# ACHIEVEMENTS

## Education

BA (Cantab), MBA (Lond)

## Memberships

- ALBA
- COMBAR
- Immigration case reviewer for Bar Pro Bono Unit

## Selected earlier reported cases

### Public & Regulatory

- Ross Weedle v Brighton and Hove City Teaching Primary Care Trust
- South Pennine Moors SSSI, SAC and SPA
- Ribble Estuary SSSI and SPA
- W v Secretary of State

- Ofcom v Information Commissioner 2011 UKUT 116 AAC
- PA (Ghana) v Secretary of State for the Home Department
- Channel 4 v Information Commissioner EA/2010/0134, February 2011
- Staffordshire County Council v Information Commissioner and Sibelco (UK) Limited EA/2010/0015
- Sugar v BBC [2010] EWCA Civ 715
- Dore v Leicestershire County Council and Governors of St Hardulph's School [2010] EWHC 34
- Mersey Tunnel Users Association v Information Commissioner and Halton Borough Council [2010] UKITEA 20009 0001
- Data Broadcasting International v Office of Communications [2010] EWHC 1243
- HJ (Iran) v Secretary of State for the Home Department [2009] EWCA Civ 172, [2010] UKSC 31
- East Riding of Yorkshire Council v Information Commissioner and York Place EA/2009/09
- Boggis v Natural England and Waveney District Council [2008] EWHC 2954 (Admin), [2009] EWCA Civ 1061
- JM and OO v Secretary of State for the Home Department [2009] EWCA Civ 1432
- Latimer v Information Commissioner and Environment Agency [2009] UKIT EA 2008 0018
- Williams v Information Commissioner and Cardiff Vale Trust EA/2008/0042
- MA (Palestinian Territories) v Secretary of State for the Home Department [2008] EWCA Civ 304
- LJ (Albania) v Secretary of State for the Home Department [2008] EWCA Civ 127
- Bromley v Information Commissioner and the Environment Agency EA/2006/0072, 31 August 2007
- G (Eritrea) v Secretary of State for the Home Department [2007] EWCA Civ 801
- KR (Iraq) v Secretary of State for the Home Department [2007] EWCA Civ 154
- R (J) v Secretary of State for Home Department [2006] EWCA Civ 1238
- R (K) v Secretary of State for Home Department [2006] EWHC 1208 (Admin)

## Immigration

- HJ (Iran) v Secretary of State for the Home Department [2009] EWCA Civ 172, [2010] UKSC 31
- JM and OO v Secretary of State for the Home Department [2009] EWCA Civ 1432
- MA (Palestinian Territories) v Secretary of State for the Home Department [2008] EWCA Civ 304
- LJ (Albania) v Secretary of State for the Home Department [2008] EWCA Civ 127
- AG (Eritrea) v Secretary of State for the Home Department [2007] EWCA Civ 801
- KR (Iraq) v Secretary of State for the Home Department [2007] EWCA Civ 154
- R (J) v Secretary of State for Home Department [2006] EWCA Civ 1238
- R (K) v Secretary of State for Home Department [2006] EWHC 1208 (Admin)
- R (J) v Secretary of State for Home Department [2006] EWCA Civ 1238
- R (K) v Secretary of State for Home Department [2006] EWHC 1208 (Admin)

## Local Government

- Staffordshire County Council v Information Commissioner and Sibelco (UK) Limited EA/2010/0015
- Dore v Leicestershire County Council and Governors of St Hardulph's School [2010] EWHC 34
- East Riding of Yorkshire Council v Information Commissioner and York Place EA/2009/09
- Mersey Tunnel Users Association v Information Commissioner and Halton Borough Council EA/2009/0001

## Environment

- South Pennine Moors SSSI, SAC and SPA (2012)
- Ribble Estuary SSSI (2011)
- Staffordshire County Council v Information Commissioner and Sibelco (UK) Limited EA/2010/0015
- East Riding of Yorkshire Council v Information Commissioner and York Place EA/2009/09
- Boggis v Natural England and Waveney District Council [2008] EWHC 2954 (Admin) [2009] EWCA Civ 1061
- Mersey Tunnel Users Association v Information Commissioner and Halton Borough Council EA/2009/0001
- Latimer v Information Commissioner and Environment Agency [2009] UKIT EA 2008 0018
- R (Western Power Distribution Investments Ltd) v Countryside Council for Wales [2007] EWHC 50 (Admin)
- Bromley v Information Commissioner and the Environment Agency EA/2006/0072, 31 August 2007

## Civil Liberties & Human Rights

- Sugar v BBC [2010] EWCA Civ 715
- HJ (Iran) v Secretary of State for the Home Department UKAIT 00044, [2009] EWCA Civ 172 [2010] UKSC Civ 172
- JM and OO v Secretary of State for the Home Department [2009] EWCA Civ 1432
- PA (Ghana) v Secretary of State 2009
- MA (Palestinian Territories) v Secretary of State for the Home Department [2008] EWCA Civ 304
- LJ (Albania) v Secretary of State for the Home Department [2008] EWCA Civ 127
- AG (Eritrea) v Secretary of State for the Home Department [2007] EWCA Civ 801
- KR (Iraq) v Secretary of State for the Home Department [2007] EWCA Civ 154
- R (J) v Secretary of State for Home Department [2006] EWCA Civ 1238
- R (K) v Secretary of State for Home Department [2006] EWHC 1208 (Admin)

## Data protection, freedom of information & privacy

- Ofcom v Information Commissioner 2011 UKUT 116 AAC
- Channel 4 v Information Commissioner EA/2010/0134, February 2011

- Staffordshire County Council v Information Commissioner and Sibelco (UK) Limited EA/2010/0015
- Sugar v BBC [2010] EWCA Civ 715
- East Riding of Yorkshire Council v Information Commissioner and York Place EA/2009/09
- Mersey Tunnel Users Association v Information Commissioner and Halton Borough Council EA/2009/0001
- Latimer v Information Commissioner and Environment Agency [2009] UKIT EA 2008 0018
- Williams v Information Commissioner and Cardiff Vale Trust EA/2008/0042 –
- Bromley v Information Commissioner and the Environment Agency EA/2006/0072, 31 August 2007

## EU & Competition

- PA (Ghana) v Secretary of State 2009
- Boggis v Natural England and Waveney District Council [2008] EWHC 2954 (Admin) [2009] EWCA Civ 1061
- East Riding of Yorkshire Council v Information Commissioner and York Place EA/2009/09
- Mersey Tunnel Users Association v Information Commissioner and Halton Borough Council EA/2009/0001

## Commercial

- Data Broadcasting International v Ofcom [2010] EWHC 1243
- Office of Fair Trading - bank charges; Unfair Terms in Consumer Contracts Regulations 1999; and EU Directive on unfair terms in consumer contracts.
- Advised on issues relating to building societies regulation.
- Ofcom v Information Commissioner and T-Mobile EA/2006/0078, 4 September 2007, [2008] EWHC 1445; [2009] EWCA Civ 90, [2010] UKSC 3.
- Mersey Tunnel Users Association v Information Commissioner and Halton Borough Council EA/2009/0001.

VAT registration number: 447008068

Barristers regulated by the Bar Standards Board