

London, United Kingdom – 17 May 2023

Over 100,000 students join the Student Group Claim ahead of next week's landmark High Court hearing
UCL seeks to block students' right to access court

Hearing in Royal Courts of Justice – King's Bench Division, before Senior Master Fontaine – 10.30am on Wednesday 24 May 2023

- **More than 100,000 students are currently seeking thousands of pounds each in compensation from their UK universities for COVID-related and strike-related disruption to their studies.**
- **Millions of students have potential High Court Claims against their universities in this country.**
- **In the coming months, hundreds of thousands more students are expected to join the Student Group Claim, the no win, no fee dispute seeking compensation on behalf of the students.**
- **The first High Court hearing is next week (24 May 2023). It is against University College London ("UCL") on behalf of nearly 5,000 students and former students.**
- **UCL has responded by attempting to block the students' right to use the court by asking the court to 'stay' (pause) the proceedings indefinitely, until students complete UCL's internal complaints procedure and an ombudsman complaint.**
- **The students' legal team argue that a stay will simply waste time and is part of the university's delaying tactics – the students should be allowed access to court like everyone else when seeking compensation for breach of contract.**

Millions of students paid between £9,250 and £40,000 a year for lessons that were cancelled or moved online and restricted access to campus facilities as a result of COVID and strike-related disruption.

More than 100,000 students have now instructed law firms Harcus Parker and Asserson via the website StudentGroupClaim.co.uk to seek compensation from their UK universities. Hundreds of thousands more students are expected to join the Student Group Claim as it progresses; the total value of compensation could reach into the hundreds of millions of pounds.

The legal team acting for nearly 5,000 current and former UCL students will be in the High Court next week (24 May 2023) arguing their clients have a right to sue their university for breach of contract in the court. UCL is asking the court to block the claims. This is the first Student Group Claim case to reach court, but others are expected to follow. Students from more than 100 UK universities have already signed up to the Student Group Claim. A team of barristers from One Essex Court, led by Anna Boase KC, will be representing the students.

At the hearing the judge, Senior Master Fontaine, will decide whether UCL students should be allowed to bring their compensation claims to court. UCL is arguing that the claim should be halted. It is insisting that students must first complain to UCL itself through its internal complaints procedures, and then to the higher education ombudsman, the Office of the Independent Adjudicator ("OIA"), before being allowed access to the courts. The OIA does not determine complaints based on English law and has no powers of its own to award compensation: it can make recommendations to universities, but those recommendations are not legally binding.

UCL has repeatedly stated in High Court documents that it does not believe that it has any liability to pay compensation to the students. It has instead said in those documents that it will defend all of the cases being brought against it by the students.

Student Group Claim's legal team will argue that:

- The court is the correct place to decide these disputes, not an internal department at UCL itself, nor at the OIA.
- Like with other consumers, the students should be allowed to take their breach of contract disputes to court where their cases will be heard by a judge, who will decide the cases according to English law, which is not necessarily how UCL or the OIA would reach their decisions.
- UCL's contract with students provides that disputes are to be dealt with by the Courts.
- Bearing in mind UCL's robust refusal to accept any liability whatsoever, it would appear that the students are unlikely to obtain their rightful compensation from it without the involvement of the court.
- The students have no obligation to undertake alternative routes (which would take many months or even years) before seeking court action. Denying students the right to have a court decide the dispute would be a breach of their human right to a fair trial.

Alongside the claim against UCL, similar claims are being prepared against other universities. To date 17 other UK universities have been sent Letters Before Action, including LSE, King's College London, Imperial College London and the Universities of Manchester, Leeds, Birmingham, Warwick and Cardiff. More are expected to be sent in the coming months.

If successful at trial, it is anticipated that current and former UK-resident undergraduates who

were at university during the pandemic should win compensation in the region of £5,000 each, with significantly more expected to be awarded to graduate and international students, as they did not benefit from the £9,250 annual fee cap.

<p>Ryan Dunleavy, solicitor to Student Group Claim (partner at Harcus Parker) comments:</p> <p><i>Students studying at universities in this country pay some of the highest fees in Europe. This continued, with no fee reductions, throughout major disruptions to teaching and access to facilities caused by Covid-19 and university staff strikes.</i></p> <p><i>This is despite the fact that many universities significantly increased student numbers and overall fee revenue, while taking furlough money and saving on bills such as for heating.</i></p> <p><i>In short, for the universities we have looked at to date, all them financially prospered while failing to deliver to students the services for which they had contracted. This is a breach of contract matter where we argue that the students should be repaid the difference in value between what they were promised and what was provided.</i></p>	<p>Shimon Goldwater, solicitor to Student Group Claim (partner at Asserson) comments:</p> <p><i>This is a key hearing at which the judge will decide whether the students are allowed to pursue their claims in court.</i></p> <p><i>For students to be forced first to use UCL's internal procedures before coming to court is seriously unfair given that UCL has already taken the clear position in these proceedings that it is not liable. There is no reason to expect UCL to adopt a different view in response to an internal complaint.</i></p> <p><i>It is high time that UCL takes responsibility for the disruption caused to its students during the lecturers' strikes and the Covid-19 pandemic.</i></p> <p><i>A positive decision from the hearing on 24 May will provide the students a clear path for getting redress for the loss they have suffered.</i></p>
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Notes to Editors

For media enquiries please contact:

DRD Partnership: email sgc@drdpartnership.com, Jonny Harris mobile 07522574293

About the Student Group Claim

Leading solicitors' firms Asserson and Harcus Parker have teamed together to help affected claimants recover fair financial compensation of thousands of pounds each from their universities through no win, no fee group court claims. So far, more than **100,000 current and former students** have signed up to bring claims via the [Student Group Claim website](#) (up

from 20,000 in October 2022), with more signing up every day. The claim covers those who studied or who may still be studying in the academic years 2017-18, 2019-20, 2020-21 and/or 2021-22.

Following the commencement of litigation against UCL in April 2022, on 19 October 2022 Letters Before Action were sent to a further 17 universities, pursuing similar claims – namely the universities of Birmingham, Bristol, Cardiff, Coventry, Leeds, Liverpool, Manchester, Newcastle, Nottingham, Sheffield, Warwick, LSE, Imperial, King’s College London, Queen Mary’s, City University and University of the Arts London.

It is anticipated that further universities will be added in due course as people reach out to the Student Group Claim legal team to bring their cases for them.

Unlike students, universities thrived financially during the Covid period and can afford to meet their legal obligations and make good their students’ losses. Many increased their income from student fees over the pandemic and boosted their savings, in some cases receiving millions of pounds in Government furlough payments. The 18 universities being challenged earned a surplus (i.e., profits) of more than £1 billion during the 2020-21 financial year and collectively hold more than £16.3 billion in net assets.

For more information on the Student Group claim see the website:
www.StudentGroupClaim.co.uk

About Harcus Parker	About Asserson
<ul style="list-style-type: none"> - Harcus Parker is a commercial litigation firm that specialises in bringing and defending complex claims, usually involving large groups of claimants. - The team has a strong track record of delivering successful outcomes for groups of consumers, institutional investors and private individuals. - The firm is a recognised market leader in group litigation, case management and litigation funding. - Some of the firm’s most famous cases include the Lloyds / HBOS acquisition case, The Tesco Equal Pay Claim and The VW Emissions Action. 	<ul style="list-style-type: none"> - Asserson is a prize-winning firm of solicitors specialising in complex commercial dispute resolution with a proven track record of getting excellent results for its clients. - The firm acted for a group of solar energy companies in which the claimants won c. £60 million from the UK Government. At the time, this win was the largest ever Human Rights Act settlement against the UK Government.