



Jim Hirschmann

Year of Call: 2018

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Overview

Jim Hirschmann helps clients to navigate the law and resolve disputes. He often acts for families or for public bodies. He specialises in adult social care, child social care, education and family law. His caseload regularly concerns public law issues related to his core practice areas including judicial review proceedings and public inquiries.

Jim is hardworking, thorough, and adept at explaining complex law in straightforward terms. This is reflected in comments from solicitors such as "a huge thank you for everything you have done on this case which went far and beyond" and comments from judges about Jim's advocacy as "helpful" and "extremely clear."

Outside of busy work demands, Jim enjoys sport with a particular interest in rugby, running and hiking. He likes travelling and has an armchair interest in philosophy.

Jim is committed to protecting and respecting your privacy. Please contact him for a copy of his privacy notice which sets out the basis upon which any personal data he may collect about you, or that is provided to him, will be processed. He will provide a copy of this to you upon request.

Education

Jim Hirschmann's education law practice includes the following:

- In relation to schools and further education:
 - Representing parties where there has been a decision to exclude a pupil (or where such a decision is anticipated).
 - Acting in appeals to the SEND Tribunal, often relating to Education, Health and Care Plans. His caseload often includes discrimination claims under the Equality Act 2010.
 - Considering the law on pupil admissions.
- In higher education, Jim has experience of advising students and universities on student disciplinarys, contractual disputes and governance (including of students' unions).
- In a regulatory context he has experience of considering challenges to licensing decisions made by Ofsted.
- In a safeguarding context Jim has experience advising schools, teachers, and local authorities of their respective rights and duties.

Jim's Court of Protection and Family Law experience often intersects with Education Law and has given him considerable advocacy experience. With an LLM in Public Law Jim is particularly well placed to assist clients with administrative law disputes.

Recent notable cases:

A v B – Jim successfully persuaded an independent review panel that the decision to permanently exclude a pupil, due to gang-related violence, should be reconsidered as the school had not done enough to explore options other than expulsion.

B v C – Jim represented an international university facing a six-figure claim for breach of a franchise agreement and through written negotiations improved his client's position by over £100,000.

C v D – Jim represented a student challenging the decision to suspend him from his university and successfully mitigated the sanction imposed.

E v F – Jim represented an excluded child before a governors' review panel. The pupil had been permanently excluded for bringing a BB gun into school and discharging it. The case involved legal submissions in relation to a headteacher's discretion to depart from the school's policy. The governors ordered the pupil's reinstatement.

Articles

[Jim Hirschmann](#) writes about how duties to children with Special Educational Needs and Disability are often not being met and the explanation for this is often a shortage of necessary staff or placement. He provides examples from the Local Government and Social Care Ombudsman.

[View Article](#)

[Jim Hirschmann](#) considers the remedies available where a local authority is not able to provide a suitable type of school due to a shortage of such schools.

There is a nationwide shortage of specialist schools for children and young people with special educational needs.

[View Article](#)

Jim Hirschmann analyses *PM v Worcestershire County Council* [2022] UKUT 53 (ACC), a case in which the Tribunal (1) clarifies the approach to be taken to pre-funded places attracting element 1 and 2 funding from ESFA (2) suggests that new, contradicting evidence may justify an application to set aside a FTT decision; and (3) indicates that a former failure by an education provider to provide EHCP provision may render such a provider unsuitable.

[View Article](#)

Recommendations

"A huge thank you for everything you have done on this case which went far and beyond".

Solicitor client

"Thanks for arranging Jim to cover the hearing yesterday. He was brilliant."

Solicitor client

"Thank you so much. You have been absolutely fantastic.....You are very professional, very helpful and have guided me so well in this case."

Lay client

Academic qualifications

- University of Law, BPTC: Very Competent
- University College London, LLM Public Law: Merit
- University of Westminster, LLB European Legal Studies: First Class Honours
- Erasmus, Free University of Berlin: First Class Equivalent (Averaged ECTS Grade A)

Scholarships

- University of Law, Performance Award for top mark in the Judicial Review Module (2018)
- University of Law, Master of Moots Advocacy Scholarship (2017)
- Lincoln's Inn, Hardwicke Entrance Award (2017)

Professional bodies

- Court of Protection Bar Association (Committee Member)
- Administrative Law Bar Association (ALBA)