



# 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 and education 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.

## Administrative and Public Law

### Judicial review

Jim Hirschmann is regularly instructed by claimants and defendants in judicial review claims.

His public law practice has seen him successfully challenge and defend decisions made by public bodies relating to adult social care, child social care and education law (including SEND provision, school exclusions, safeguarding, Higher Education examination allowances and other regulatory matters including licensing by Ofsted).

### Public inquiries

Jim accepts instructions on behalf of public inquiries and core participants.

He has experience acting as a second junior counsel team member for a major public inquiry. This means he has familiarity with the Inquiries Act 2005, the Inquiry Rules 2006, rule 9 drafting and complex document management utilising relativity (including delivering training).

### Social Care

Jim Hirschmann advises families and public bodies on their respective rights and duties. He has particular experience in cases involving children's social care, adult social care, safeguarding, disability, human rights and related public law issues.

His previous experience in family law and ongoing Court of Protection work has given him an insight into how social work operates within legal proceedings. With a Master of Laws (LLM) in public law, he is well placed to advise clients in cases concerning the decisions of local authorities (including judicial reviews and claims for damages under the Human Rights Act 1998).

### **Recent notable cases**

**R (on the application of PH) v A University [2025]** - Jim acted for a leading university that successfully defended an application for permission to bring a judicial review claim against its decision to refuse to grant an examination allowance due to ill health. The Court agreed (a) that it lacked jurisdiction for want of good service of the sealed claim form (it declined to grant relief under CPR 6.15 or CPR 7.6) (b) that the Office of the Independent Adjudicator offered a suitable alternative remedy and that Judicial Review was not generally available to the Claimant in such circumstances (c) that, in any event, the university had been entitled to require contemporaneous evidence of ill health in accordance with best practice in Higher Education.

**R (on the application of (1) LM and (2) AM) v An Academy Trust [2024] EWHC 2267 (Admin)** - a school exclusions case that offers guidance on the approach that governing bodies should take when their earlier decision is quashed by an Independent Review Panel ("IRP") and they are directed to consider reinstatement.

Jim represented the Claimants after permission had been refused on the papers. He succeeded in obtaining permission to bring the claim. The substantive claim ultimately failed on the basis that, in the Judge's view, the governors had discharged their duty to "conscientiously consider" the IRP's decision.

**A v B** - Jim drafted judicial review grounds concerning (1) a local authority's failure to secure provision specified in an Education Health and Care Plan in breach of section 42 of the Children and Families Act 2014 (2) a school's failure to admit a pupil contrary to section 43 of the Children and Families Act 2014. The claim succeeded.

**C v D** - Jim successfully drafted grounds of appeal under section 204 of the Housing Act 1996 with the result that the local authority conceded the unsuitability of the property offered and made an offer afresh.

**E v F** - Jim drafted correspondence on behalf of his client following a local authority's failure to offer proper support to a special guardian. It resulted in an extensive training package being offered to his client and reconsideration of the financial support due.

**G v H** - Jim drafted summary grounds of resistance in a case concerning a local authority's failure to secure provision specified in an Education Health and Care Plan in breach of section 42 of the Children and Families Act 2014. The Claim settled on terms favourable to his client.

## **Recommendations**

Jim Hirschmann - 3PB 'Jim is always well-prepared and engages thoughtfully and constructively with opponents outside the courtroom. He has a well-judged advocacy.'

**Legal 500 2025**/Court of protection and community care/ Rising Stars/London bar

"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)