

Hannah Lynch

Call 2011

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Hannah Lynch has a busy practice across **Civil**, **Education Law** (and related areas of **Public Law**), **Family Law** and **Court of Protection** proceedings.

Hannah's practice encompasses **Civil** / **Public Law** (with a focus on **Education** / **SEND**), **Family** and **Court of Protection**. She is listed by The Legal 500 as a leading junior in **Education** / **Public Law**. Hannah is appointed to the Attorney General's Regional C Panel of Junior Counsel to the Crown.

Expertise

Special Educational Needs & Disability (SEND)

Hannah has considerable expertise in this area and is sought after by solicitors firms and local authorities across the country.

Hannah acts for clients across the full range of education-related disputes, including:

- Claims before the First-Tier Tribunal (SEND) and Upper Tribunal related to Education, Health and Care Plans
- Disability Discrimination proceedings
- Judicial Review claims against Local Authorities and government departments.
- Admissions and exclusion appeals.
- Claims involving universities, Multi-Academy Trusts and further/higher education providers.
- Teachers' disciplinary proceedings.

Hannah provides ongoing training and legal advice to numerous local authorities in all areas of Education law; and in relation to associated Employment, Court of Protection and procurement proceedings. She advises local authorities preparing for- and responding to- Local Area SEND inspections carried out by Ofsted and the CQC; and was seconded part-time to Calderdale Council in 2017 to advise in this area.

Hannah writes articles for the Education Law Journal and writes for Lexis Nexis on SEN law. She was a speaker at the Jordans SEN Conference in 2017.

Notable Special Educational Needs & Disability (SEND) cases

O County Council v Parents of J

Represented a local authority in an appeal to the Upper Tribunal brought by a parent in relation to necessary educational provision in Section F of her child's EHC Plan. Case concerned education other than at school and the 'waking day' curriculum.

W Borough Council v Parents of CF

Advised a local authority in judicial review proceedings, relating to the continuation of funding of a post-19 residential school placement for a young person with severe learning difficulties.

X Council v Parents of WB

Advised a family considering bringing judicial review proceedings against their local authority in relation to the appropriate school placement for their child with autism and associated difficulties.

Y County Council v Parents of LC

Represented a primary school in disability discrimination proceedings brought by the parents of a child with learning difficulties.

Judicial Review

Hannah is appointed to the Attorney General's C Panel to undertake government work.

Hannah's judicial review experience covers a wide range of subject matter, but she is particularly well placed to advise on judicial review claims concerning all functions of local and central government related to the provision of education and care for children and adults.

Notable Judicial Review cases

R (School A) v (1) The Secretary of State for Education; (2) School B (Interested Party)

Junior counsel for the Claimant in a judicial review claim against the Secretary of State for Education, challenging a decision made by a Regional Schools Commissioner that fell to be made in accordance with the statutory guidance "Making significant changes to an open academy". Led by Sam Green QC. Appeared as junior alone at the interim relief hearing, against leading counsel for the Interested Party.

P v A Youth Court

Appeared before Treacy LJ and McGowan J in the Divisional Court in a substantive judicial review claim, challenging the decision of a Youth Court not to grant an intermediary to a young defendant with learning difficulties. Application successful.

W Council v Parents of S

Advised a local authority facing judicial review proceedings, regarding its alleged failure to provide appropriate education for S, a child with autism and severe learning difficulties. Drafted Response to Pre-Action Protocol letter on behalf the LA. Parents did not proceed with a claim for judicial review.

X v (1) Newcastle Crown Court; (2) Northumbria Police; (3) Director of Public Prosecutions

Appeared as junior alone in the Divisional Court, representing an interested party in a judicial review claim arising out of criminal proceedings.

Court of Protection

Hannah acts in both 'Health and Welfare' and 'Property and Affairs' cases; and is very familiar with the DOLS regime. Hannah's SEN practice makes her well-placed to advise in cases concerning young adults with learning difficulties.

Notable Court of Protection cases

In the matter of JPR

Represented P's mother in proceedings brought the local authority in an effort to resolve a dispute as to the residence and contact arrangements that ought to be in place between P (a young man with profound learning difficulties) and his parents.

In the matter of LJB

Acted for the Applicants in a contested 'property and affairs' deputyship case. The Patient had advanced vascular dementia and no longer had capacity, within the meaning of the Mental Capacity Act 2005. The Objectors' were suspected of stealing from the Patient's estate and objected to the Applicants (the Patient's natural children) being granted deputyship. The Applicants were awarded deputyship and the Objectors' objections were dismissed.

Private Law Children

Hannah acts for parents in all types of child arrangements proceedings, including those involving fact-finding hearings. Hannah has significant experience of cases involving relocation and jurisdiction issues. Hannah is frequently instructed in applications for emergency remedies under Part IV of the Family Law Act 1996.

Notable Private Law Children cases

A v N (2020)

Instructed for the Mother in a jurisdiction dispute between the Scottish and English courts, before Lieven J.

N v N (2019)

Represented a mother in a three day finding of fact hearing concerning allegations of domestic violence and emotional harm.

Care

Hannah acts for parents, Local Authorities, Guardians and Interested Parties in Care proceedings. She is frequently instructed in cases involving high volumes of expert evidence or non-accidental injuries.

Notable Care cases

Re: X Child (2020)

Non-accidental injury case in which accused parent made counter-accusation that some of the child's injuries had been caused by the child's treating doctor in hospital. Represented the doctor, an Interested Party, instructed by his insurers. The doctor was removed from the pool of potential perpetrators after a 10 day finding of fact hearing. Involved cross-examining numerous medical experts.

Y Local Authority v R (2019)

Represented a local authority in a fourteen day final hearing in a learning difficulty/neglect case. Also successfully represented the local authority in a subsequent appeal brought one of the parents.

C Local Authority v K & K

Successfully represented a Local Authority in an eight day contested ICO application, where the First Respondent Mother was represented by a family Silk. Emotional harm case involving expert evidence from a clinical psychologist and highly unusual factual background.

Education

- BPTC (Very Competent), Kaplan Law School (2010-2011)
- LLM Public International Law, Nottingham University (2009-2010)
- BA Law (Jurisprudence) (2:1), Jesus College, Oxford (2006-2009)