



Holly Littlewood

Barrister

CALLED: 2008

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Summary

Holly is a member of the public law team, practising primarily in Court of Protection (health and welfare) and education law.

In her Court of Protection practice, Holly is regularly instructed to act on behalf of local authorities, NHS bodies, and P. Holly has acted in a wide range of cases including section 21A applications and section 16 welfare applications.

In her education law practice, Holly has particular expertise in appeals to the First-tier Tribunal (Special Educational Needs and Disability) and education-related disability discrimination claims. Holly welcomes instructions from local authorities, governing bodies and proprietors, and private client solicitors.

Holly also has experience of applications to authorise the deprivation of a child's liberty under the inherent jurisdiction of the High Court, and applications to displace the nearest relative under the Mental Health Act 1983.

Having previously worked as an in-house lawyer for a large local authority, Holly brings a practical understanding of the structure and functioning of local authority departments to the cases she is instructed in, as well as an approachable, pragmatic and problem-solving attitude.

Areas of Practice

COURT OF PROTECTION - HEALTH AND WELFARE

Holly has experience of a wide range of issues arising under the Mental Capacity Act 2005, including challenges to deprivations of liberty, capacity disputes and best interests disputes involving residence, care, contact and medical treatment.

Holly welcomes instructions from statutory bodies, family members and on behalf of P.

EDUCATION LAW

Holly regularly appears before the First-tier Tribunal (Special Educational Needs and Disability) in a variety of appeals brought under the Children and Families Act 2014, including in relation to:

- Refusals to carry out an EHC needs assessment;
- Refusals to issue an EHC plan;
- Sections B, F and I of an EHC plan;
- Decisions to cease to maintain an EHC plan.

Holly has particular experience in advising on extended appeals (formerly national trial appeals) including health and social care aspects, appeals involving education otherwise than at school, and appeals concerning the requirement for a “waking-day” curriculum. Holly also has a wealth of experience in advising on education-related disability discrimination claims brought under the Equality Act 2010.

In a private capacity, Holly acts as the SEND link governor for a maintained primary school, providing strategic oversight of the school’s SEND provision and performance.

Holly has provided training to numerous local authorities on the topic of special educational needs law, and is happy to provide bespoke training as required. Holly welcomes instructions from local authorities, governing bodies and proprietors, and private client solicitors

Appointments and Memberships

- Honourable Society of Lincoln’s Inn
- Court of Protection Practitioners’ Association
- Court of Protection Bar Association
- Education Law Association

Publications

- “Duty to provide relevant evidence in special educational needs cases”, Local Government Lawyer, July 2021 [Duty to provide relevant evidence in Special Educational Needs cases \(localgovernmentlawyer.co.uk\)](https://localgovernmentlawyer.co.uk)
- “Applications for review in special educational needs cases”, Local Government Lawyer, May 2021 [Applications for review in Special Educational Needs Cases \(localgovernmentlawyer.co.uk\)](https://localgovernmentlawyer.co.uk)
- “The boundary between education and healthcare provision in education, health and care plans: to what extent does the SEND Tribunal Single Route of Redress National Trial represent a move towards a more holistic approach?”, Journal of the Centre for Rights and Justice, Nottingham Law School, March 2020, Vol 1(i)
- “A more holistic approach to meeting children’s and young people’s needs?”, Legal Action Magazine, August 2019