

Georgina Hirsch

CALL 2009



Areas of Expertise

- Industrial Relations • Employment • Tax • Off-payroll working (IR35) • Mediation • Investigations • Commercial Litigation and Disputes • Telecommunications • Dismissals & Employment Rights • Equality • Administrative and Public Law

Georgina is a Senior Junior with specialisms in trade union and employment law, employment related tax, mediation and investigations.

Georgina joined the Bar in 2009 after a successful 15 year career as a solicitor. Her experience is reflected in performance well above her call. She has appeared in the Supreme Court in three cases, including the most significant case for trade union collective bargaining law this century.

She has been praised for her clear advice, persuasive advocacy, and excellent client service.

Georgina's judgment and wide career experience were recognised in 2024 by the Institute of Directors appointing her as a Commissioner on their Commission to develop a Code of Conduct for Directors.

She is Junior Counsel to the Attorney General (A Panel) and is ranked in Chambers & Partners and The Legal 500 for Employment and Telecoms Regulation.

Georgina has particularly wide experience in employment law work; both on an individual and collective basis. Recent notable cases include the trade union detriment appeal in *Kostal UK (Ltd.) v Dunkley & others* [2021] UKSC 47; The Supreme Court redundancy case of *R (oao Palmer) v Northern Derbyshire Magistrate's Court* [2023] UKSC 38; The Addison Lee employment status appeals, and acting for Coutts Bank – successfully defending claims of equal pay and associated Equality Act claims, as reported in The Times.

She has a growing practice as a mediator in employment disputes.

Georgina also has experience in general civil and commercial cases, as well as a growing tax practice focussing on employment status and employment related tax.

Georgina's telecoms work ranges from competition and regulatory work in the CAT and Court of Appeal to wayleaves actions.

During her time as a solicitor, Georgina obtained an MBA before spending her last 7 years as a solicitor working in-house as Director of Legal Services at what became the UK's largest union, with 2.2 million members covering engineering, transport, banking, health professionals, printers, construction workers, and many others. That experience gives her a unique insight into the full range of trade union related legal issues, not least the many problems arising from the Supreme Court's approach in the Kostal case.

In her earlier career she had spent 6 years in a Legal Aid firm, specialising in employment, personal Injury and Judicial Review gaining advocacy experience in ETs, CICA appeals, and interlocutory hearings. She then joined the Engineering Employer's Federation, gaining experience of respondent work within the field of employment, before becoming Head of Employment at Taylor Willcocks solicitors.

Recommendations

"She is very methodical and calm. She's able to get right in the detail and dissect all of the bluster from the other side. We felt like we were in a very safe pair of hands." - Employment, Chambers UK 2025

"Georgina's advice is clever and insightful, and on her feet she is well prepared, persuasive and quick witted. Clients feel she's part of their team and she inspires confidence." - Employment, Legal 500 2025

"We were pleased with the outcome of Friday's mediation, as were our clients. We are very grateful for Georgina's skilful management of a difficult matter and found her to be very personable, reasonable and efficient throughout the day. We were grateful for her willingness to engage with us in advance of Friday too, in order to allow the mediation day to commence efficiently." – Partner Freshfields 2024.

"We have instructed Georgina in relation to a niche and complex area of trade union law. The matter often requires an immediate response, and Georgina has consistently provided concise and clear guidance to the client. Her expert knowledge of the legal issues and methodical approach has proved invaluable" – Associate leading firm in Belfast

"I save Georgina for the cases where I need to really test the other side's witnesses, but she also has great client care and identifies the key issues very quickly." - Employment, Chambers UK Bar 2024

"She is my go-to trade union barrister. She is brilliant." - Employment, Chambers UK Bar 2024

"A forensic cross-examiner who takes a realistic view when working out a case strategy." - Employment, Legal 500 2024

"A combative but polite opponent, who is practical and straightforward with her advice." - Employment, Legal 500 2023

"If your business or charity is having trade union issues, you want Georgina Hirsch. End of story." - Charity Chair of Trustees

Frequently called upon by both claimants and respondents to handle a broad range of employment disputes. Her past experience as an in-house solicitor at a union contributes significantly to her expertise in industrial relations matters. **"She is bright, she is astute, she analyses vast amounts of information quickly and she recognises the key commercial and strategic points of a case. She is also approachable and responsive." "She is a very knowledgeable employment barrister with a trade union background, and she is an effective advocate who makes her points well and has good relationships with clients." "A go-to person for union issues, she brings an eye for detail and a commercial approach. She's also very good on the law and before judges."** - *Employment, Chambers UK Bar 2022.*

"Georgina is a highly able barrister who works fantastically hard. Georgina is a dream to work with, being able to quickly master the intricate detail of a case and organise the legal issues into the optimum way for the client she represents. She is extremely client focused and able to fit into any legal team. One of the best telecoms lawyers around." - *IT and Telecoms, Legal 500 2022.*

"Georgina is a go-to barrister on all union-related advice. She's very unassuming, kind and thoughtful, and gives excellent straightforward advice." *Employment, Legal 500 2022.*

"She's very good at getting to grips with the case, and is pragmatic and unflappable." "She brings a really good practical element to trade union matters." Acted for British Airways in a breach of contract and unlawful deduction of wages claim. - *Employment, Chambers UK Bar 2021*

"Pragmatic, responsive, and works well as part of the team. Clients like her, and trust her judgement and that she has their best interests at heart." - *Employment, Legal 500 2021*

"A very, very knowledgeable employment barrister and a clear and effective advocate." "She is very sensible and thorough; she's delightful to work with and has a wealth of practical experience." Acted for Kostal UK in the defence of a claim by 57 union members that the employer had bypassed collective bargaining procedures in approaching individual members with offers. The case tested the meaning of a 'prohibited result' under Section 145B of the Trade Union and Labour Relations (Consolidation) Act 1992. - *Employment, Chambers UK 2020*

'A great in-depth commercial knowledge of the politics and legalities of trade union cases.' - *Employment, Legal 500 2020*

Expertise

Employment

Georgina has represented Claimants and Respondents in a range of final hearings and procedural

hearings both in court, tribunal and EAT. She has advised and represented parties as sole counsel on the full range of employment disputes.

Georgina has particular experience in:

- Trade union recognition and all claims via the CAC;
- Strike and 'unlawful' inducement trade union law and strategy;
- Whistleblowing claims;
- individual discrimination claims for all protected characteristics, and covering direct, indirect, failure to make reasonable adjustments, harassment and victimisation;
- unfair and constructive dismissal;
- breach of contract;
- redundancy and consultation rights and obligations;
- enforcement of restrictive covenants in the High Court.

She has a special interest in the cross over between commercial and competition law, and their impact in the employment sphere.

She regularly speaks and writes on industrial and individual employment law issues.

Off-payroll working (IR35)

Georgina has advised on IR35 in the pure tax context, but also brings a particular experience of contractual arguments on employment status arising from her allied employment law practice, for example the Addison Lee drivers case which is pending hearing in the Court of Appeal on a contractual basis which may change the direction of judicial travel on allegedly sham self-employment cases.

She also successfully acted for HMRC in relation to whether ex-footballer and television presenter Phil Thompson was an employee of Sky for tax purposes, and on a complicated case regarding the taxable status of loans to ex-employees following multiple transactions – in both cases succeeding as sole counsel against tax specialists who took Silk within a year or two of those cases.

Mediation

Georgina is a trained mediator, and has acted in numerous mediations. She has been praised for her ability to handle difficult individuals and sensitively but tenaciously push to achieve settlement.

Investigations

As a barrister with prior experience of working and managing in private practice, and in-house,

Georgina brings a unique level of insight and maturity to her Investigations. This allows her to investigate with the utmost sensitivity, while weighing-up evidence in a considered, nuanced manner, not shying away from difficult issues.

Notable investigations in which Georgina has conducted include:

- An allegation of harassment against a senior partner of a prominent law firm;
- Allegations of homophobic harassment, alongside an increasing culture of homophobic taunting at work;
- Allegations of racial harassment by a team of managers, within a prominent multinational company.

Telecommunications

Georgina Hirsch is recognised as one of the rising stars in the Devereux team. Having previously worked in industry as a solicitor, she has readily slotted in as a secondee to assist telecoms. She has appeared before the Competition Appeal Tribunal in the major Ethernet case (ex ante cost orientation obligations and Ofcom's dispute resolution powers) to be hearing in the Court of Appeal in 2017, and has advised on the BCMR 2016, the Electronic Communications Code and other regulatory issues.

Commercial Litigation and Disputes

Georgina has experience in Competition Law, most recently in the Ethernet litigation at the Competition Appeal Tribunal, and has enjoyed leveraging the financial understanding from her MBA in the course of dealing with the accounting and economics aspects of this work.

She has advised in a number of misrepresentation claims.

Additional Information

Georgina's lecturing experience ranges from two years teaching ILEX Civil Litigation in the late '90s, to numerous employment law courses both for managers and for trade unionists, and legal conference presentations including IRS and American Bar Association international Labor Law Conferences in Washington and Beijing. PShe has written numerous articles for ELA and other publications and edits the Harassment section of Bloomsbury's Discrimination Law Encyclopaedia.

Lectures/seminars delivered include:

- Competition Law Enforcement: the new concurrency regime;
- Cutting Edge Issues in Discrimination Law (as part of a US and EU panel at 2014 ABA conference, Tel Aviv);
- The new CMA and the Telecommunications Sector;

- Employment Tribunal Rule Changes 2013;
- Agency Workers;
- Employment Law Tips and Tricks;
- Collective Agreements – Clauses Apt for Incorporation;
- Acting for trade unions;
- Dealing with client/funder dilemmas;
- IER October Update Conference 2010;
- Panel speaker at American Bar Association Labor Law International Conferences in Beijing 2008 and in Washington 2009;
- IER Employment Act 2008 Conference;
- IRS Employment Act 2008 Conference;
- Delivered the response to a paper given by Katherine Apps at a Seminar run by the Centre for European Legal Studies at Cambridge University Law Faculty in September 2008 on the Viking and Laval ECJ strike law cases. ILEX Civil Litigation Course[GH1].

Appointments

Appointed to the Attorney General's Panel of Counsel (A Panel) in 2025

Appointed to the Attorney General's Panel of Counsel (B Panel) in 2020

Appointed to the Attorney General's Panel of Counsel (C Panel) in 2015

Memberships and Associations

ALBA, ELA, ELBA, ILS, LCLCBA, PNBA.

Education

2015 Bar Council Direct Access Training

2010 Mediation Training

2003 MBA, Open University

1993 Law Society Finals, College of Law

1992 Diploma in Law, City University

Awards

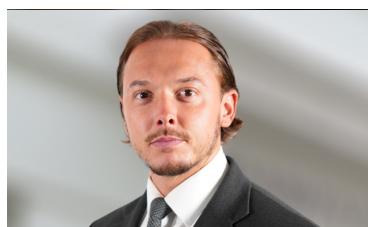


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