

## James McClelland QC

YEAR OF CALL: 2004 YEAR OF SILK: 2021

*"Absolutely outstanding", "prodigiously intelligent",  
"lauded for his quickness and resilience in court"*

Chambers & Partners

**Clerk's Email:** [TonysClerkingTeam@brickcourt.co.uk](mailto:TonysClerkingTeam@brickcourt.co.uk)



## Practice Overview

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*"Terrifyingly intelligent", "a brilliant lawyer", "a compelling advocate", "utterly dedicated", "exceptionally gifted", "an outstanding jurist", "fantastic both on his feet and on paper", "calm under fire", "a very creative advocate", "provides a brilliant delivery in court", "his submissions are rapier sharp", "he always delivers", "his energy and intelligence are exceptional", "combines intellectual brilliance with excellent communication skills and a willingness to grasp the practical and commercial realities of a case", "has a very good feel for what the court is interested in", "an absolute star: razor-sharp, totally devoted to his cases and clients, covers every single detail of the case – and comes up with creative solutions to the hardest problems", "a cool head under pressure", "if one needs to employ serious brain power he's the right person to go to", "gets his teeth into anything and always resolves the situation", "genuinely intellectually brilliant", "exceptionally easy to work with", "good fun", "totally down to earth", "extraordinarily hard working", "has no airs about him at all", "a class act", "a cut above the rest, he has a huge brain but remains humble, engaging and commercial" (current or past editions of Chambers & Partners or Legal 500).*

James has a wide-ranging practice specialising in commercial, public and regulatory law.

James has been instructed in a number of the most interesting, heavily reported, and high-value matters in each of these areas, including:

- **Commercial disputes**, such as the £4bn RBS Rights Issue litigation, the multi-billion pound Kuwaiti sovereign wealth fund dispute, the leading Supreme Court authority on piercing the corporate veil and *forum conveniens*, and international arbitrations tackling subject matter as diverse as energy contracts, commercial trusts and debt default guarantees;

- **Public law**, including the UBER licensing appeal, the Leveson press reforms, the LCF judicial review, Rosneft's JR of UK/EU sanctions against Russia, Greenpeace's challenge to work on Hinkley Point C, challenges to the EU and UK farming subsidy regimes, the JR of civil justice reforms affecting whiplash injury claims and (separately) mesothelioma compensation, and numerous regulatory JRs (below);
- **Regulatory law**, including:
  - *Financial services*, e.g. the test cases on the FCA's £30bn PPI repayment regime, bank overdraft charging, the FOS's jurisdiction over D&O policies, the scope of "transferable securities" within MiFID II, and the consequences of "contracting into" statutory regulation;
  - *Legal services*, e.g. the test case on the scope of the SRA's statutory powers to destroy client data following interventions (enabling the unilateral destruction of 1.5m client documents) and each of the leading cases (both at first instance and on appeal) concerning solicitors' involvement in the Coal Miners' Compensation scheme;
  - *Energy*, e.g. the landmark appeal against Ofgem's RIIO-2 price controls and "net zero" licence regime and advising on smart-meter rollout;
  - *Pensions*, acting for the Pension Protection Fund in the Court of Appeal overturning the first instance judgment in the >£1bn JR as to the basis for calculating pensioner compensation under retained EU law;
  - *Medical*, contesting NICE's nationwide guidance to clinicians on treatment efficacy; and
  - *University funding*, including obtaining the quashing of multi-million pound grant decisions made by HEFCE (now UK Research and Innovation).
- **Disciplinary proceedings**, including the successful defence of a leading Magic Circle partner following a 29-day trial in the SDT; and the FRC's successful prosecution of a "Big Four" firm arising out of a heavily publicised accounting scandal. In addition to respondent work, James has well over a decade's experience prosecuting for the SRA.

James is equally comfortable leading teams of junior counsel or acting as a sole advocate and has substantial experience of both. He also has a heavy advisory practice and frequently advises on the application of complex statutory regimes to novel forms of commercial activity. James has particular expertise in the regulation of financial and legal services and has been described as having "an encyclopaedic knowledge of financial regulatory work", "great technical expertise" and being "one of the few people that has cross-over between banking, regulatory and public law". (Chambers).

In appropriate cases, James takes on pro bono instructions and approximately 20% of his time in 2020 was spent on unpaid work for deserving clients. James is also an executive committee member of the Alliance for Lawyers at Risk (supporting human rights defenders worldwide) and sits on the Bar Disciplinary Tribunal, hearing disciplinary cases relating to members of the Bar.

Prior to taking silk James was profiled by *Legal Week* as one of its Stars at the Bar and nominated for

both commercial litigation and banking and finance junior of the year at the Chambers UK Bar Awards. He was named as "one of the leading senior juniors in commercial litigation" (Legal 500) and "a rising star of the Commercial Bar" and being "one of the few people that has cross-over between banking, regulatory and public law" (Chambers).

James' public law practice is of equal depth. Up to 2021 he was one of the Attorney General's A Panel Counsel, appointed to conduct the most complex first instance and appellate advocacy for central government in all aspects of public law. He was also a tutor and then college lecturer in public law at Oxford University and in 2019 was named by *Finance Monthly* as its UK public law lawyer of the year.

James has been consistently ranked in one or both of the Chambers & Partners and Legal 500 directories as a leading UK practitioner in each of his core areas of practice. Client comments in the most recent (2021) edition of those directories include the following:

- "Charming and brilliant"; "unflappable"; "a stylish advocate". (Chambers 2021)
- "Incredibly hard-working and has very good judgement"; "totally gets under the bonnet of a case"; "incredibly charming with clients"; "often the barrister I choose to instruct in my most sensitive cases". (Chambers 2021)
- "Extraordinarily bright and quite singular in that he is able to drive through an argument very quickly." (Chambers 2021)
- "A highly persuasive advocate who sees problems with crystal clarity." (Legal 500 2021)
- "Particularly strong at the intersection of commercial law and public law." (Legal 500 2021)

## Public Law

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James' public law and regulatory practice is wide ranging. He has a specialist practice in financial and legal services regulation (details of which are set out below); however his public law cases venture well beyond this. Having been a tutor and later lecturer in public law at Oxford University (St Hugh's and Keble Colleges), James has acted in dozens of matters concerning judicial review or statutory appeals, and has advised, or appeared for, national regulators (including the PRA, FOS, FSCS, FRC, and the SRA), central government (including the Home Office, Foreign Office, MoJ, HMRC, and DCMS), and a wide variety of claimants and interested parties, ranging from corporations and trade bodies to universities and private individuals.

James' public law cases frequently concern commercial subject-matter, but also address territory as diverse as parliamentary law, press regulation, international sanctions, civil justice reform, the recognition of foreign governments, higher education funding, healthcare, agricultural subsidies, import regulation, licensing, extradition, infringements of EU rights by public bodies, and claims for interferences with

human rights. Highlights of practice are set out below.

Examples of past or ongoing matters:

(See also financial and legal services below for regulatory JR.)

- R (Donegan & Ors) v Financial Services Compensation Scheme (ongoing): James is acting (leading Tim Johnston and Charlotte Thomas) for investors challenging the FSCS's decision to decline compensation to thousands of investors who lost >£200m in the London City & Finance "mini-bonds" scandal. Permission has been granted on all grounds and the challenge is proceeding to a three-day hearing in 2021.
- Uber v Transport for London (September 2020): James acted for Uber London Ltd in its successful challenge to TfL's refusal to renew its operating licence within London.
- R (United Trade Action Group) v Transport for London / Uber (April 2020) James successfully resisted (as interested party) UTAG's challenge to TfL's decision not to suspend Uber's licence pending appeal.
- R (Major UK Importer) v Secretary of State for Environment, Food and Rural Affairs (September 2020) James acted for the claimant in a successful JR challenge to DEFRA's refusal to recognise a *force majeure* event resulting in the forfeiture of a multi-million pound import security. The claim was conceded following service of the Claimant's Grounds.
- R (B-S) v Secretary of State for Environment, Food and Rural Affairs (ongoing): James is acting (leading Tim Johnston) for the Secretary of State resisting a challenge to the UK's implementation of aspects of the EU agricultural subsidy regime.
- R (Taveta Investments Ltd) v Financial Reporting Counsel & Ors [2018] EWHC 1662 (Admin): acting for the FRC resisting injunction to restrain publication of the detailed reasons for its settlement agreement with PWC relating to the audit of BHS; raising issues under ECHR Art. 10 (freedom of expression), and 8 (private life);
- Cian Ciaran v NNB Generation Company (HPC) Ltd [2018] (High Court, QBD) E90CF102: acting for a subsidiary of EDF resisting a challenge to the lawfulness of statutory authorisations granted by the Welsh Government for work on Hinkley Point C nuclear power station;
- R (Med Chambers Ltd) v Medco Registration Solutions Ltd [2017] EWHC 3258 (Admin): acting (as sole Counsel) for MedCo defending three linked judicial review challenges to suspension decisions taken under the MoJ's accreditation scheme for medical reporting in injury claims; raising issues under ECHR Article 6 (fair hearing); Article 1 of the First Protocol (right to possessions);
- R (OJSC Rosneft Oil Co) v HMT, FCA & Aor C-72/15: CJEU (Grand Chamber) (28 March 2017): acting for the FCA in the JR challenge brought by Rosneft against the FCA and HMT concerning the validity and interpretation of EU sanctions against Russia following its actions in Ukraine;

- *Bouhadi v Breish* [2016] EWHC 602: acting for the claimant seeking declarations identifying the legitimate government of Libya for the purposes of establishing control over Libyan sovereign wealth held within the UK (led by Jonathan Crow QC; opposing Counsel Lord Pannick QC);
- Leveson reforms: advising the Department of Culture Media and Sport in relation to the controversial implementation of the statutory reforms to press regulation arising out of the Leveson report (section 40 of the Crime and Courts Act 2013);
- *R (Sison) v SSHD* [2016] UKUT 33 (IAC): acting (as sole Counsel) for the SSHD in a JR concerning the ability of claimants to “piggy back” on alleged infringements of the human rights of third parties, ECHR Article 8 (right to private life);
- *Ocean Reef Ltd v Nevis Island Administration & Governor-General of St Kitts and Nevis* (NEVHCV2017/0114): acting (with Jonathan Crow QC) for the claimant in relation to a judicial review / constitutional challenge to the expropriation of property in St Kitts and Nevis;
- >50 linked intimated JR challenges: acting (as sole Counsel) for a commercial regulator resisting more than 50 linked pre-action JRm challenges to decisions affecting an industry sector;
- Statutory remediation of land contamination: advising the Environment Agency in relation to the lawful exercise of statutory powers to compel the remediation of contaminated land;
- *In re. Law Society* [2015] 1 W.L.R. 4064: seeking novel declaratory relief for the SRA over its powers to destroy property seized on statutory interventions; raising issues under ECHR Article 1 of the First Protocol (right to possessions), and Article 6 (fair hearing);
- *R (Bluefin Insurance Services Ltd) v FOS* [2014] EWHC 3413 (Admin): acting for an insurance broker in a test case JR concerning the jurisdiction of the FOS to make awards in respect of D&O policies (led by Charles Bear QC);
- *R (Whitston) v SStE for Justice* [2014] EWHC 3044 (Admin): acting (as sole Counsel) for the ABI in a JR challenge concerning changes to the funding regime for mesothelioma claims;
- *R (APIL) v SStE for Justice* [2013] EWHC 1358 (Admin): acting for the ABI in a JR challenge to the Government’s decision to cut recoverable costs in RTA claims (the judgment paved the way for reforms to remove £1 million per day out of the motor insurance system);
- *USA v Wood* [2013] EWHC 1971 (Admin): acting (as sole Counsel) for the UK (Home Secretary) in a procedural/jurisdictional challenge to the USA’s request for the extradition of a UK national to face allegations of wire fraud; raising issues under ECHR Article 8 (private life);
- *NA v Law Society & Ors* [2012] EWHC 980 (QB) acting (as sole Counsel) for the SRA resisting a claim for, amongst other things, a declaration of incompatibility under the HRA 1998 relating to the SRA’s statutory powers to intervene into solicitors’ practices;
- *R (BBA) v FSA* [2011] EWHC 999 (Admin) acting for the FSA in the PPI JR, defending decisions which have had multi-billion pound consequences for industry (led by Michael Brindle QC and Monica Carss-Frisk QC; opposing Counsel Lord Pannick QC; Michael Fordham QC, and Charles Flint QC);

- *Cooper v Attorney General* [2008] 3 C.M.L.R. 45: acting for the claimant against the Attorney General in the first damages claim ever brought against the UK for alleged infringements of EU law by a domestic Court (reported as “ground-breaking” in Chambers & Partners) (led by Charles Bear QC; opposing Counsel Philip Sales QC – now Lord Justice Sales);
- *R (QMUL) v HEFCE* [2008] E.L.R. 540 acting for a university in a JR challenge to funding decisions by the Higher Education Funding Council (resulting in the quashing of those decisions) (led by Charles Bear QC, opposing Counsel Michael Beloff QC).

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James acts both for and against regulators in contested proceedings and advises regularly on financial regulatory issues, including FSMA and its subordinate legislation; the powers and competencies of the FCA, FOS and the FSCS; the Financial Services Handbook (in particular COBS, ICOBs, DISP, PRIN); the Payment Services Regulation collective investment schemes, and the territorial application of the FSMA regime. Examples of previous matters include:

- *R (Donegan & Ors) v Financial Services Compensation Scheme* (ongoing): James is acting (leading Tim Johnston and Charlotte Thomas) for investors challenging the FSCS’s decision to decline compensation to thousands of investors who lost >£200m in the London City & Finance “mini-bonds” scandal. Permission has been granted on all grounds and the challenge is proceeding to a three-day hearing in 2021.
- FRC investigation: advising (as sole Counsel) the FRC in relation to proposed disciplinary action against accountants arising out of a heavily publicised financial scandal (2017–2019);
- *R (Taveta Investments Ltd) v Financial Reporting Counsel & Ors* [2018] EWHC 1662 (Admin): acting for the FRC resisting an injunction to restrain publication of the detailed reasons for its settlement agreement with PWC relating to the audit of BHS;
- FSCS COMP jurisdiction: advising the FSCS as to the scope and discretionary exercise of powers to award compensation arising out of firm default (2017);
- FCA strategic advice: advising the FCA’s General Counsel’s Division (“GCD”) on the proper interpretation and application of Handbook rules of industry-wide significance (multiple instances);
- *R (Bluefin Insurance Services Ltd) v FOS* [2015] Bus. L.R. 656: acting for an insurance broker in a test case concerning the jurisdiction of the FOS to make awards in respect of D&O policies (the case has removed an entire line of insurance business from FOS jurisdiction);
- Bank of England: advising the Bank of England (with Jonathan Crow QC) on the interpretation of its systemic, market stabilisation powers under the Banking Act 2009;
- PRA organisation: advising the Bank of England (with Jonathan Crow QC) on aspects of the creation and operation of the PRA;
- PPI Judicial Review: acting for the FCA (then FSA) against the British Bankers Association in the test case concerning banks’ regulatory obligation to pay compensation for PPI mis-selling. Compensation payments of >£27 billion have now been made;

- Bank Overdraft Charges test case: acted for HBOS against the OFT in the test case as to banks' obligations under the UTCCRs. The banks' success in those proceedings averted potentially multi-billion pound pay-outs;
- Advising the FSCS concerning its £326m exceptional fund management levy under FEES;
- *Argentum Lex Wealth Management Limited v Giannotti & FSA* [2011] EWCA Civ 1341: acting against the FCA (as sole Counsel) in a Court of Appeal hearing concerning the effect of pro forma arrangements for the transfer of regulatory liabilities.

## Legal services

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James regularly advises both regulators and private persons concerning the obligations of legal service providers and the powers and public law duties of the SRA. He has acted in numerous judicial review or appellate proceedings concerning the SRA and the scope and effect of the regulatory framework. James also appears regularly (as sole counsel) in disciplinary prosecutions, including those concerned with dishonesty, the misappropriation of client funds and other serious misconduct. Examples include:

- *SRA v Baker McKenzie LLP & Ors* (2019-2020): James acted for Tom Cassels (a litigation partner at Linklaters LLP) in this very heavily publicised 4 week SDT trial. Mr Cassels was fully acquitted of all wrongdoing;
- *SRA v City Firm solicitor* (2020): James is currently acting for a solicitor at one of the leading City firms in relation to an SRA investigation concerning alleged misconduct;
- *SRA v L & R* (2019-2020): James is acting for the SRA in this prosecution concerning allegedly untrue and misleading evidence given in a partnership dispute in the Chancery Division. James' opponent is Michael McLaren QC;
- *Dean v SRA* (2017) (SDT; 11582-2016) (as sole counsel): appeal against order prohibiting employment in connection with solicitor's practice. James' opponent was Tim Moloney QC;
- *SRA v Nickson* (2016) (SDT; 11436-2016) (as sole counsel) strike-off; integrity; public trust; best interests of client;
- *Lawson v SRA* [2015] EWHC 1237 (Admin) (as sole counsel): re. suspension;
- *R (IA) v SRA* [2014] EWHC 197 (Admin) (as sole counsel): re. suspension, fresh evidence, conditions on certificate;
- *SRA v V* (2013) (11090/12) (as sole counsel): re. improper contingency fees; dishonesty; compromising integrity; conduct unbecoming; diminishing trust in profession; striking off;
- *Westlaw Services Ltd v Boddy* [2010] EWCA Civ 929 (as sole counsel): Court of Appeal hearing re. whether commercial contracts formed in breach of regulatory obligations could be enforced by non-regulated counter-parties; James' opponent was a leading QC;

- Coal Miners Compensation Scheme prosecutions: James acted for the SRA (led by Timothy Dutton QC) in the widely publicised SDT prosecutions for alleged solicitor misconduct in connection with the >£4.4 billion miners' compensation scheme – the largest industrial injuries compensation scheme in the world. This was collectively the most substantial enquiry ever undertaken into misconduct within the legal profession in England & Wales. James appeared in four separate prosecutions, including both of the headline cases of Raleys and Beresfords, the latter of which resulted in findings of dishonesty and was described as a “landmark hearing” (*The Times*).
- James is a member of the Association of Regulatory and Disciplinary Lawyers; has contributed to their quarterly bulletin, appeared in a panel debate on proposed regulatory reforms, and lectures regularly on regulatory topics.

## Commercial

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James' commercial practice has covered a number of the most interesting commercial disputes to reach the courts in recent years, including the >£4 billion rights issue litigation arising out of the failure of RBS; the test cases on both PPI and bank overdraft charges (each of which had multi-billion pound consequences), and the leading Supreme Court authority on piercing the corporate veil and forum conveniens. He has been instructed in connection with a number of other matters heavily reported in the national press, including the controversial sale of BHS by the Arcadia Group; Tesco's profit misstatement, and the LIBOR “rigging” scandal.

In addition to court proceedings, James has appeared in high-value international arbitrations, ranging from contested oil and gas industry contracts to disputes involving commercial trusts and the restructuring of foreign debt.

- Sovereign Wealth Fund v Global Financial Services provider: James acted (led by Richard Lissack QC) for a leading Global Financial Services provider resisting circa >£200m claims in bribery, conspiracy, unjust enrichment, and under foreign anti-corruption laws brought by a sovereign fund relating to alleged systematic impropriety maintained over >15 years;
- X Investments Ltd v Y Ltd (2017-2019) (Comm. Ct). James acted (leading Alexandra Whelan) for a high net-worth Chinese national and his corporate vehicle in this joint venture dispute concerning contested interests in globally diversified assets running to the hundreds of millions of GBP. The case raised issues of Chinese, Hong Kong, Luxembourg, and English law concerning inter-company debt arrangements, a promissory note, and a variety of contested lending and capital contribution arrangements. Opposing Counsel were Tony Peto QC and Peter Head;
- Harbour Castle Ltd v David Wilson Homes Ltd [2019] EWCA Civ 505; [2018] EWHC 25 (Ch): acting for the claimant in a >£200m claim for the alleged breach of an option agreement (permission to appeal granted by Henderson LJ);
- RBS Rights Issue litigation (2013-2017): acting for RBS and its former directors defending the multi-billion pound group action arising out of the bank's part-nationalisation;



- Confidential >\$130 million LCIA arbitrations: acting for the claimant in two linked arbitral disputes arising out of the restructuring of distressed debt in a foreign public company. The case involved complex banking assignment documentation, the disputed operation of multi-million pound commercial trusts, and allegations of political influence in procuring commercial arrangements with a public entity;
- NRAM plc v McAdam [2015] EWCA Civ 741: acting against Northern Rock Plc in the >£250m test case concerning whether the CCA could apply by contractual incorporation or estoppel to lending in excess of the statutory threshold;
- VTB v Nutritek [2013] UKSC 5: acting for Russian entrepreneur Konstantin Malofeev in the landmark Supreme Court case on piercing the corporate veil and forum conveniens (appeared at first instance, in the Court of Appeal, and in the Supreme Court) (led, at various times, by Stephen Rubin QC, Iain Milligan QC, and Mark Hapgood QC);
- Deutsche Banke (Suisse) SA v Khan [2013] EWHC 482 (Comm): acting for Deutsche Bank in a >£50 million claim over a secured lending facility;
- >\$680 million claim under a cross-undertaking: acting for a Russian national in a claim under a cross-undertaking following the setting aside of a worldwide freezing order;
- £20 million claim against Credit Suisse: acting for corporate investors in a claim for the alleged mis-selling of structured notes geared to the U.S. life insurance markets;
- London Underground v Freshfields & Herbert Smith Freehills (Commercial Court): acting for HSF in a >£140 million claim relating to the drafting and execution of complex PPP financing for the regeneration of the London tube network;
- Marex Financial Ltd v Creative Finance Ltd [2013] EWHC 2155 (Comm): acting for investors claiming against a FOREX broker concerning the forced liquidation of US\$800 million cross-currency positions.

## Notable cases

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- R (Taveta Investments Ltd) v Financial Reporting Counsel & Ors [2018] EWHC 1662 (Admin)
- R (Med Chambers Ltd) v Medco Registration Solutions Ltd [2017] EWHC 3258 (Admin)
- Harbour Castle Ltd v David Wilson Homes Ltd [2018] EWHC 25 (Ch)
- RBS Rights Issue litigation(2017) (Ch)
- P/JSC Rosneft Oil Co v HMT(2017) C-72/15: CJEU (Grand Chamber)
- Bouhadi v Breish [2016] EWHC 602
- NRAM plc v McAdam [2015] EWCA Civ 741
- The Law Society (Solicitors Regulation Authority) [2015] EWHC 166 (Ch)
- R (OJSC Rosneft Oil Co) v HMT, FCA & Aor [2015] EWHC 248 (Admin)
- R (Bluefin Insurance Services Ltd) v FOS [2014] EWHC 3413 (Admin)
- Greenwood & Ors v Royal Bank of Scotland Plc, Goodwin & Ors [2014] EWHC 227 (Ch)
- R (Whitston) v SStE for Justice [2014] EWHC 3044 (Admin)

- R (Adelakun) v Solicitors Regulation Authority [2014] EWHC 198 (Admin)
- Deutsche Banke (Suisse) SA v Khan [2013] EWHC 482 (Comm)
- Marex Financial Ltd v Creative Finance Ltd [2013] EWHC 2155 (Comm)
- VTB Capital Plc v Nutritek International Corp [2013] UKSC 5 [2013] 2 W.L.R. 398
- United States of America v Wood [2013] EWHC 1971 (Admin)
- R (Association of Personal Injury Lawyers) v SSte for Justice [2013] EWHC 1358 (Admin)
- Stack v Ajar-Tec Ltd [2012] EWCA Civ 543
- VTB Capital Plc v Nutritek International Corp [2012] EWCA Civ 808; [2012] 2 Lloyd's Rep. 313
- McNulty v Revenue and Customs Commissioners [2012] S.T.C. 2110
- R (British Bankers Association) v FSA & FOS [2011] EWHC 999 (Admin)
- VTB Capital Plc v Nutritek International Corp [2011] EWHC 3107 (Ch)
- Argentum Lex Wealth Management Ltd v Giannotti [2011] EWCA Civ 1341
- Westlaw Services Ltd v Boddy [2010] EWCA Civ 929
- Beresford v Solicitors' Regulation Authority [2009] EWHC 3155 (Admin)
- Richards v Law Society [2009] All ER (D) 103
- Office of Fair Trading v Abbey National Plc (No. 2) [2008] EWHC 2325 (Comm); [2009] 1 All E.R. (Comm) 717
- Office of Fair Trading v Abbey National Plc [2008] EWHC 875 (Comm); [2008] 2 All E.R. (Comm) 625
- Cooper v Attorney General [2008] EWHC 2178; [2008] 3 C.M.L.R. 45
- R (Queen Mary University of London) v the Higher Education Funding Council for England [2008] EWHC 1472 (Admin); [2008] E.L.R. 540; [2008] A.C.D. 69

## Directory quotes

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- "He's a class act. He is certainly very thorough, his writing skills are strong, and he produces excellent and tight submissions." "He really takes his time to understand both the legal and regulatory issues at stake and the client's objectives. As a result his advice is always clear and pragmatic." (Chambers 2022)
- "A class act." "Insanely smart." (Chambers 2022)
- "Genuinely intellectually brilliant and very likeable." (Chambers 2022)
- "He is extremely good. He is a very good technical barrister and one of the few people that has cross-over between banking, regulatory and public law. He has versatility and is very useful." "He delivers excellent written work and is thorough in his approach and quick to get across the details." (Chambers 2022)
- "He is very analytical and extraordinarily hard-working." "He provides brilliant delivery in court and great technical expertise." (Chambers 2022)
- "An absolute star: razor-sharp, totally devoted to his cases and clients, covers every single detail of the case – and comes up with creative solutions to the hardest problems." (Legal 500 2022)

- "He is rapidly becoming a leader in the sector – a hugely forensic approach, client-friendly but focussed on the tribunal, and providing sure-footed direction on difficult judgement calls." (Legal 500 2022)
- "Very sharp, and completely on top of his brief in relation to financial services matters. He inspires confidence in the client and in the court." (Legal 500 2022)
- "James has a cool head under pressure and his submissions are rapier sharp. He is calm, forensic and puts the client's case forcefully." (Legal 500 2022)
- "Extraordinarily hard-working, clever, with great attention to detail and calm under fire." (Legal 500 2022)
- "Charming and brilliant"; "unflappable"; "he always delivers"; "a stylish advocate". (Chambers 2021)
- "Incredibly hard-working and has very good judgement"; "totally gets under the bonnet of a case"; "incredibly charming with clients"; "often the barrister I choose to instruct in my most sensitive cases". (Chambers 2021)
- "Extraordinarily bright and quite singular in that he is able to drive through an argument very quickly." (Chambers 2021)
- "A highly persuasive advocate who sees problems with crystal clarity." (Legal 500 2021)
- "A cut above the rest, he has a huge brain but remains humble, engaging and commercial." (Legal 500 2021)
- "An outstanding jurist ... and an excellent advocate." (Legal 500 2021)
- "Particularly strong at the intersection of commercial law and public law." (Legal 500 2021)
- "Absolutely outstanding" (Chambers), "prodigiously intelligent" (Chambers), "a brilliant lawyer" (Legal 500), "a cut above the rest" (Legal 500), "his energy and intelligence are exceptional". (Legal 500);
- "A compelling advocate" (Legal 500), "fantastic both on his feet and on paper" (Chambers), "inspires real confidence"(Chambers); "lauded for his quickness and resilience in court" (Chambers), "terrifyingly intelligent" (Legal 500); "a very difficult opponent" (Chambers); "particularly good at dealing with difficult points" (Chambers), "his advocacy is cerebral yet accessible". (Legal 500);
- "Gives crisp answers to judicial questions delivered in an astonishingly engaging manner" (Legal Week), "a very creative advocate who has a very good insight into how courts ... think" (Chambers), "highly regarded for his calm and assured advocacy" (Chambers), "has a very good feel for what the court is interested in" (Chambers)
- "Utterly dedicated" (Chambers), "totally down to earth" (Chambers), "a delight to work with (Chambers); "combines intellectual brilliance with excellent communication skills and a willingness to grasp the practical and commercial realities of a case". (Chambers)
- "He has a huge brain but remains humble, engaging and commercial". (Legal 500);
- "A super-brain" (Chambers), "he has such intellectual rigour and tenacity that he won't let a point drop – he shakes it and shakes it until he's got a better answer" (Chambers), "if one needs to employ serious brain power he's the right person to go to". (Chambers)

- "Gets his teeth into anything and always resolves the situation". (Chambers),
- "Great depth and diversity, spanning commercial litigation with regulatory and public law" (Legal Week), "my favourite junior for public law matters with a commercial flavour" (Chambers), "a noted ability and experience in handling cases arising in administrative and public law" (Chambers), "particularly good for commercial judicial review". (Legal 500);
- "One of the leading senior juniors in commercial litigation" (Legal 500), "a rising star of the Commercial Bar" (Chambers), "wins instructions from top litigation law firms". (Chambers);
- "Has an encyclopaedic knowledge of financial regulatory work" (Chambers), "has an outstanding ability to grasp the technical aspects of financial products" (Legal 500), "he seemingly understands the clients' products better than they do". (Chambers)
- "Ferociously hard working" (Legal 500), "celebrated for his intelligence and determination" (Chambers), "an exceptional work ethic" (Chambers), "his knowledge of detail and his precision are second to none" (Chambers), "meticulous in his approach" (Chambers), "unbelievably sharp" (Chambers), "he never misses a trick and always considers things from every angle". (Chambers)
- "Exceptionally easy to work with" (Chambers), "good fun" (Chambers), "excellent and totally down to earth" (Chambers), "highly intelligent but has no airs about him at all" (Chambers), "a very nice guy" (Chambers), "exceedingly intelligent, hardworking and user friendly" (Legal 500), "an advocate who tribunals like". (Legal 500).
- "Good at getting to the heart of the issue". (Chambers)

## Education & appointments

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### Academic appointments

- 2012 -2013: Lecturer in Public and Administrative law, Keble College, Oxford University
- 2011-12: Tutor in Public and Administrative law, St Hugh's College, Oxford University

### Education

- MA, Cambridge University (Eng. Lit) – Starred Double First (double first, including top starred first in the University)
- CPE, City University – Distinction (second highest in the University)
- BCL, Oxford University – Distinction
- BVC, Inns of Court School of Law – Outstanding

### Prizes/awards

- Eldon Scholarship (for the most promising graduate of Oxford University commencing practice at the Bar)
- Barnett Bequest Award (for an outstanding student of the BCL) (Merton College)
- Buchanan Prize (for outstanding performance on the Bar Vocational Course) (Lincoln's Inn)
- Eastham Scholarship (Lincoln's Inn)

- Mansfield Scholarship (Lincoln's Inn)
- Bowen Scholarship (Lincoln's Inn)
- Hardwicke Entrance Award (Lincoln's Inn)
- Maitland Advocacy Prize
- Rylands Prize (for top First in English) (Cambridge)
- Heineman Prize (for outstanding work on Shakespeare) (Cambridge)
- Matthew Wren Senior Scholarship (Peterhouse)
- College Exhibition (Peterhouse)
- Friends of Peterhouse Prize for English

## Publications

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- Contributing author of Brindle & Cox on "The Law of Bank Payments".
- Past Contributor to the Association of Regulatory & Disciplinary Lawyers' Quarterly Bulletin.
- Contributor to Sweet & Maxwell's Civil Procedure Reports 2006-2009.

## Other experience

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- 2008-2009 Part-time supervisor in English literature at Peterhouse, Cambridge.
- James has published on the influences of mid-19th century French philosophy on American Literature. (See *Journal of American Studies*, Cambridge University Press, 39 (2005) pp. 239-255: "Losing Grip: Emerson, Leroux and the Work of Identity".)
- James participates in the Bar Council's Social Mobility Scheme and mentors sixth form students contemplating a career at the Bar.
- James is an advocacy trainer certified by the Honourable Society of Inner Temple.
- James has sat on the scholarships interview panel for the Honourable Society of Lincoln's Inn.