James Cornwell

Call: 2002

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James practises mainly in public, education, local government, media and data privacy and information law. His work often involves overlap between these areas.

He has acted for a wide range of clients, including government departments and agencies, local authorities, regulators, universities, major companies and third-sector organisations. He is a member of the Attorney General's A Panel of Counsel.

The main legal directories rank James as a leading junior for, variously, administrative and public law (including local government), data protection law and education law.

> ***Great attention to detail***
>
> LEGAL 500

Expertise

Employment

James's employment practice has involved advisory work and advocacy, primarily in employment tribunals and the EAT, but also in the county court, High Court and Court of Appeal (appearing both as sole and junior counsel), covering a range of issues including TUPE, equal pay, employment contracts, school staffing and staff disqualification, unfair dismissal, constructive dismissal, trade unions, employment status, whistle-blowing, and discrimination. He has acted for the local authority respondents in two large, long-running multi-claimant equal pay claims.

James's employment work often overlaps with his other areas of expertise and is currently focussed primarily on TUPE, equal pay and issues concerning staffing at maintained schools and Academies.

Cavanagh & others v Secretary of State for Work and Pensions

[2016] EWHC 1136 (QB), [2016] IRLR 591, [2016] ICR 826

Contracts of employment – trade unions – whether Defendant's decision to end 'check-off' facilities for payment of trade union subscriptions breached employment contract – whether trade union entitled to enforce provisions in relation to 'check-off' under the Contracts (Rights of Third Parties) Act 1999.

Johnson v Dixons Stores Group Retail Ltd

UKEAT/507/11/RN & UKEAT/508/11/RN (9 FEBRUARY 2012), EAT

Issue estoppel – extension of time – application for review

Walsh v Tewkesbury Borough Council

[2011] EQLR 1107, ET

Age discrimination – justification – early release of pension – redundancy.

Kirklees Metropolitan Council v Radecki

[2009] EWCA CIV 298, [2009] ICR 1244, [2009] IRLR 555

Effective date of termination – whether summary dismissal – EAT interfering in ET's findings of fact.

Cheltenham Borough Council v Laird

[2009] EWHC 1253 (QB), [2009] IRLR 621

Local authority – alleged misrepresentations in pre-employment medical questionnaire – formation of contract.

Achievements

Appointments

2016 Attorney General's A Panel of Civil Counsel
2012 Attorney General's B Panel of Civil Counsel
2008 Attorney General's C Panel of Civil Counse

News, Articles & Publications

Contributor, *Halsbury's Laws of England* (5th Edition), Vol.61 (Judicial Review)

Contributor, *Information Law Reports*

Contributor, *Local Government Law* (Bloomsbury) (chapter on adult social services)

Contributor, *Tolley's Employment Handbook* (chapter on discrimination and equal opportunities enforcement)

Author, *"Local authority duties under the Children Act 1989"*, PLC Public Sector

Author, *"Mount Cook 1: Whatever Happened to Leach?"* [2004] Judicial Review 49

James has given talks and training (including by podcast and webinar) on various topics in public, employment, discrimination, community care, local government, data protection, freedom of information and education law to solicitors, local authority officers, civil servants, school governors, barristers, IRP panel members, data protection officers and others.

Education

2001-2002 Inns of Court School of Law – Bar Vocational Course

2000-2001 City University – Diploma in Law

1995-2000 Brasenose College, Oxford – DPhil in Philosophy

1993-1995 University College London – MPhil in Philosophy Dawes Hicks Scholarship in Philosophy

1990-1993 University College, Oxford – BA (Hons) in Philosophy, Politics & Economics College Exhibition

Other

Queen Mother Major Scholarship, Middle Temple

Sachs Prize for performance on the BVC, Middle Temple

Benefactors CPE Scholarship, Middle Temple

James is a barrister mentor for student representatives on the City University School Exclusions Project.

James is a member of:

- Administrative Law Bar Association
- Education Law Association
- Employment Law Bar Association
- Employment Lawyers Association

> ***Combines meticulous preparation with excellent clarity of understanding of the law***
>
> LEGAL 500

> ***Able to master a huge amount of detailed material in a short timeframe.***
>
> LEGAL 500

> ***Clever and very experienced***
>
> CHAMBERS & PARTNERS

> ***He is intellectual, hard-working and thorough, and reads every last page of the case***
>
> LEGAL 500

> ***Imaginative, industrious and full of sound judgement; he will go far***
>
> LEGAL 500

He has a fantastic legal mind. He gets his head around really technical arguments, and is easy to work with

CHAMBERS & PARTNERS

He got to grips with a very difficult project and he was very impressive... It was his great grasp of the complex issues in the case that was really impressive. He had obviously prepared diligently for the hearing and fully understood the arguments and the background

CHAMBERS & PARTNERS

He has a first-class intellect

LEGAL 500

Precise and to the point, he focuses on the key facts and issues

CHAMBERS & PARTNERS