

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.



Clever and very experienced

CHAMBERS & PARTNERS

Expertise

Professional Discipline & Regulatory

James's regulatory and professional disciplinary work has covered legal services, data protection and direct marketing, independent schools' regulation, Ofsted inspections, social workers, doctors and teachers.

He regularly advises the Legal Ombudsman and has represented it in a number of judicial review challenges to its determinations. He has represented the Information Commissioner in a number of appeals against enforcement notices and monetary penalty notices issued under the Privacy and Electronic Communications (EC Directive) Regulations 2003. He has also appeared before the former General Teaching Council defending a head teacher in a 15-day hearing concerning alleged financial misconduct and acted for an NHS Trust in HC (90) 9 proceedings against a consultant.

James regularly acted as a legal advisor to the former General Social Care Council's Preliminary Proceedings Committee. He also has experience of conducting an independent review for a government department.

R (Kerman & Co LLP) v Legal Ombudsman

[2014] EWHC 3729 (ADMIN), [2015] 1 WLR 2081

Legal Services Act 2007, s.132 – Legal Ombudsman – whether claimant solicitors firm was successor to sole practitioner as respondent to complaint.

Amber UPVC Fabrications Ltd v Information Commissioner

FIRST-TIER TRIBUNAL (INFORMATION RIGHTS),
EA/2014/0112

DPA, s.55A – PECR, reg.21 – live direct marketing calls – whether Commissioner entitled to serve monetary penalty notice.

Information Commissioner v Niebel

[2014] UKUT 255 (AAC), [2015] AACR 1, [2014] 2 INFO LR 162, FIRST-TIER TRIBUNAL (INFORMATION RIGHTS)
– [2013] 2 INFO LR 329

DPA, s.55A – Directives 2002/58/EC and 2009/136/EC – direct marketing text messages – whether Commissioner entitled to serve monetary penalty notice – whether contravention of PECR was of a kind likely to cause substantial damage or substantial distress.

R (Rosemarine) v Office for Legal Complaints

[2014] EWHC 601 (ADMIN)

Legal Ombudsman – whether Ombudsman prevented from considering complaint because lawyer had not had opportunity substantively to respond to complaint under internal complaints procedure – whether Ombudsman demonstrated actual or apparent bias – whether Ombudsman unfair/irrational to uphold complaint based on way lawyer responded to substantive complainant.

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

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

CHAMBERS & PARTNERS