

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.



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

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Expertise

Local Government

James's local government experience includes advisory and litigation work for a number of local authorities and central government on a wide range of issues including vires, delegation, the well-being power/general power of competence, local government pensions, local government finance, governance, Members' conduct (including acting as legal advisor to Members' Conduct Committees and Appeal Committees), service cuts, community care (including asylum support, and age assessment), Local Government Ombudsman complaints, EU structural funds (including ERDF funds), the public sector equality duty, and government grants and subsidies.

He has appeared in the Administrative Court and Upper Tribunal in judicial reviews on local government matters, as well as in the Court of Appeal and Supreme Court.

James's work in this area often overlaps with his other areas of specialism, such as Public, Education, Information and EU Law.

R (Harvey) v London Borough of Haringey & Secretary of State for Housing, Communities and Local Government

[2018] EWHC 2871 (ADMIN)

Local Government Pensions – human rights – whether a local authority had discriminated contrary to Article 14 ECHR (read with Article 1 of the First Protocol) by refusing to grant a pension to the surviving unmarried cohabiting partner of a deceased member of the Local Government Pension Scheme who had not become a member of the 2008 LGPS Scheme.

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R (Essex County Council) v Secretary of State for Education

[2016] EWHC 1724 (ADMIN)

Education – government grants – whether the Secretary of State had taken an irrational or unfair approach to criteria for allowing carry forward of a grant to a local authority for Early Years childcare – whether the Secretary of State had failed to comply with the public sector equality duty.

R (Rotherham Metropolitan Borough Council & others) v Secretary of State for Business, Innovation and Skills

[2015] UKSC 6, [2015] PTSR 322, [2015] 3 ALL ER 1, [2015] BLGR 323, [2015] 3 CMLR 20, [2014] EWCA CIV 1080, [2014] PTSR 1387, [2015] 1 ALL ER 242, [2014] BLGR 589, [2014] 3 CMLR 51, [2014] EWHC 232 (ADMIN), [2014] BLGR 389, [2014] ACD 75

EU Structural Funds – whether Defendant's allocation of Structural Funds to regions rational – whether allocation consistent with EU law principles of proportionality and equality.

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

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“

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

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

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