

James Tunley



James's practice and experience spans a range of civil and commercial work including employment, professional negligence, professional disciplinary, personal injury, clinical negligence and inquests.

He advises and represents both claimants and defendants/respondents at all stages of the court and tribunal process with particular strengths in employer's liability, discrimination, and unfair dismissal, to name but a few. James has several notable cases, which include: Revenue and Customs Commissioners v Ant Marketing Ltd [2020] IRLR 744; Fahy v (1) PCS Union & (2) Thompsons Solicitors [2015] EWHC 3515 (QB); Commissioners for HM Revenue and Customs v Lorne Stewart plc [2015] ICR 708; Ministry of Defence v Hensman UKEAT/0067/14/DM; Embassy of Brazil v DA de Castro Cerqueira [2014] 1 WLR 3718.

Between March 2012 and September 2018 James was appointed to the Attorney General's C Panel of Junior Counsel to the Crown.

James also accepts appropriate work under the Direct Public Access Scheme.

Further information

Seminars and training

James has delivered lectures and training on a range of topics including bringing employment claims in the County Court, enforcement of judgments, negligent misstatement, the National Minimum Wage Act 1998 and clinical negligence.

In 2020 and 2021 James recorded a series of podcasts with Get Legally Speaking. James spoke with host Hatti Suvari and answered questions about employment law issues arising out of the COVID-19 pandemic, the Coronavirus Job Retention Scheme, furlough, redundancies, pay and the vaccine.

Qualifications

- LLB (Hons) University of Leicester – First (2004)
- Bar Vocational Course – Very Competent (2005)

Memberships

- Employment Lawyers Association



Year of Call: 2005

Contact Practice Manager

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- Industrial Law Society
- Personal Injury Bar Association



Insolvency

James has experience in advising and acting for both debtors and creditors in the context of personal and corporate insolvency, ranging from bankruptcy/winding up petitions and applications to set aside statutory demands to directors' duties and financial liabilities.

With expertise in employment law, James is well-placed to act where employment-related claim or issues arise in the insolvency context, particularly with regard to matters under the Transfer of Undertakings (Protection of Employment) Regulations 2006. He has also advised on, and been instructed in, cases against insolvent employers where redundancy and other payments are sought from the Secretary of State and the Insolvency Service.

Examples of recent insolvency work

- Represented a small business in winding up proceedings, including a successful application for a validation order.
- Instructed by creditors in a number of bankruptcy petitions and applications to set aside statutory demands.
- Acted for an employee in the claim concerning the insolvency of the employer and the application of Regulation 8(7) of the Transfer of Undertakings (Protection of Employment) Regulations 2006

Seminars/Training

James has delivered, along with other members of Chambers, seminars on bankruptcy practice and procedure and has also given training sessions on winding up and bankruptcy order as a means of enforcing judgment debts.