

## 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 a number of notable cases, which include: 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.

In March 2012 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.

#### Qualifications

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

#### Memberships

- Employment Lawyers Association
- Industrial Law Society
- Personal Injury Bar Association

#### Personal Injury

James enjoys a busy personal injury practice, acting for and advising both claimants and defendants. He has experience in a wide range of cases all the way from road



**Year of Call: 2005**

Contact Practice Manager  
Joe Grimmer  
[joe@lambchambers.co.uk](mailto:joe@lambchambers.co.uk)  
020 7797 8307

VAT Reg No  
931504548

traffic accidents to industrial disease cases and everything in between, such as accidents at work and employer's liability claims, claims under the Occupiers' Liability Act 1957, assaults, and psychological injuries.

As well as appearing in court, James is regularly instructed to draft pleadings, Part 18 requests for information, Part 35 questions to experts and to advise in writing on liability, quantum, settlement and tactical issues that arise in litigation.

James also has experience in clinical negligence work and has been instructed on cases including the alleged negligent nursing treatment and defects caused during childbirth.

### **Examples of recent personal injury and clinical negligence work**

- Palmer and others v Mitchell and others (2018): Represented a claimant/Part 20 defendant in a claim and counterclaim arising out of a road traffic accident. The matter involved extensive arguments as to causation of injuries and the defendant's application for a finding of fundamental dishonesty was resisted successfully.
- Ramsey v Kelly (2017): Acted for the Claimant in a claim arising out of a road traffic accident between a cyclist and a motor vehicle, giving rise to issues of breach of the Highways Act 1835 and contributory negligence.
- Oldman (Executor of the Estate of Bertie Oldman) v DEFRA (2017): Represented the defendant in a multi-track trial of claim for personal injuries arising out of the deceased exposure to asbestos whilst working as a marine engineer.
- Surtees v Ministry of Justice (2017): Represented the defendant in a claim brought by a prisoner under the Occupiers' Liability Act 1957. At trial the claim was found to be fundamentally dishonest and QOCS was disapplied.
- Fahad v Ministry of Justice (2016): Acted for the defendant in a multi-track trial and successfully defended a claim for assault, which encompassed arguments as to the reasonable, necessary and proportionate use of force, cross-examination of medical experts and the appropriateness and quantum of potential aggravated damages.

