



James Walmsley

Call: 2007

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Clerks' Details

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Qualifications and Appointments

- Maths & Philosophy MA (Oxon) 1995-1999 – top in year
- Graduate Diploma in Law 2005-2006 – distinction
- BVC 2006-2007 – outstanding
- Fellow of All Souls College Oxford 1999-2014

“A brilliant technical and strategic thinker.”

The Legal 500, 2022

Memberships

- Association of Pension Lawyers
- Chancery Bar Association
- Commercial Bar Association

Publications

- The pensions chapter of Lightman & Moss

Practice Overview

James has a broad commercial chancery practice including general commercial litigation and arbitration, trusts, pensions and professional liability.

He is recommended in both Chambers & Partners and The Legal 500 for his commercial and pensions work.

Chambers & Partners 2022:

Commercial Dispute Resolution *"Brainy and incredibly thorough, he is a fantastic team player."*

Pensions *"His ability to distil vastly complex fact patterns into practical advice is extremely impressive."*

The Legal 500 2022:

Commercial *"James provides laser-focused and practical advice; he cuts to the heart of the matter quickly and confidently. His written work is exceptional."*

Professional Negligence *"A brilliant technical and strategic thinker. He is particularly well-suited to large and complex cases and will get on top of the facts quickly."*

Pensions *"James is respected for his acumen and raw intelligence, particularly in actuarial or financial matters."*

Chambers & Partners 2021:

Commercial Dispute Resolution: *"He is incredibly logical and will look at things very thoroughly from all angles."*

Pensions: *"He is exceptionally good – extremely bright and hard-working."* *"He always adds value when considering difficult areas of contract law."*

The Legal 500 2021:

Commercial litigation: *"Extremely hard-working, on top of the papers, and has a fierce intellect."*



Practice Overview continued

Pensions: *"Very knowledgeable of pensions and more general civil procedure, demonstrating really considered advice that gives you confidence that he has the right answer."*

Professional negligence: *"He is extremely detailed oriented and has an absolute mastery of the law."*

Pensions

James has extensive experience in the pensions field, building on his financial and policy experience before joining the Bar. His expertise covers both regulatory (moral hazard powers, scheme funding, trustee appointments) and non-regulatory aspects, including construction, rectification and blessing claims, as well as professional liability actions. He is recommended in both Chambers & Partners and The Legal 500 for his pensions work and is described as **"respected for his acumen and raw intelligence, particularly in actuarial or financial matters."** **"His ability to distil vastly complex fact patterns into practical advice is extremely impressive."** He was featured as one of the 10 stars at the Bar (five years call and under) in the 2013 edition of Chambers & Partners.

Relevant experience includes:

- Acting for the Pensions Regulator before the Determinations Panel, Upper Tribunal and Court of Appeal in connection with its pursuit of an FSD in relation to the Box Clever scheme.
- Acting for the Pensions Regulator in connection with the BHS Scheme, including in the Upper Tribunal in its action against Mr Dominic Chappell.
- Acting for the administrators of Lehman Brothers entities in three different proceedings (*Nortel & Lehman v TPR* in the Supreme Court, Storm Funding in the High Court, FSD proceedings in the Upper Tribunal) arising out of the Regulator's pursuit of an FSD in relation to the Lehman Pension Scheme.
- Acting for the Trustee in the MNRPF litigation [2015] EWHC 448 (Ch).
- Acting for a group of employers in *PNPF v Taylor* (the "Pilots" litigation).
- Advising on a number of matters relating to the construction of pension scheme rules and rectification, including acting for the trustees of the MNOPF in a successful rectification claim in December 2013.
- Acting for targets, Trustees and the Pensions Regulator in connection with a number of high profile moral hazard investigations in addition to those referred to above.
- Acting for the Pensions Regulator in relation to a number of matters relating to the Regulator's scheme funding powers under S 231. Also advising trustees and employers on the resolution of funding disputes.
- Acting for the Pensions Regulator in relation to matters concerned with trustee appointments (including one case where the appointment was challenged and the matter reviewed by the Upper Tribunal) and also sections 15-16 of the Pensions Act 2004.
- Advising on the employer-related investment regime.
- Advising in relation to DB Superfunds.
- Advising on and acting in a number of professional negligence claims arising out of pension schemes (both occupational and personal), including in connection with failures to equalise and failures in connection with the execution of scheme documents.
- Acting for the Financial Conduct Authority, the Pensions Regulator and others in matters related to pensions liberation.
- Advising in connection with the PPF risk-based levy.
- Acting in connection with Pensions Ombudsman and PPF Ombudsman disputes.



Pensions continued

- Acting in a number of cases concerning SIPPs, commonly where the documentation has not catered for events that have arisen, and regularly involving property-related issues (enabling James to build on the experience in the property sector in earlier years of his practice).