



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

“Extremely bright and very hardworking”

The Legal 500

Practice Overview

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

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

In the latest editions he is described as “*extremely bright*” and “*very hardworking*”. He is “*a growing presence in the pensions field*”, and “*highly intelligent*”. He is considered “*one of those who can turn his hand to a lot of different things*”, as well as being “*good on the technical aspects of the law... extremely hard-working, responsive and very easy to work with*”. Recommended by Chambers & Partners, 2016 as “*a very solid junior who would be a serious contender for smaller cases that require a high-quality junior to appear without leading counsel*” and The Legal 500, 2015 note that he is “*able to understand the challenges that might be facing the client*”.

In the 2013 edition of Chambers & Partners he was featured as one of the ten stars at the Bar (five years call and under).

Memberships

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

Publications

- [‘Exoneration clauses and self-dealing: Barnsley v Noble’](#) (2014) *Wilberforce Legal Digest* (Issue 1) March 2015
- The pensions chapter of Lightman & Moss



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 appointment) and non-regulatory aspects. He is recommended in both Chambers & Partners and The Legal 500 for his pensions work and is described as "**a growing presence in the pensions field**" who is "**able to understand the challenges that might be facing the client**". 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 Trustee in the MNRPF litigation in which Asplin J's judgment stands as the leading decision on the duties of pension scheme trustees owed to employers.
- 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 Pensions Regulator in connection with its pursuit of an FSD in relation to the Box Clever scheme.
- Acting for a group of employers in *PNPF v Taylor* (the "Pilots" litigation).
- Advising on a number of matters relating to rectification, including acting for the trustees of the MNOFP 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 other than 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 actions under sections 15-16 of the Pensions Act 2004.
- 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.
- 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.
- 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).