

JAMES MEGARRY

Year of call
2022



James Megarry has a busy multi-disciplinary practice across chambers' core areas: civil, employment, criminal, and family.

In his civil work, James regularly acts for claimants and defendants in cases on the fast-track and multi-track. He is adept in matters of civil procedure and routinely appears at interlocutory hearings. He also has a thriving paper practice and drafts pleadings and advices in thorny clinical negligence and PI matters.

James has a growing employment practice, and represents claimants and respondents in discrimination cases, and claims concerning unfair dismissal and contractual breaches. James accepts paper instructions and has drafted advices and skeleton arguments for Equality Act disputes. Prior to joining the Bar, James worked as a volunteer advocate for the FRU.

James already undertakes sophisticated family work. His practice spans care proceedings, financial disputes, and private children matters, and he has appeared several times before the High Court.

James works in Crown Courts and Magistrates' Courts across the country. He is a Grade 2 prosecutor and routinely deals with trials, sentences, and complex procedural matters. James also accepts instructions from defendants: in May 2023, he was briefed as a junior in a murder trial.

James accepts instructions on commercial matters: before beginning his career at the Bar, he worked as a paralegal at Freshfields Bruckhaus Deringer LLP

Some examples of James' current and recent work are set out below.

LEGAL EXPERTISE

Personal Injury, Clinical Negligence and General Civil

- *A v NHS* – representing the claimant and dependants in a clinical negligence/fatal claim concerning a trust’s failure to provide a patient with a defibrillator implant.
- *R v NHS* – acted for the claimant and dependant in a clinical negligence/fatal claim arising out of a trust’s failure to identify and treat the deceased’s ischaemic heart disease.
- *R v S* – acted for the claimant in a multi-track personal injury claim, which included successfully resisting the defendant’s application to set aside default judgment. A generous settlement was reached shortly after.
- *M v D* – acted for the claimant in a dental negligence claim concerning a failure to obtain consent.
- *M v XCC* – acted for the defendant in a multi-track public liability claim featuring catastrophic injuries.

Employment and Commercial

- *R v F* – acting for the defendant in the final hearing of a disability discrimination claim.
- *F v S Ltd* – represented the defendant and secured the strike out of an unfair dismissal claim on procedural grounds.
- *A v N* – represented a schoolteacher in a claim for unfair dismissal arising from her refusal to follow instructions as a result of an injury.
- *S v CCMP* – represented a police officer in a claim against the Metropolitan Police for the unlawful deduction of wages: the main issue was contractual agency.

Family Law

- *F v F* – acting for applicant in High Court proceedings where abduction is alleged, brought under Article 21 of the Hague Convention.
- *M v M* – secured advantageous settlement for the respondent at FDR in complicated financial remedy proceedings.
- *A v X* – appeared for the applicant in a two-day fact-finding hearing, in which her allegations of rape, abuse, and coercive control were found to be proven.
- *LA v M and others* – acted for the respondent Mother at a final hearing concerning the local authority’s application for placement order.
- *LC v C and others* – acted for 14-year-old child who did not wish to be represented by the Guardian in complex child-arrangement proceedings featuring allegations of abuse.

Crime & Regulatory

- *R v X* – briefed as junior in a murder trial concerning the partial defences.
- *R v A* – appeared for the Crown in confiscation proceedings relating to a multi-handed firearms conspiracy.
- *R v B and D* – prosecuted two defendants for domestic burglary.
- *R v A* – prosecuted a defendant accused of drugs production where modern slavery issues were raised.

Memberships

James is a member of Middle Temple and the Personal Injury Bar Association.

Education

- 2016-2019- Durham University- BA Hons in History: First Class Honours
- 2019-2020- City Law School- Graduate Diploma in Law: Distinction
- 2020-2021- City Law School- Bar Vocational Studies: Distinction
- Queen Mother Scholar 2020 (Middle Temple)
- Academic Excellence Scholar 2020 (City Law School)
- Academic Excellence Scholar 2019 (City Law School)