

James Green

Call: 2015

Barrister

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James is a specialist practitioner in employment, sports and commercial law. He has particular expertise in discrimination law, business protection disputes and investigations.

Recent work has included:

- **Stifel Nicolaus Europe Limited v Jefferies International Limited & ors** – led by David Reade QC, James acts for the claimant in an employee competition and conspiracy claim in the financial sector
- **Yorkshire County Cricket Club Investigation** – following the widespread coverage of the accounts of Azeem Rafiq and others, James has been appointed as part of a team led by Mohinderpal Sethi QC to investigate allegations of discrimination by YCCC
- Being led by James Bickford Smith and Tom Montagu-Smith QC in the DIFC courts on an employee competition claim in the medical sector
- Achieving a high-value settlement for a senior executive at a well-known firm following a discriminatory investigation and demotion, led by James Bickford Smith
- **Singh v Rethink Recruitment Limited & ors** – successfully acting for the end user in a complex case involving an agency relationship and wide-ranging allegations of discrimination, in which the Tribunal accepted that the claimant had forged key documents
- Acting for a Claimant alleging discrimination by a political party because of her gender critical beliefs

Prior to undertaking pupillage at Littleton, James spent a year working at the Court of Appeal as a judicial assistant to the former Lord Chief Justice, Lord Thomas, working on cases such as **R(Miller) v Secretary of State for Exiting the European Union** and **R v Alexander Blackman**.

Before becoming a barrister, James lived in Japan for two years as a Daiwa scholar, funded by the Daiwa Anglo-Japanese Foundation, where he studied Japanese and worked as a journalist.

AREAS OF LAW

Employment

James acts for both claimants and respondents on employment law matters. He frequently appears in employment tribunals on a wide range of claims, including discrimination, whistleblowing, TUPE and equal pay.

James' recent experience includes:

- Being led by David Reade QC in acting for a bank alleged to have discriminated against 17 individual and corporate claimants by suspending and closing their accounts
- Acting for an LLP in defending allegations of disability and sex discrimination brought by a former partner, led by James Bickford Smith
- Securing a high-value settlement for a senior executive at a well-known firm following a discriminatory investigation and demotion, led by James Bickford Smith
- Successfully resisting claims of disability discrimination and unfair dismissal on behalf of a major retailer following a multi-day hearing
- Successfully obtaining strike out and deposit orders at a preliminary hearing in respect of a claim for discrimination and breach of contract on behalf of a major professional services firm

Employment Cross-Over

James has significant experience in issues involving the cross-over between employment law and other areas of law, including:

- Acting for a company and individual directors in interlocking cases engaging allegations of constructive unfair dismissal, disability discrimination and an unfair prejudice petition
- Acting for a claimant financial services company alleging that departing employees had acted in breach of restrictive covenants and engaged in an unlawful means conspiracy
- Drafting a Reply and Defence to Counterclaim on behalf of an electronics company seeking damages for a breach of restrictive covenants by a former employee
- Advising on the enforceability of restrictive covenants in the context of an LLP
- Advising on unfair dismissal, breach of contract, misrepresentation and unfair prejudice, following the summary dismissal of a CEO from an organisation which had covered up serious accounting errors

Investigations

James has carried out several independent investigations, covering both grievances raised by employees and allegations of misconduct raised by employers. Recent examples include:

- Investigating allegations of discrimination by Yorkshire County Cricket Club
- Investigating high-profile allegations of abusive behaviour brought against British Gymnastics, led by Mohinderpal Sethi QC
- A complex investigation into allegations that four employees in a software company had acted in the interests of competitors
- Allegations of bullying raised by an employee in the charity sector in the context of performance management
- An investigation into an employee alleged to have operated a competing business during working hours while in lockdown

Company and Commercial Law

James has been involved in a wide range of commercial and company law matters, including:

- Acting for a software company defending claims of misrepresentation and repudiatory breach of contract brought by a purported creditor
- Successfully resisting an interim injunction application on behalf of a utility company

- Acting for a director following his exclusion from the management of the company in breach of the Shareholders' Agreement
 - Drafting a Reply and Defence to Counterclaim for the enforcement of monies owed under a personal guarantee within a factoring agreement
 - Drafting claims of breach of contract and restitution following a breakdown in the relationship between partners in an LLP
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Sports Law

James has acted in a number of sports matters, including:

- High-profile independent investigations into sports clubs and national governing bodies
 - Acting for athletes appealing anti-doping sanctions
 - Drafting grounds of appeal against a decision as to the applicable jurisdiction of a claim against a club under Article 7(2) of Brussels I Recast
 - Drafting submissions in defence of an intermediary accused of fraud, procuring breach of contract and breach of fiduciary duties
 - Drafting a note on the application of FIFA Regulations to a player on a scholarship contract
 - Researching and attending an FA Rule K arbitration concerning the consequences of an agent's failure to register as an intermediary in the relevant jurisdiction
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Education, Scholarships and Prizes

James was the winner of the Times Law Award for an essay, published in the Times, on the relevance of the Magna Carta in the modern world. He was awarded a Lord Denning Scholarship by Lincoln's Inn to complete the Bar Professional Training Course.

Prior to studying law, James studied history at the University of Bristol, attaining a First Class Degree, and a Master's degree in American History at the University of Oxford.

Education

2015: Bar Professional Training Course, Very Competent

2014: Graduate Diploma in Law, Distinction

2010: MSt in American History

2009: BA in Historical Studies, First Class

Scholarships and Prizes

- Winner of the Times Law Award, 2015.
 - Lord Denning Scholarship, Lincoln's Inn, 2014.
 - Daiwa Anglo-Japanese Scholar, 2011-2013.
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