



# PUMP COURT

## CHAMBERS

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## JAMES BYRNE

Call: 2012

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James Byrne is a Barrister specialising in Family law, Housing & Property law and Personal Injury.

As a Family law specialist practitioner, James regularly appears in the family court dealing with all private children matters, including cases involving allegations of domestic abuse and parental alienation. He frequently deals with Non-Molestation Orders in the family court and has undertaken work on occupation orders.

James receives instructions in housing cases and has undertaken trials for possession orders, applications for anti-social behaviour injunctions and committal proceedings. He has also appeared in cases arguing points of public law, human rights and equality act defences. He has advised on homelessness appeals, unlawful eviction, business tenancies and forfeiture. James acts for both landlords and tenants.

Dealing with Business & Property matters and other civil work, James undertakes small claims and fast track trials in the County Court and has received instructions for the multi-track. James has experience of Fast Track trials in personal injury claims where issues of fundamental dishonesty have been a live issue.

James has appeared in the Magistrates' Court dealing with regulatory matters ranging from environmental prosecutions, taxi licensing appeals and security licensing appeals.

### Children Law (Private)

James has regularly appeared in the family court undertaking cases involving private law children issues including all types of section 8 orders; covering living arrangements and contact arrangements, specific issue and prohibited steps orders. James has experience of disputes regarding children's names and parental responsibility orders.

James has dealt with private law children cases involving issues of parental alienation, drug and alcohol use, alleged domestic abuse, parental responsibility and allegations of sexual abuse. He has acted in proceedings involving occupation orders and non-molestation orders, sometimes running in parallel with private law proceedings under the Children Act 1989.

James has been instructed by parents, grandparents and children via Guardians appointed under FPR 16.4.

James is able to accept instructions commensurate with his year of call.

James has experience of intermediaries being appointed in proceedings to assist with communication.

## Property Law

James has an interest in both residential and commercial Property matters. He receives instructions in housing cases and undertakes trials for possession orders, applications for anti-social behaviour injunctions, and committal proceedings. He has also appeared in cases arguing points of public law, human rights and equality act defences. He has advised on homelessness appeals and unlawful eviction. He has been involved in possession cases involving secure tenancies, assured tenancies and starter tenancies; including over-occupation and right to buy.

In private residential property James has dealt with licences, tenancy deposit disputes, the validity of section 21 notices and enfranchisement of leasehold land.

In commercial property James has experience of business tenancies and forfeiture, including the drafting and advising on a section 146 notice under the Law of Property Act 1925.

James also has experience of possession proceedings as part of management of local authority Gypsy and Traveller sites and Mobile Homes law.

As part of his housing work on anti-social behaviour injunctions, James has also appeared in proceedings on behalf of local authorities undertaking prosecutions under the Environmental Protection Act 1990 and closure orders in the Magistrates Court.

James also drafts pleadings and advices on disrepair issues, has experience of claims of disrepair in housing and has advised on potential hazards under the Housing Act 2004. He has also appeared at hearings in the magistrates court on behalf of landlords in connection with proceedings brought by tenants in respect of alleged statutory nuisances under section 82 of the Environmental Protection Act 1990. James has experience on advising on regulatory housing offences under section 234 of the Housing Act 2004.

James acts for both landlords (both public and private) and tenants and accepts instructions in civil Legal Aid work.

Before joining the Bar, James volunteered at the Avon and Bristol Law Centre in the Housing Law Team, later working as a paralegal in the Community Care Team. During this time he was involved in drafting judicial review applications challenging local authority decisions on housing allocation, working on cases involving disrepair and advised on the recovery of housing deposits. During his time with the community care team he worked on cases which involved challenging local authority decisions on the assistance offered to clients under community care law.

James has appeared in applications for; possession against trespassers (including an injunction preventing return); and for an interim possession order against trespassers under Part 3 of Part 55 of the Civil Procedure Rules.

James is keen to build on this experience and accepts housing and property instructions commensurate with his year of call and has a particular interest in appropriate level community care work.

#### Selected cases:

- [Northwood Solihull Ltd v Fearn \(and others\) \(2020\) EWHC 3538 \(QB\)](#)
- [Festival Housing Ltd v Baker \(2017\) EW Misc 4 \(CC\) \(8 February 2017\)](#)
- [Wolverhampton City Council v Taylor \(and others\) \(2016\) EWHC 878 \(QB\)](#)

## Personal Injury

James regularly appears in fast track trials and has received instructions for the multi-track. James has experience of dealing with fast track trials for personal injury damages and credit hire. James appears in hearings dealing with strike out applications, opposing relief from sanctions and has dealt with many stage three MOJ hearings on quantum of damages in road traffic accidents. He also has experience of employer's liability claims, occupier's liability claims and claims under the Highways Act 1980.

James also has experience of acting for both Claimant and Defendant parties in Fast Track personal injury trials where the issue of fundamental dishonesty has been a live issue in proceedings.

James appears in the County Court having experience of undertaking cases on the small claims track in road traffic accidents and credit hire hearings.

James has advised on personal injury matters including the drafting of pleadings.

James is keen to expand his civil practice and accepts work in all areas of civil commensurate with his year of call.

## Qualifications

- The City Law School, Bar Professional Training Course, Very Competent, 2012
- City University London, Graduate Diploma in Law, 2011
- University of Leeds, Bachelor Degree History, 1st (Hons) 2010

## Professional associations

- Member of the Social Housing Law Association
- The Honourable Society of Lincoln's Inn
- The Denning Society
- Free Representation Unit volunteer
- Personal Injuries Bar Association
- Family Law Bar Association

## Professional activities

- Lord Bowen Scholarship, Lincoln's Inn, 2010
- Lord Denning Scholarship, Lincoln's Inn, 2011
- Hubert Greenland Scholarship, Lincoln's Inn, 2014
- A semi finalist in the Crown Office Chambers moot in 2011

## Outside Interests

In his spare time, James enjoys hiking, cycling, running and bouldering.