

His demeanour, candour and presentation of complex arguments make it impossible for anyone not to listen and agree



James Nieto

Called in 2012 0207 583 9241

James has a busy and successful common law practice, and over the years has appeared in the High Court, County Court, Crown Court and Magistrates Court.

James is able to seamlessly act, advise, and provide drafting services to the highest standards across a broad range of areas of general common law, with a particular focus on personal injury and regulatory and disciplinary matters.

In addition to appearing in court daily, James has a thriving paperwork and advisory practice and prides himself on being able to turn instructions around swiftly, where necessary.

James has extensive experience acting via the Public Access Scheme and is able to take instructions across all of his areas of practice directly from members of the public.

James is a CEDR accredited mediator.

Personal Injury

James has considerable experience in dealing with personal injury matters for both Claimants and Defendants. He has extensive experience in acting in matters arising from road traffic accidents, including those with credit hire elements.

James has extensive experience appearing at fast track and multi track trials on behalf of both Claimants and Defendants, as well as CCMCs and a wide range of interim applications. James is comfortable dealing with costs, experts and other issues that arise in CCMCs and takes a pragmatic and tactically astute approach when running his cases. James is also happy to advise on liability, quantum and strategy.

Location

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Commercial

James has advised and represented individuals and businesses on breaches of contract, data protection, defective repairs, and product liability.

Recent instructions include providing advice on a potential group action claim against the owner and former owner of a well known motorcycle company. The claim, which had a potential value in excess of a million pounds involved consideration of issues including product liability, breach of contract, insolvency, safety, and road traffic law.

James recently provided advice to a director of a multi-million pound business regarding termination of directorship, section 994 petitions, duties of directors, consequences of breach of duties and derivative claims.

Sports Law

James is developing his Sports Law practice and recently provided advice at short notice to a Rugby Coach charged with a number of breaches of the RFU Rules. The client was able to secure a positive outcome following James' advice.

James has also advised a professional women's footballer on the merits of pursuing a claim against her former club for a variety of matters including breach of contract, discrimination and harassment.

General Common Law

James is able to provide advice, drafting and representation across a broad range of areas of practice including:

Injunction proceedings – James has experience in injunction proceedings including in an ongoing and high profile case where he has been acting for a group of anti-vivisection protesters in the High Court:

MBR Acres Limited -v- Free the MBR Beagles – Junior alone- James acted for the third, fifth, sixth, eighth, ninth and thirteenth defendants in this important case concerning the rights of free speech and assembly of protestors and whether to grant injunctive relief to the Claimants. Following legal argument after handing down judgment, James persuaded the Judge to disallow the Claimants' costs of their first set of particulars of claim and to order no order as to costs in respect of the interim injunction application, effectively resetting the costs position. [Reported here.](#)

James has advised upon litigation strategy, merit, drafted skeleton arguments, and has appeared (junior alone) at four hearings in the High Court before Mr Justice Nicklin. The case has involved a wide range of procedural issues and applications, including committal, anonymity, relief from sanctions, amendment to include unlawful means conspiracy and costs.

James has experience of committal for contempt applications

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Landlord & Tenant matters – James has acted on behalf of landlords seeking possession of their properties for a variety of reasons such as rent arrears or under section 21. James has advised and represented tenants facing possession proceedings, unlawful eviction and homelessness. James has also advised regarding disrepair.

Court of Protection proceedings – James has experience advising and acting in applications for Deputyship.

Property – James has advised on damage to commercial property.

Regulatory & Disciplinary

James welcomes instructions in regulatory and disciplinary matters, and is developing his practice in these areas, particularly in sporting disciplinary matters.

James has advised and acted in HMO and Food Hygiene matters. James also acted in a reported case regarding continuing offences arising from an HMO:

Luton Borough Council -v- Altavon and Others – Junior alone – James acted for the Second Respondent of three in this appeal by way of case stated heard by Lady Justice Davies and Mr Justice Goss. The First Respondent did not take part in the appeal proceedings. The appeal concerned continuing offences in an HMO and when time ran for the commission of the offences for the purposes of laying an information in the Magistrates' Court. [Reported here.](#)

Public Law

James has experience in advising clients on Judicial Review in a range of matters including parole board/prison law, Ombudsman decisions, and Local Authority decisions.

James has also provided advice in respect of homelessness and public law defences to possession proceedings.

A selection of recent cases include:

James was instructed via the Public Access Scheme to advise on the merits of a Judicial Review and potential challenge to the decision of a museum to revoke the membership and ban an individual from the grounds of the museum.

Instructed via the Public Access Scheme to provide advice on appeal from the High Court to the Court of Appeal following a Judicial Review of a decision made by the Legal Ombudsman.

James was instructed to provide advice on the merits of a potential claim for Judicial Review of the decision to recall a person to prison for alleged breaches of licence conditions who had been previously released on licence.

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Crime

James has extensive experience in criminal litigation and has successfully acted in numerous cases, including jury trials, almost entirely on behalf of defendants.

James has dealt with technical arguments on evidence, civil applications in the criminal courts, and made a number of successful half time submissions and applications to dismiss.

James also has experience with private prosecutions and prosecutions for regulatory offences.

James is able to provide advice and representation across the full range of motoring offences, including on a public access basis.

Recent experience:

Pendlebury v DPP – Junior alone- James provided advice on procedure and support with this appeal by way of case stated regarding a conviction for stalking with violence. James successfully represented the Appellant in the High Court before Lord Justice Irwin and Mr Justice Phillips. [Reported here](#).

Provided advice regarding removing a youth conviction for a sexual offence from overseas from a DBS record, the right to retain information of that conviction following a successful application to expunge that conviction made overseas, notification requirements and procedure of how to be removed from the list.

Civil Fraud

James frequently appears in court on multi track and fast track trials and has significant experience in matters arising from QOCS and in running cases where fundamental dishonesty is in issue.

James regularly appears in causation trials where exaggeration of symptoms is a central issue and has acted in numerous cases where LVI has been raised.

James also has extensive experience of representing Claimants in cases where fraud or fundamental dishonesty have been alleged and prides himself on providing realistic and tactically aware advice to his clients. James' approach to such cases has enabled him to achieve numerous positive outcomes for his clients.

Defamation

James is particularly interested to develop this area of his practice and has appeared in matters on the Media and Communications List in the King's Bench on several occasions.

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Travel & Tourism Law

James has experience of drafting particulars of claim in respect of accidents involving foreign insurers.

James also has experience advising on Montreal Convention claims.

Notable Cases

MBR Acres Limited -v- Free the MBR Beagles [2021] EWHC 2996 (QB) (ongoing)

Junior alone- James acted for the third, fifth, sixth, eighth, ninth and thirteenth defendants in this important case concerning the rights of free speech and assembly of protestors and whether to grant injunctive relief to the Claimants. Following legal argument after handing down judgment, James persuaded the Judge to disallow the Claimants' costs of their first set of particulars of claim and to order no order as to costs in respect of the interim injunction application, effectively resetting the costs position.

Luton Borough Council -v- Altavon and Others [2019] EWHC 2415

Junior alone - James acted for the Second Respondent of three in this appeal by way of case stated heard by Lady Justice Davies and Mr Justice Goss. The First Respondent did not take part in the appeal proceedings. The appeal concerned continuing offences in an HMO and when time ran for the commission of the offences for the purposes of laying an information in the Magistrates' Court.

Pendlebury v DPP [2018] EWHC 3567 (Admin)

Junior alone- James provided advice on procedure and support with this appeal by way of case stated regarding a conviction for stalking with violence. James successfully represented the Appellant in the High Court before Lord Justice Irwin and Mr Justice Phillips.

If you would like to instruct James Nieto or would like help or advice in doing so, please call and talk to our excellent clerking team, led by senior clerk Alan Kilbey MBE. Our phone number is +44 (0)20 7583 9241. Alternatively, please email us at chambers@farrarsbuilding.co.uk

For more information about our clerking team, please [click here](#) for the clerks page.

Appointments & Memberships

PIBA

Inner Temple

Education & Qualifications

The University of Law, Bloomsbury: BPTC, Very Competent

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The University of Law, Bloomsbury: GDL, Commendation
University College London: MA Russian and East European Literature and Culture
University College London: BA (Hons) French and Spanish

James is a CEDR accredited mediator.

Testimonials

“As a successful business owner, with some experience of litigation, the complex cases within three separate areas of law, which I instructed James on were met with such detail, thought, professionalism and his experience is invaluable when reviewing the merits of applications, cases and the way forward. In the time that I have worked with James, not only have I learned so much, but I have also watched him meet challenging applications with great success. His demeanour, candour and presentation of complex arguments make it impossible for anyone not to listen and agree with James. I highly recommend him and will continue to work with him as my business grows and our legal counsel requirements grow with it”

“Thanks so much for your wonderful work and being such a joy to work with. I am looking forward to continuing to work with you.”

Personal Interests

In his spare time James enjoys watching rugby and NFL. He is a season ticket holder at Saracens and regularly attends games.

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