



Whitestone Chambers

JIMMY BARBER

CALLED AS A BARRISTER: 2008

CONTACT



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EDUCATION

LL.B., European Law, University of Exeter.

LL.M., Universitat des Saarlandes.

B.C.L., (Bachelor of Civil Law),
University of Oxford.

PROFILE

Jimmy joined Whitestone in November 2011. Jimmy spent two terms at the Court of Appeal as judicial assistant to the present Lord Chief Justice, Lord Thomas of Cwmgiedd, whilst he was President of the Queen's Bench Division.

MEMBERSHIP

Call to the Bar, Lincoln's Inn, 2008.

PRACTICE

Jimmy's practice is specialist civil law which includes:

- Commercial and chancery.
- Aviation and travel.
- Insolvency.

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AVIATION

Jimmy undertakes court, advisory and drafting work in matters relating to aviation and travel law, including:

- Carriage by air disputes involving EU regulations, the Warsaw and Montreal Conventions and associated passenger, cargo, baggage and delay claims.
- Denied boarding claims.
- Negligence claims, including personal injury, in an aviation context.

COMMERCIAL

Jimmy has an aviation and travel law practice, with particular experience of cases involving Regulation (EC) No. 261/2004, the Montreal Convention and misrepresentation of package holidays. He has resisted various claims brought by passengers complaining of e.g. offensive treatment at the hands of airline staff, and of distress and loss of enjoyment as a consequence of erroneous denial of boarding. Jimmy has represented tour operators in various claims for breach of contract and misrepresentation relating to package holiday.

NOTABLES CASES

- ***Dhanani v Crasnianski [2011] EWHC 926 (Comm)***: a two-week case in the High Court regarding the formation of a private equity fund.
- ***Jones v Kaney [2011] UKSC 13***: the landmark case in the Supreme Court, in which witnesses lost their immunity from suit. He also advised on commercial guarantees, the interpretation of insurance contracts, product liability claims, solicitors' negligence and executors' breaches of trust.
- ***SITA UK v Serruys***: a £91 million case in a dispute involving allegations of commercial fraud.

OTHER EXPERIENCE

During Jimmy's role as a judicial assistant at the Court of Appeal, he drafted bench memoranda for the Lord and Lady Justices of Appeal on permission to appeal applications in commercial, employment, immigration and family dispute. He assisted Sir John Thomas PQBD (as he then was) in the Divisional Court, by carrying out legal research and preparing bench memos on criminal appeals, extradition cases and several high profile judicial reviews.

He assisted on ***Tchenguiz v Serious Fraud Office [2012] EWHC 2254 (Admin)***, in which search warrants obtained by the SFO to investigate the claimants' alleged involvement in a collapsed Icelandic bank were held to be unlawful, and ***R (Chong Nyok Keyu & ors) v (1) Secretary of State for Foreign & Commonwealth Affairs (2) Secretary of State for Defence) [2012] EWHC 2445 Admin***, an unsuccessful application to judicially review the Secretary of State's decision not to hold a public inquest into British soldiers' involvement in the Batang Kali massacre in 1948.

SCHOLARSHIP, AWARDS & PRIZES

Cavendish Prize, DLA European Law Prize and Markus Zalewski Prize.

Lord Denning Scholar & Hardwicke Scholar, Lincoln's Inn.