

James Miller

Year of Call: 2017



James is a specialist costs and litigation funding barrister. He is a qualified costs lawyer, registered mediator and can accept instructions from costs professionals under the Public Access scheme.

James now practices exclusively in costs and is co-author of the highly acclaimed, leading textbook on the subject, *Friston on Costs (4th Edition, Oxford University Press)*. The book is frequently cited in court in this jurisdiction and elsewhere.

As a former costs lawyer and solicitor, James understands the needs of practitioners working in this field and is committed to achieving the best possible outcomes.

James regularly undertakes drafting work for clients and advises on difficult and novel points of law. He has become the “go to” counsel for many of the country’s leading solicitors and insurers.

James regularly undertakes high value detailed assessment hearings before Regional Costs Judges and Masters in the Senior Court Costs Office. He is often instructed to deal with appeals and all aspects of Costs and Case Management in multi-million-pound matters.

James has extensive experience in technical Fixed Recoverable Costs cases and applications for relief from sanctions. He regularly deals with disputes relating to misconduct and wasted costs.

Education

St. Bede’s College, Manchester
University of Huddersfield LLB (Hons)
Manchester Metropolitan University LPC

Professional Memberships

Affiliate Member of the Association of Costs Lawyers
The Magistracy (2016-2021)

Notable Cases

JC v GT (18/5/22)

Fixed costs case where the Claimant acted unreasonably in issuing Part 7 proceedings after not receiving the full amount sought for treatment in his interim settlement pack. The claim was reduced from £4528.60 to £816 with an adverse costs order.

SRJ v AI (6/1/22)

Master Leonard determined that a 100% Part 36 offer equivalent to the value of claim was invalid and the Claimant was not entitled to CPR 36.17(4) consequences.

G v CFL (15/11/21)

Disbursement funding loan disallowed by Regional Costs Judge Corkill at assessment.

PM & RM v GM & HM (9/11/21)

Bill of costs totalling £113,745.40 assessed at £112,095.50 with enhanced interest and indemnity costs.

JIMENEZ v ESURE [2021] EWHC B15

Interesting case determined by Deputy Master Friston on Portal conduct and the validity of Part 36 offers.

R v AI (10/11/20)

The court rejected the Defendant's application to set aside a Notice of Discontinuance with costs where Qualified One-Way Costs Shifting ("QOCS") applied.

W v LVI C (7/7/17)

Complex relief from sanctions matter in which costs were reduced by 80% following non-compliance with an Unless Order.

HW v BTH NHS FT (13/7/15)

Clinical negligence matter in which costs were reduced from £735,764.00 to £327,152.48.