

James Morgan QC – St Philips Chambers, Birmingham

James Morgan QC was one of 113 new Queen’s Counsel appointed following the 2016/17 competition. He is a Commercial and Chancery specialist, with wide experience in relation to insolvency proceedings and litigation ranging from deceit claims in commercial transactions to mortgage fraud and to misfeasance claims against directors. James’ interest in law was first sparked when his father, a deputy head teacher, took a part-time law degree. At University, James had thought to become a solicitor but his experience of mooting and mini-pupillages led him to aim for a career at the bar “as a more interesting option”.



James began in mixed set where he “did everything for five years” but was heavily influenced by his pupil master in his choice of specialism in commercial and insolvency. James had not been attracted to the inexorable courtroom appearances in criminal and family work and made his choice some time before the large gap in incomes had opened up between his area of work and publicly funded areas.

As he found himself increasingly up against silks, James began to think that the time was right to apply for silk with promptings also coming from his colleagues and some judges. James made his first application two years ago, when he felt he had a sufficient number of substantial cases in front of a sufficiently wide range of judges.

He devoted a lot of thought and self-examination to the diversity competency where he had to ask himself honestly whether he understood the competency and could demonstrate that understanding and also proactivity. Some years back, he said, he had tended to be a little cynical about the diversity competency but once he had immersed himself in the subject, he gained real insight and genuine appreciation of diversity issues. For example, he gained new insight into the serious problem of female retention at the bar, especially at the more senior levels, and his understanding of the particular challenges facing women at the bar has helped him considerably in his management role.

James’ first application for silk was unsuccessful following interview, and he said that there was a feeling of being knocked back, but that feeling passed after a month or so when he “realised that the world had not stopped turning”. The application process was arduous and entailed climbing a steep learning curve in the two years leading up to completing his application form but it was easier second time around because he had a much better feel for the selection process. For example, he had become intimately familiar with the application form, having learned the value of keeping a note of cases as he went along, noting aspects as they related directly to the competencies. James said that he considered the form to be of the right length given the important information it had to contain. But it remained daunting having to “put yourself out there” with your prospective assessors.

James said that on his successful application, he also had more evidence to offer of excellence in working with others (Competency C), about making decisions and carrying people with you and about the difference between leading and consulting people in the team.

James had some interview training, which he had found helpful. This taught him how best to get the information across to the interviewers, with answers that were clear, succinct and to the point (of the competency in question). There was simply no time for ‘waffle’ in the 35/40 minute interview. James’ experience of his first and second interviews was quite

contrasting; he found the second one (in 2016) much more like a conversation and debate rather than the 'question/ answer/ repeat' of the first one.

More generally, James said that he found the application process quite 'lonely'. It was useful to have someone to talk through things with in the lead up and during the competition year. He warmly welcomed the change in the competition requirement to name eight rather than 12 judges (although applicants could still name up to 12 judges). This was very helpful to the increasing number of practitioners working in fields where cases settled or who did not appear before many different judges. It also assisted advocates with carer responsibilities, part-timers and women who had taken time off to have children. James wondered whether a further improvement to the application process might be to allow for submission of a later case (and assessor) i.e. one that had arisen between the submission of the application form (in March) and the interview (October/ November).

Asked how it felt to be a QC, James said that it was probably too soon to say, but it was certainly a huge relief knowing that he did not have to go through the application process again. He also felt a mixture of excitement and uncertainty because as a new silk, there would be an element of starting again at the bottom of a new ladder. More than anything, though, he felt satisfied to have won the recognition of the profession which gaining silk signalled. Now that he is a QC, James' felt that there was scope for a rebalancing of work and life as the last ten years as a senior junior working towards silk had been pretty full-on. He now hoped to get even more of the bigger and more interesting cases.