

Ivan Bowley

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AREAS OF EXPERTISE

Industrial Disease, Group Claim Litigation, Group Litigation

Ivan Bowley specialises in industrial disease and serious personal injury, acting on behalf of claimants. For many years he has been one of the leading juniors at the Bar for industrial disease litigation.

Ivan also practices at Lincoln House Chambers in Manchester and has regularly been listed in Chambers and Partners Band 1 for personal injury on the Northern Circuit and as a leading practitioner in the Legal 500. He is listed in Band 1 of the Chambers and Partners' list "Personal Injury: Industrial Disease – All Circuits".

Industrial Disease

A substantial part of his practice involves representing claimants in some of the largest industrial disease group actions litigated in the UK. Notable cases include:

- *British Coal Respiratory Disease Litigation* (reported as Griffiths & Ors v British Coal (1998). Junior Counsel for the claimants at trial and in the subsequent management of over 500,000 claims on behalf of living/deceased mineworkers who developed a range of respiratory diseases caused by coal dust exposure. This litigation, which remains one of the largest personal injury claims worldwide, ran from 1995 to 2012. See also [2005] EWCA Civ 1737; [2007] EWHC 672 (QB); [2007] EWHC 1406 (QB) and [2007] EWHC 1948 (QB).
- *Miners Knee Litigation* (reported as Davies & Ors v Department of Trade and Industry [2006] EWCA Civ 1360; See also [2011] EWHC 11 (QB); [2012] EWCA Civ 1380). Junior Counsel for mineworkers in claims arising out of knee arthritis caused by working conditions in underground mining.
- *Phurnacite Litigation* (reported as Jeffrey Jones & Ors v Secretary of State for Energy and Climate Change & Anr [2012] EWHC 2936 (QB); See also [2012] EWHC 3647 (QB); [2013] EWHC 1023 (QB) and [2013] EWHC 2484 (QB). Junior Counsel acting on behalf of living/deceased fuel plant workers who developed a range of cancers (including skin cancer, lung cancer and bladder cancer) and other non-malignant respiratory injuries due to exposure to harmful fumes at a patent fuel plant in South Wales
- *British Coal Coke Oven Workers Litigation* (reported as Robert Marvin Pearce v Secretary of State for Energy & Climate Change & Anr (2018). See also [2015] EWHC 3775 (QB). Junior Counsel on behalf of living/deceased plant workers who developed lung cancer, skin cancer and other non-malignant respiratory injuries due to exposure to harmful dust and fumes in various coke plants operated by British Coal.

- *British Steel Coke Oven Workers Litigation* (ongoing). See [2016] EWHC 3031 (QB); [2017] EWHC 2647 (QB); [2018] EWHC 107 (QB); [2019] EWHC 143 (QB); [2019] EWHC 1608 (QB). Junior Counsel on behalf of living/deceased plant workers who claim to have developed a range of cancers and other respiratory injuries due to exposure to harmful dust and fumes in various coke plants operated by British Steel.

A major part of Ivan's practice involves high value asbestos or other respiratory disease or cancer claims involving complex issues of liability, causation, limitation and quantum. He routinely appears on behalf of claimants in the specialist asbestos lists. Reported cases include:

- *Johnston v NEI International Combustion Limited* [2007] UKHL 39, (also reported as *Rothwell v Chemical & Insulating Co Ltd & Anr*); Pleural Plaque test litigation.
- *Silcock (Deceased) v Revenue & Customs Commissioners* [2009] EWHC 3025; set out the test for Show Cause hearings in specialist asbestos list.
- *Ball v Secretary of State for Energy and Climate Change* [2012] EWHC 145 (QB); guideline quantum assessment in mesothelioma claim which resulted in the revision (correction) of the JSB/JC Guideline awards for mesothelioma.
- *Patterson v Ministry of Defence* [2012] EWHC 2767 (QB); success fees in disease litigation.
- *Hamilton v NG Bailey* [2020] EWHC 2910 (QB); guideline quantum assessment for non-malignant asbestos disease.
- *Pinnegar (Skeen Deceased) v Kellog International Corp & ICI Chemicals & Polymers* [2020] EWHC 3431 (QB); liability and treatment of historical evidence in respect of mesothelioma.
- *Power v Bernard Hastie & Co Ltd* [2022] EWHC 1927; the right to recover damages under a provisional damages order by the deceased victim's estate.

He continues to provide generic, policy or strategic advice to claimant solicitors firms about asbestos and other disease litigation.

Ivan is regularly instructed on behalf of claimants suffering from rarer forms of cancer arising out of occupational exposure to chemicals, wood dust, composite dust, radiation etc.

Ivan also undertakes work involving VWF, NIHL, Non Freezing Cold Injury and dermatitis.

Group Claim Litigation

A substantial part of Ivan's practice involves acting for Claimants in group actions. In addition to the cases mentioned above, Ivan has been instructed as sole counsel or with a leader in numerous other group or multi party actions as follows:

- Fire fighters exposed to toxic chemicals/fumes arising out of a fire/explosion at a chemical works in Armley, Leeds. Injuries ranging from skin lesions to brain injury.
- New Tredegar gas explosion – claims by residents injured in a gas explosion and consequent destruction of a large part of a street in a town in South Wales.
- Steel workers suffering from HAVS due to vibration exposure.
- Motor vehicle manufacturing plant workers suffering from NIHL.
- Military personnel suffering from hearing loss due to noise exposure and acoustic trauma.
- BT engineers suffering from NIHL.
- Military personnel suffering from non-freezing cold injuries.
- Disaster litigation involving passengers on aircraft and ships.

Publications

Ivan is the co-author of the *APIL Guide to Damages*, now in its third edition.

Directories

Ivan is recognised in the legal directories as one of the leading barristers in the country for industrial disease and workplace injury claims, almost exclusively representing claimants in group actions and unitary claims.

The legal directories have variously described him as:

He is the whole package: intelligent, well-prepared, and a good advocate. – Chambers & Partners, 2024

Ivan's knowledge of asbestos disease litigation is second to none. He is extremely thorough and considerate with clients. – Chambers & Partners, 2024

He is very good at communicating with judges especially in complex matters. He provides the legal matrix in a very clear way. – Chambers & Partners, 2024

His ability to tactically advance a claim and deliver the best results for the claimant is superb. – Chambers & Partners, 2024

Ivan Bowley is very persuasive in both oral argument and written submissions. Robust, approachable and able to find practicable solutions to complex issues. – Chambers & Partners, 2024

His advocacy and methodical approach are second to none. – Chambers & Partners, 2024

One of the most astute and knowledgeable barristers in this field with impeccable judgement. – Legal 500, 2024

Ivan has a wealth of experience in industrial disease group litigation. He has excellent attention to detail and puts claimants and expert witnesses at ease. – Chambers & Partners, 2023

Ivan exudes calmness and is very firm but always fair. – Legal 500, 2023

"Widely regarded as a top industrial disease specialist" "An exceptional junior for disease and illness claims, with encyclopaedic knowledge of hearing loss and asbestos cases." "Determined, bright and vastly experienced in industrial disease." "He has an enviable reputation for his expertise in industrial disease and workplace injury cases" "Sources praise his deep knowledge of the area and his advocacy skills."

He is thoughtful and considered – very few industrial disease barristers have his level of knowledge and experience. His strategic ability is unrivalled, and he is very methodical, incredibly approachable and very well prepared for all hearings and conferences. He is such a great advocate who has a great manner with clients. – Chambers & Partners, 2022

He is a hugely experienced barrister, who is thorough and good with clients. Ivan is a pleasure to work with and he has an unparalleled attention to detail. – Chambers & Partners, 2022

Ivan is a formidable barrister, whose meticulous preparation and detailed knowledge of asbestos disease litigation means he easily gains the confidence and trust of often vulnerable and very poorly clients. – Legal 500, 2022

A charming advocate with a measured approach. He engages with judges and witnesses very well and can drive a case home to a successful conclusion. – Chambers & Partners, 2021

A leading junior in the occupational disease field who is very thorough and good with clients. – Chambers & Partners, 2021

He is first rate and invaluable as a junior, with an unparalleled level of experience in group action work. – Chambers & Partners, 2021

His knowledge in this area is unparalleled and he's hugely experienced. His expertise in asbestos-related claims is very reassuring and his advice is always extremely considered and reliable. Measured, understated and very effective. – Chambers & Partners, 2020

Ivan has been listed for many years as a leading junior for personal injury in Chambers & Partners and the Legal 500. He has been listed in every edition of the Chambers and Partners' Spotlight Table for Industrial Disease.

Qualifications

Mr Ivan J. Hayward

Dip Law