

# 12

King's Bench Walk

## Ivan Bowley

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### AREAS OF EXPERTISE

Industrial Disease, Group Claim 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.

Prior to joining 12 KBW Ivan was based at Lincoln House Chambers in Manchester (where he remains a door tenant) 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 has been listed in every edition of the Chambers and Partners' list "Personal Injury: Industrial Disease - All Circuits".

### Industrial Disease

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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 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 fumes in various coke plants operated by British Steel.

A major part of Ivan's practice involves high value asbestos or other respiratory disease 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.

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.