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Philip Turton

Year of Call: 1989
Telephone: 0115 947 2581

Overview

Philip has over twenty-five years' experience of personal injury cases and specialises in high value personal injury actions, clinical negligence claims and industrial disease cases, including group actions.

He has been cited as a leader at the Bar in the field of personal injury work for many years.

He was a Bar Standards Board appointed external moderator for the Bar Professional Training Course (Civil Litigation) from 2010 – 2012 and, with Marc Howe, was appointed to reformulate the syllabus for the Civil Litigation module on the BPTC course in 2014.

He has delivered annual lectures on Drafting to the Bar Professional Training Course at Nottingham Trent University and the Kaplan Law School in London. He has also delivered a guest lecture to the students of the University of Darwin, Northern Territories, Australia, on the subject of Tort law.

He has been a voluntary adviser at the Hyson Green Law Centre since 1990.

Expertise

Personal Injury

Philip specialises in all aspects of personal injury and clinical negligence work, with specialist experience of just about every category of case. He specialises particularly in high value and disease cases.

Over the last ten years, Philip has taken on an increasing number of catastrophic injury cases. Recently these have included, a double foot injury, causing crippling disablement in a young nurse, which settled for £1.4million, a serious fracture to the foot and leg of a keen motorcyclist, with real risk of amputation, which settled for £875,000, a birth hypoxia case, ongoing, giving rise to a structured settlement facilitating lifetime housing, rehabilitation and care needs and a "Montgomery" birth case, involving brain injury and complex subsequent diagnoses involving interplay between the original brain injury and a subsequent diagnosis of autism.

Philip has, for many years, advised and acted in complex spinal injury cases, which can range from significant fractures to vertebra, causing ongoing functional interference, through to cases involving paraplegia.

Disease

Philip is a specialist practitioner in industrial disease cases and one of the country's leading junior barristers in this area of practice. He has been routinely recognised as a leader in this field by his peers and by published guides to the legal profession.

He is familiar with all categories and types of industrial disease related work, including but not limited to asbestos-related injury, noise-induced hearing loss/tinnitus, hand-arm vibration syndrome, dermatitis, respiratory disease, occupationally induced carcinoma and stress related injury.

He has acted extensively for the steel, rail and ship-building industries in relation to asbestos, NIHL and HAVS claims in particular and for the nursing and related professions in relation to dermatitis and related claims.

He has particular expertise in limitation issues.

Clinical Negligence

Philip undertakes all aspects of clinical negligence work, with over twenty-five years' experience of such cases. He acts for both Claimants and Defendants in roughly equal measure.

Recent examples include a multi-million pound claim for negligent failure to identify post-birth hypoglycaemia in an at risk infant, causing lasting brain damage; and a negligent failure to diagnose critical limb ischaemia by a GP, leading to amputation of the forefoot.

Abuse

Philip has long experience of claims arising from child abuse and in group actions.

Notable Cases

- North Wales Children's Homes Litigation (third tranche, appeals arising from abuse at the Bryn Alyn group of homes)
- South Wales Children's Homes Litigation (all claims, five groups of homes / local authorities)
- Dulwich College Preparatory School Claims

- Barnado's Litigation (North East).

The Bryn Alyn Litigation, above, went to the Court of Appeal twice, initially on issues of liability, limitation and quantum, and subsequently on issues of enforcement pursuant to the Third Party (Rights Against Insurers) Act 1930.

Group Actions

Philip has acted for the Defendants in several group actions.

He has additional experience in the application of generic directions to actions proceeding outside CPR Part 19, having been expressly involved in the application of generic directions to noise induced hearing loss cases in the South Wales (the "Masterman directions") and Sheffield areas in the late 1990's. He represented the "Coats Defendants" at the outset of the Nottinghamshire and Derbyshire Industrial Deafness Litigation (when it was determined to proceed by way of test cases rather than as group litigation).

Notable Cases

- Christie Tyler Litigation (Cardiff District Registry 2009-2010 – Hand-arm vibration claims from some thirty Claimants, tried initially in relation to limitation and subsequently as to liability, causation and quantum)
- Europackaging Litigation (Birmingham District Registry 2010 – onwards – Litigation involving some fifty-six Claimants alleging noise induced hearing loss attributable to employment)
- Scania Litigation (Newcastle District Registry 2004–2005 – Multi-party action of over six hundred Claimants arising from ergonomic cab design. Advised and represented five of the Defendants)

Insurance

Over his twenty-nine years in practice, Philip has represented just about every major British insurer in relation to insurance issues connected to personal injury and abuse cases, including asbestos cases, where the nature and extent of cover is frequently in issue.

He has an established insurance practice in this area. He went to the Court of Appeal in ***KR v Sun Alliance Plc*** [2007] PIQR P14, the case addressing insurance issues which arose in the North Wales Child Abuse cases (Bryn Alyn tranche) and advised a major insurer in relation to risk issues arising from abuse claims for actuarial purposes.

He has long experience of defending fraudulent claims and has acted for insurers in relation to enforcement of appropriate penalties where a Claimant (or other party) is shown to have falsified their claim or aspects of it. Most recently he prosecuted an Application to commit to prison for falsifying statements of truth in relation to a back injury claim, exposed to be fraudulent by video surveillance evidence, in the Exeter District Registry.

Counter Fraud

Philip is an expert advisor and advocate in relation to claims involving fraudulent conduct, of which he has extensive experience. A particular strength is his ability to work closely with solicitors and insurers to address and defeat such claims, whether arising entirely from fraudulently behaviour (staged accidents, phantom claims etc), or including a fraudulent element (malingering, unlawful credit hire etc).

He is knowledgeable in relation to investigative techniques and surveillance and their deployment to best effect in litigation.

Criminal Regulatory

Philip is very experienced in defending and mitigating health and safety prosecutions, representing clients in prosecutions brought under the Health & Safety at Work Act 1974, Management of Health & Safety at Work Regulations, various incarnations of the Equipment, Construction and Hazardous Substances Regulations, Control of Asbestos Regulations 2006 and the Workplace (Health, Safety and Welfare) Regulations 1992 amongst others.

He recognises particularly the importance of working closely with a lay client to ensure that maximum benefit is obtained from both written and oral advocacy.

Additionally, he undertakes representation before inquests and disciplinary tribunals, including professional conduct committees.

Notable Cases

Recent cases include a ten day inquest into a death arising from a scaffolding collapse in Milton Keynes, with the involvement of the HSE as an interested party; a prosecution arising from the death of an employee whilst operating a train at a steelworks depot, the accident arising from a defective points and causing a full derailment; a large Crown Court prosecution, involving five Defendants, including two multi-national companies, arising from the discovery and clearance of asbestos from a motorway service station; a crown Court prosecution arising from a serious degloving injury caused by an unguarded mixer; a full contested trial arising from injury to a maintenance engineer undertaking work to a conveyor belt, whose hand became trapped in the unguarded drive gear for the conveyor; a three day inquest into a death on the railway, when a delivery van left the road, falling onto the track and into the path of an oncoming train; and a prosecution arising from the death of an employee crushed against the warehouse ceiling whilst operating a warehouse "picker" crane.

Memberships

- Personal Injuries Bar Association
- Professional Negligence Bar Association
- Health & Safety Lawyers Association
- Nottinghamshire Medico-Legal Society

Education

- LLB (Hons), University of Wales, Aberystwyth

Notable Cases

Jolly v Harsco Infrastructure Services Limited **[2012] EWHC 3086 (2012) LTL 8-11-2012.** Cranston J: Civil procedure; personal injury; Part 36.

Cairns-Jones v Christie Tyler South Wales West Division Ltd **[2010] EWCA Civ 1642.** (2010) LTL 27-2-2012: Personal injury; group litigation; industrial deafness; limitation.

Smith v Skanska Construction Services Limited **[2008] EWHC 1776, (2008) LTL 5- 8-08 – Ouseley J**. Retrial of Smith v Kvaerner, below) (personal injury; road traffic; Thai Law; effect of Defendant's claim on Thai motor insurance policy upon Claimant's action in UK for negligence; approbation and reprobation; ratification of torts; abuse of process.

KR & Others v Royal & Sun Alliance Plc [2007] PIQR P14; [2007] Bus LR 139 – Court of Appeal (Appeal from Simon J – [2006] EWHC 48). Child abuse; effect of exclusion clause in insurance policy where abusers were directors/managers of Defendant company.

Smith v Kvaerner Cementation Foundations Ltd, Bar Council intervening [2007] 1 W.L.R. 370. [2006] 3 All E.R. 593; [2006] C.P. Rep. 36; [2006] B.L.R. 244; [2006] A.C.D. 51; (2006) 103(14) L.S.G. 33; (2006) 156 N.L.J. 721; [2006] N.P.C. 35: Court of Appeal recusal; apparent bias of tribunal; waiver.

Coulson v Griffiths (2003) LTL 26-11-03: Personal injury. whether road traffic accident caused by automatism attributable to encephalitis.

S v Bryn Alyn Community (Holdings) Limited (2003) LTL 7-5-03 – Burnton J. Application of group litigation order to historical child abuse claims.

KR & Others v Bryn Alyn Community (Holdings) Limited [2003] Q.B. 1441. [2003] 3 W.L.R. 107; [2004] 2 All E.R. 716; [2003] 1 F.L.R. 1203; [2003] 1 F.C.R. 385; [2003] Lloyd's Rep. Med. 175; [2003] Fam. Law 482: Court of Appeal; child abuse in childrens' homes; liability; limitation; knowledge of significant injury/discretion to disapply limitation period; quantum of damages.

James v Starbuck [2002] 6 QR 6: Personal Injury; brain injury. loss of opportunity in employment; damages.

Long v Tolchard & Sons Ltd [2001] PIQR P18: Court of Appeal; fresh evidence; limitation; discretion to disapply limitation period.

Milner v Hepworth Heating Ltd (1998) LTL 28-7-98. Court of Appeal; limitation; noise induced deafness.

Wilson v Governors of the Sacred Heart RC School [1998] 1 F.L.R. 663. [1998] E.L.R. 637; [1998] P.I.Q.R. P145; [1998] Fam. Law 249: Court of Appeal; education; teacher's duty to supervise.

Recommendations

"Phillip is very experienced. He is an excellent master of subject matter. He is thoughtful and measured, and I think his advice is very good."

- Chambers UK 2026

"Philip is an excellent barrister. He is a smooth operator who gets on well with the clients and supports them through their claim."

- Chambers UK 2026

"Philip Turton's calm and relaxed approach disguises a very sharp brain. He is always well prepared and through. He is a go-to for complex cases."

- Chambers UK 2026

"Philip was eloquent and prepared effectively."

- Chambers UK 2026

"Philip always provides an accurate view of any problem. He finds core issues quickly. He is very assured in court and gets to the points of the case and real issues quickly."

- Chambers UK 2026

"Philip is an excellent advocate, a strong trial performer, and a safe pair of hands for even the most complex and demanding of cases."

- Chambers UK 2026

"Philip is a very good advocate – very eloquent and a really good performer."

- Chambers UK 2025

"He's excellent with clients, unflappable and strong in negotiations. He gives each case the care it requires."

- Chambers UK 2025

"Philip is impressive, diligent and performs very thorough analysis of the law. He is known to have the respect of his peers and for being a master of the court."

- Chambers UK 2025

"Phil has excellent attention to detail and a thoughtful, considered approach to serious injury claims. He is empathetic with clients who always feel he will go the extra mile for them. He always adds value to the case whether as an advocate or negotiator. He is a very capable negotiator and an accomplished advocate with a very impressive style before the court."

- The Legal 500 2025

"Philip is enormously experienced. He is calm and unflappable. He is thorough in his preparation and provides pragmatic and effective advice."

- The Legal 500 2024

"A very safe pair of hands." "He has excellent advocacy skills."

- Chambers & Partners 2021 - Personal Injury

"He has a sharp eye and a strong knowledge of asbestos claims."

- The Legal 500 2021

"His written advice is always very detailed, and he's able to put medical experts and witnesses at ease when in conference." "A smooth advocate."

- Chambers & Partners 2020 - Personal Injury

"He has a sharp eye and a strong knowledge of asbestos claims."

- The Legal 500 2020

"He is an extremely able advocate whose cross-examination skills can leave an opponent's witness unsure of their own name. His magnificent attention to detail makes him purpose-built to deal with complex disease cases."

- Chambers & Partners 2019

"He has excellent cross-examination skill."

- The Legal 500 2019

"An exceptional and fearless advocate." "Very thorough and very hard-working." "He is good with clients and has fantastic attention to detail."

- Chambers & Partners 2017

"Very good in asbestos litigation work."

- The Legal 500 2017

"He is my absolute barrister of choice. He is a man of incredible presence and gravitas. He has exceptional cross-examination abilities and is extremely persuasive."

- Chambers & Partners 2016

"Extremely knowledgeable in all areas of disease and a fearless advocate."

- The Legal 500 2016

"He is very user-friendly, and has a good rapport with clients." "Arguing technical procedural points is a key strength of his."

- Chambers & Partners 2015

"Totally professional and very thorough."

- The Legal 500 2015

Barrister of the Year 2015

- Nottingham Law Society

"Continues to be recognised for his specialist expertise in a variety of areas, including complex disease work for Defendants, catastrophic spinal injury claims, and cases relating to child abuse."

- Chambers & Partners 2014

"Philip Turton specialises in high-value personal injury work, and is 'a strong advocate.'"

- The Legal 500 2014

"Philip Turton concentrates his practice on high-value claims relating to spinal injuries. He also has considerable expertise to claims relating to child abuse."

- Chambers & Partners 2013

"Commentators respect Philip Turton's judgement in industrial disease and child abuse claims."

- Chambers & Partners 2012

"The set's top juniors include Philip Turton, who proves 'competent, hard-working and reliable'."

- Chambers & Partners 2011

Ropewalk Chambers

24 The Ropewalk
Nottingham NG1 5EF

T 0115 947 2581
E clerks@ropewalk.co.uk