

Jonathan Lowe

Call 2008



Clerks

 Joe Mawson
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Appointments

- Accredited Mediator

Memberships

Northern Circuit
Northern Circuit Commercial Bar
Association
Chancery Bar Association
Northern Chancery Bar Association

Education

LLB (Hons) University of Newcastle upon
Tyne (Class II:1 1992)
Law Society Finals, College of Law,
Chester (1993)

Insurance

For eight years Jonathan was head of the Commercial Insurance Litigation department at the leading insurance firm, Keoghs. Whilst there he was responsible for a caseload of high value policy dispute litigation, defence actions on behalf of policyholders and subrogated recovery actions on behalf of liability or property insurers. From 2005 he was recognised as a leading practitioner in the field by both The Legal 500 and Chambers and Partners.

Handles all aspects of insurance litigation including the following:

- Policy coverage disputes including employers' liability, public liability, contractors' liability, motor and professional indemnity policy coverage disputes;
- Disputes concerning the application of policy terms and avoidance of policies;
- A broad range of subrogated actions arising from property damage, including defending such actions;
- Co-insurance disputes
- Actions involving the professional negligence of insurance intermediaries
- Actions for declaration proceedings under s 152 of the Road Traffic Act 1988

Insurance Cases

SELECTED CONCLUDED CASES

As a Solicitor:

Rexodan International Ltd v Commercial Union Assurance Co plc [1999] Lloyd's Rep IR 495 – interpretation of condition precedent in an insurance policy

Patrick v Royal London Assurance (2006) 1 CLC 576 – interpretation and application of the word “wilful” in an exclusion clause in an insurance policy

John Reilly v National Insurance and Guarantee Corporation Ltd [2008] EWCA Civ 1460 – application of an exclusion clause in a liability policy

Examples of cases conducted as a Barrister:

Advice on insurance policy coverage following refusal of an indemnity, potential proceedings against insurance brokers and in relation to a claim against owners of a neighbouring property following a catastrophic building collapse

Advising in relation to a professional negligence claim against Lloyds brokers following a refusal by the Lloyds syndicate to indemnify under an insurance policy following a building fire.

Advising in relation to policy coverage following a claim by an injured claimant against the purported occupier of premises/purported policyholder

Advising insurers in subrogated recovery proceedings against a contractor following injury caused to a visitor to the policyholder’s premises

Defending a contractor following a fire in a thatched roof

Successfully securing a full indemnity for a policyholder after a refusal of indemnity following a catastrophic fire at the family home.

SELECTED ONGOING CASES

Representing a policyholder in a claim for an indemnity under a contractors’ all risk policy following a fire at a building. Indemnity has been refused for breach of a fire-precautions condition.

Representing insurers in various subrogated recovery proceedings including a claim arising from flooding caused following an under-floor pipe burst, from subsidence damage caused to the policyholder’s home, and an action against a contractor arising from water damage caused to computer equipment

Representing insurers being sued by a policyholder for an indemnity under a household insurance policy following damage caused by subsidence

Representing a policyholder in circumstances where a claim for fire damage to a commercial vehicle has been refused for breach of conditions.

Beyond the Bar

Outside work, Jonathan's time is spent having fun with his family and walking his dog. When time allows he enjoys playing tennis and golf and otherwise socialising with friends and going to concerts.