

Harry Steinberg KC

Call: 1997

Silk: 2016

steinberg@12kbw.co.uk



AREAS OF EXPERTISE

Personal Injury, Industrial Disease, International & Travel, Product Liability, Aviation, Group Litigation, Sport

Harry Steinberg is a “widely acclaimed practitioner”, “brilliantly knowledgeable”, with a “standout practice”. His practice spans serious injury, sports law and environmental damage. His work often involves an international dimension and he specialises in large-scale group actions for claimants and defendants. He is renowned for innovative thinking, challenging legal orthodoxy, and winning difficult cases. Accordingly, he is regularly instructed in test litigation. The directories recognise him as a leading silk in personal injury, industrial disease, product liability, group litigation and international litigation.

Group litigation

Harry specialises in leading large-scale group claims. He has been instructed in claims involving environmental damage, insurance, human-rights abuses, product liability and personal injury. His work often involves cross-border litigation.

His work has included:

- The *Bomu Bonny Pipeline Litigation*: claims brought by 15,600 claimants arising out of two huge oil spills in the Niger Deltas.
- The *Iraqi Civilian Litigation*: claims against the Ministry of Defence brought by civilians who were assaulted and unlawfully detained by UK military personnel during the invasion of Iraq in 2003.
- *Vilca & Ors v Xstrata Plc & Xstrata Tintaya SA*: Peruvian environmental protestors brought claims for serious injuries and mistreatment sustained during demonstrations at an Andean copper mine.
- *Silicosis*: class action, for thousands of goldminers, in South Africa.
- *Greenway and others v Johnson Matthey Plc*: test litigation on behalf of hundreds of workers who contracted platinum sensitivity as a result of occupational exposure to platinum salts.
- *Concept 70 and others v Cape International Holdings Ltd*: product liability group test case for insurers seeking contribution to settled claims from product manufacturers.

He is instructed in any case where a knowledge of the mechanics and intricacies of group litigation is important. This means that the subject matter of his practice is varied. For example, he is currently acting for a large group of claimants in a business interruption insurance claim arising out of the Covid pandemic. But he is also acting for thousands of former and serving military personnel in three groups claims for personal injury against the Ministry of Defence.

Sports Law

Harry specialises in sports law, in particular, FA Rule K arbitrations (involving any combination of FA participants, including football clubs, intermediaries and players) and concussion/head injury claims in the context of participation in sports.

Personal Injury

Harry is known for high value and high-profile personal injury litigation. He specialises in head injury and fatal claims. Much of his work has an international law aspect and/or involves large groups. For example, he is currently acting for thousands of former and serving military personnel in three groups against the Ministry of Defence.

He is well recognised by the directories including as Personal Injury / Clinical Negligence Silk of the Year in the *Chambers UK Bar Awards* 2017.

Industrial Disease

Harry has been described as the “go-to for asbestos-related illness work” (Legal 500, 2021) and “... he is *absolutely a first choice for personal injury and industrial disease claims*” (Chambers & Partners, 2021)

He is the chief editor of the leading textbook, “Asbestos: Law and Litigation” (Sweet & Maxwell, 2nd edition, June 2022). Harry regularly gives evidence in the US Courts as an expert witness on the law relating to asbestos, jurisdiction and product liability, e.g. *Pyle v Pfizer Inc.*

Harry has appeared in many of the landmark cases which have defined and shaped this area of the law:

- *Knauer v Ministry of Justice*: ‘leapfrog’ appeal to the Supreme Court on the issue of the appropriate date for the calculation of multipliers in fatal claims.
- *Coventry v Lawrence*: in the Supreme Court on behalf of a national asbestos charity on the compatibility of the CFA regime with the ECHR.
- *Rothwell v Chemical & Insulating Co Ltd*: pleural plaques test cases.
- *Greenway v Johnson Matthey*: test case for workers who contracted platinum sensitivity as a result of occupational exposure to platinum salts.
- *Head v Culver Heating*: decision in the Court of Appeal on the quantification of loss of profitability in a business which had relied on the driving force of the deceased.
- *Carder v University of Exeter*: Court of Appeal judgment on the test for actionable damage in an asbestosis claim.
- *Haxton v Philips Electronics UK Ltd*: novel head of damages for ‘diminution in value’ of a personal claim.
- *Inglis v Ministry of Defence*: high value noise-induced hearing loss as a result of exposure in the course of military service
- *Bannister v Freemans Plc*: decision of the High Court on causation in low exposure mesothelioma case
- *Barry v Ministry of Defence*: High Court decision on the diagnosis criteria for hearing loss in a military context and the application of Ogden 8

Harry is a trustee of the Mavis Nye Foundation.

International & Travel

Harry specialises in cross-border group claims. His work has included:

- *The Bomu Bonny Pipeline Litigation*: claims brought by 15,600 claimants arising out of two huge oil spills in the Niger Deltas.
- *The Iraqi Civilian Litigation*: claims against the Ministry of Defence brought by civilians who were assaulted and unlawfully detained by UK military personnel during the invasion of Iraq in 2003.
- *Vilca & Ors v Xstrata Plc & Xstrata Tintaya SA*: Peruvian environmental protestors brought claims for serious injuries and mistreatment sustained during demonstrations at an Andean copper mine.
- *Silicosis*: class action, for thousands of goldminers, in South Africa.
- *AB v C*: acting for the Defendant in the Grand Court of Cayman Islands, the Cayman Islands Court of Appeal and the Privy Council, in a case arising out of an explosion at a power station in the Cayman Islands.

He acts in claims involving choice of law and jurisdictional issues, including in *Jamieson v Württembergische Versicherung A.G.*

Publications

Chief Editor Asbestos: Law & Litigation, Sweet & Maxwell, 2nd edition, June 2022

Directories

His command of the subject matter is second-to-none. Harry is prepared to look at more unusual claims and is skilled at identifying and assessing the issues. – Legal 500, 2023

Brilliantly knowledgeable in this niche area. Harry pushes boundaries and champions the claimants. – Legal 500, 2023

Harry is approachable and is well liked by clients. – Chambers & Partners, 2023

His knowledge is second to none. He is very skilled and astute. – Chambers & Partners, 2023

A good advocate who is well prepared and knows how to argue the law. – Chambers & Partners, 2022

Harry is excellent at identifying the key themes that will resonate with the court then presenting them in a calm and persuasive manner. – Legal 500, 2022

He is absolutely a first choice for personal injury and industrial disease claims. – Chambers & Partners, 2021

He specialises in large-scale group claims. – Legal 500, 2021

Able to fully grasp the pertinent facts and issues in a given claim with ease. – Legal 500, 2021

He is always empathetic and responsive to individual claimant circumstances. – Chambers & Partners, 2020

He has a good understanding of the law and is very approachable. – Chambers & Partners, 2020

He's great with clients and is a dogged advocate. He supports his clients to make sure they achieve the best results. – Chambers & Partners, 2020

He is exceptionally knowledgeable about the law in this field and is willing to take on difficult cases and push the boundaries. He's a leader in this field and the go-to person for mesothelioma cases. He has developed a formidable reputation in this specialist area. – Chambers & Partners, 2020

He has an exceptional level of knowledge and is fantastic with clients. He's happy to consider more unusual types of claims and has the experience and expertise to do so. – Chambers & Partners, 2020

He's the first port of call for any complex asbestos-related case. You get a real sense that he successfully pushes the boundaries of the law to the benefit of his clients. – Chambers & Partners, 2019

He is very bright and knowledgeable. – Chambers & Partners, 2019

He's very approachable and good with clients, as well as being very knowledgeable and prepared to push the boundaries. – Chambers & Partners, 2019

He's an enormously talented barrister. – Chambers & Partners, 2019

He specialises in large-scale group claims. – Legal 500, 2019

An excellent barrister who communicates legal issues to clients in a straightforward manner. – Legal 500, 2019

Always looking to push the boundaries. You'd struggle to find anyone with more trial experience than him. – Chambers & Partners, 2018

Very crisp on paper and very clever. – Chambers & Partners, 2018

An exceptional advocate. – Chambers & Partners, 2018

He has extensive experience in asbestos related work. – Legal 500, 2018

Good on paperwork. – Legal 500, 2018

He is superb on his feet and his written work is out of this world. He cuts out all of the nonsense. – Chambers & Partners, 2017

In terms of his knowledge and advocacy, he's second to none. – Chambers & Partners, 2017

He's incredibly clever and willing to take on cases involving particularly difficult points of law. – Chambers & Partners, 2017

An exceptional advocate with first-class knowledge. – Legal 500, 2017

A strong barrister and a thoughtful and insightful tactician. – Legal 500, 2017

Recommended for international tort law arising from large-scale environmental litigation. – Legal 500 (Environment), New Silks tier 1, 2016

He has an extraordinary legal mind with an ability to understand complex legal issues very quickly. – Legal 500 (Personal Injury), New Silks tier 1, 2016

Cases

Knauer v Ministry of Justice [2014] EWHC 2553 (QB): acting for the claimant in a fatal accident claim in which Bean J (as he then was) gave the claimant a 'leapfrog' certificate to appeal directly to the Supreme Court on the issue of the appropriate date for the calculation of multipliers in fatal claims. The Supreme Court gave permission for the appeal, which will be heard in late 2015 or early 2016

Lawrence v Fen Tigers Ltd and others [2015] AC 106 (sometimes known as "Coventry v Lawrence"): appeared in the Supreme Court on behalf of a national asbestos charity on the issue of the compatibility of the CFA regime with the ECHR. Decision expected later this year.

The Bomu-Bonny Oil Pipeline Litigation: Acting on behalf of 15,600 claimants, and in three representative claims, in litigation arising out of two huge oil spills in the Niger Delta. This is believed to be the UK's largest ever environmental action.

Haxton v Philips Electronics UK Ltd [2014] 1 WLR 2721: acting on behalf of the claimant at trial and in the Court of Appeal. The claimant's husband died of mesothelioma, and she made a claim as his widow. She then contracted mesothelioma as a result of the same defendant's negligence. This drastically reduced her life expectancy and she recovered the shortfall as the 'diminution in value' of her personal claim. This created a novel head of damages.

Greenway and others v Johnson Matthey Plc [2014] EWHC 3957 (QB): appeared at trial in this test case on behalf of hundreds of workers who have contracted platinum sensitivity as a result of occupational exposure to platinum salts.

Concept 70 and others v Cape International Holdings Ltd: Acting for the claimants in this major product liability group test case for insurers seeking contribution to settled claims from product manufacturers.

Ghoorah v West Essex Clinical Commissioning Group and others: appeared at trial for the claimant widow in this fatal mesothelioma claim. The judge made the highest ever general damages award in a mesothelioma case.

Zambarda v Shipbreaking (Queenborough) Ltd [2013] EWHC 2263 (QB): acted for the claimant at trial in this fatal mesothelioma. Obtained case management costs as part of the services dependency claim.

Wilson v Ministry of Defence [2013] CP Rep33: Novel point of law on the definition of “trial” under CPR Part 36. Successful on appeal.

Najib v John Laing Plc [2011] EWHC 1016

Pankhurst v (1) White (2) the Motor Insurers' Bureau [2010] EWCA Civ 1445

Beesley v New Century Group Ltd [2008] EWHC 3033 (QB)

Zamparelli v Bristol City Council and another [2007] EWCA Civ 377: acted at trial and appeared in the Court of Appeal for the defendant in this claim for negligent misstatement arising out of allegedly negligent planning advice.

Rothwell v Chemical & Insulating Co [2007] UKHL 39; [2006] ICR 1458: junior counsel for the claimants in the pleural plaque test case.