

Michael Bowmer

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His advice is always spot-on, clear and concise. He makes it all seem so easy.

- Chambers and Partners

Michael Bowmer is a commercial chancery practitioner specialising in commercial dispute resolution at its intersection with traditional chancery areas, such as, trusts, succession, property, company, insolvency and partnership law.

Michael's practice has at its core an expertise in claims against professionals, such as lawyers, accountants, financial advisors, insolvency practitioners, planning consultants, auctioneers, valuers and quantity surveyors, and those who owe fiduciary duties to others, such as directors, trustees, partners and agents.

Ranked as a Leading Professional Negligence Junior by the directories, Michael is described as "very good on technical issues." "He never fails to deliver and his advice is always spot on. Considered and commercial. He is amiable and respectful and very nice to work with" (Chambers & Partners, 2019). "Excellent attention to detail and technical expertise" (Legal 500, 2019).

Before being called to the Bar, Michael worked for several years in fine art publishing, an experience which gave Michael an insight into the commercial concerns of clients and an ability to see things from their perspective. Michael later studied law at King's College London where he obtained the Strand Trust Prize for the highest first class degree in his year. Michael is hands-on and approachable and combines both a rigorous approach and commercial awareness in seeking to achieve the best possible results for his clients. Michael is also an accredited mediator with a growing mediation practice, and, given his background, has a strong interest in claims involving art law and cultural property. Outside work Michael is usually to be found in an art gallery or museum, in a cinema, on a road bike or with some form of six-stringed instrument in his hands.

Michael is married with two sons and lives in Cambridge. He is a member of the Chancery Bar Association, the Commercial Bar Association, the Professional Negligence Bar Association, the Commercial Fraud Lawyers Association and the Institute of Art and Law.

Privacy Policy

Click here for a [Privacy Policy](#) for Michael Bowmer.

Areas of Expertise

Commercial Chancery

Alongside his work in the area of professional liability, this is Michael's main area of expertise with most of Michael's work taking

place in the Chancery Division in the Royal Courts of Justice or in Chancery District Registries. Michael's practice can genuinely be described as spanning both the commercial, in the form of internal business disputes between shareholders, directors and partners, lending and insolvency, and the more traditional chancery areas of practice such as property, wills and trusts. Michael is often called upon to pursue equitable remedies such as injunctions, declaratory relief, rectification or subrogation.

Michael's areas of practice in this field are principally the following:

- **Internal Business Disputes** Michael has acted in numerous minority shareholder petitions and claims against directors for breach of their fiduciary duty as well as partnership disputes. Michael also advises on company law.
- **Lending/Insolvency** Michael regularly acts for lending institutions, and on occasion for borrowers, in relation to the enforcement of charges and guarantees. Such work gives rise to a broad range of issues such as the avoidance of charges for forgery and undue influence (and compliance with Etridge procedures) as well as incapacity, subrogation, priorities between charges and between charges and other interests in land, overriding interests, land registration practice and procedure. Michael also acts and advises in relation to both personal and corporate insolvency and in particular claims setting aside prior transactions.
- **Property** Michael advises and acts in a wide range of disputes concerning real property such as contracts for the sale of land, options and overage agreements, easements, restrictive covenants, land registration and adverse possession. Michael has also acted in many co-ownership disputes and cases of proprietary estoppel. Michael also acts in relation to all aspects of landlord and tenant and has recently been advising in a number of claims relating to leasehold enfranchisement, forfeiture and the interpretation of rent review provisions.
- **Trusts** Whether advising in relation to the interpretation of strict settlements or invoking trust principles in relation to commercial litigation, Michael is well-versed in all aspects of trusts. He regularly acts and advises in claims both for and against trustees for breach of trust, the removal and replacement of trustees and in relation to proprietary claims, tracing, accessory liability and constructive trusts in relation to civil fraud and breach of trust claims. Michael also acts in beneficial co-ownership disputes.
- **Wills and Probate** Michael frequently advises personal representative and beneficiaries in relation to the interpretation of testamentary documents and other matters arising in the administration of estates. He also acts in claims regarding the validity and rectification of wills as well as in inheritance act claims.
- **Equitable Remedies** Whether preserving the position pending trial or as substantive relief in its own right, Michael has experience of obtaining injunctions and freezing orders and claims for rectification or declarations supporting a right of subrogation.
- **Chancery related Professional Liability** Through Michael's specialism in commercial chancery practice, he has developed a significant practice in related professional liability claims. Michael's familiarity with the underlying areas of practice enables him to deal effectively and knowledgeably with claims arising out of property or financial transactions or private client matters. He has substantial experience in dealing with claims against solicitors, both in their capacity as legal advisers but also in their fiduciary and representative capacity, and against financial advisers and accountants.

Qualifications & Memberships

King's College London (LLB Hons First Class).

Insights

Clerical Error across the Border: Application of the English Law of Rectification to Irish Will: Kelly v. Brennan [2020] EWHC 245 (Ch)

25 February 2020

In the context testamentary succession, it is well-established under the rules of private international law that the court can apply domestic law to a foreign will of a testator who was domiciled in this jurisdiction where the court is concerned with issues of capacity, formal validity, material validity or interpretation. However, no authority one way or the other has ever determined whether the law of rectification should be applied in the same way.

Unfair Prejudice Petitions: what makes prejudice “unfair”?



3 July 2019

Unfairness is an essential ingredient in minority shareholder petitions. Prejudice alone is not enough. This article explores just what it is that a petitioner needs to prove to make prejudice “unfair” in order for a petition to succeed.

Dealing with surplus assets in voluntary winding up (Qureshi v Association of Conservative Clubs Ltd) – Lexis PSL Restructuring & Insolvency article by Michael Bowmer of 4 New Square

24 May 2019

Following his appearance for the successful liquidator in *Qureshi v. Association of Conservative Clubs Ltd* [2019] EWHC 1165 (Ch), Michael Bowmer was asked by Lexis@PSL Restructuring & Insolvency to give an e-interview about the case. A copy of the interview, which was first published on 20 May 2019, can be found [here](#).

On a Handshake: the Gauguin and the Ten Million Dollar Commission

13 February 2018

Offering a glimpse into the world of high-end art deals, and the position of trustees and fiduciary agents, Michael Bowmer considers the recent decision of Morgan J in *ACLBDD Holdings Limited v. Staechelin* [2018] EWHC 44.