

12

King's Bench Walk

Isaac Hogarth

Call: 2011

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AREAS OF EXPERTISE

Clinical Negligence, Personal Injury, Insurance, Fraud, Inquests, Credit Hire, Product Liability, Professional Negligence, Costs

Isaac has a specialist clinical negligence and personal injury practice. A large number of Isaac's instructions relate to cases involving life-changing spinal and brain injuries, chronic pain and fatalities. Isaac is often instructed by defendants in cases involving allegations of fraud.

Isaac is an experienced advocate with an excellent track record at trials, joint settlement meetings and mediations.

He also provides written advice on liability, quantum, evidence and procedure, drafts statements of case and advises in conference.

In addition to his civil practice, Isaac is often instructed to provide representation at inquests, particularly those arising from deaths in hospitals and road traffic accidents.

Clinical Negligence

Isaac has a busy and varied clinical negligence practice, and has acted or advised in cases including:

- spinal cord injuries,
- sepsis,
- strokes,
- negligent surgeries,
- sub-arachnoid haemorrhage,
- delayed diagnoses (including cancer),
- substandard dental care,
- failure to obtain informed consent,
- injury at birth, including stillbirth cases,
- claims by secondary victims following negligent medical treatment

Isaac acts predominantly on behalf of claimants in his clinical negligence practice.

Whilst Isaac's clinical negligence experience is very broad, he is particularly interested in cases involving sepsis or spinal cord injury.

Isaac's clinical negligence work includes drafting pleadings, drafting agendas for expert meetings, advising on paper and in conference, and providing representation at JSMs, mediations and at court.

In addition to working on cases against hospitals and GPs, Isaac has been involved in cases involving claims against cosmetic practitioners and pharmacists.

Recent examples of Isaac's clinical negligence work are:

- L v An NHS Trust – acting for a claimant rendered paraplegic (T8 Frankel B) due to a delay in imaging and then decompressing spinal epidural haematoma. Led by William Audland QC. Settled at a JSM several weeks prior to the start of the liability trial for £4.5 million.
- X v An NHS Trust – acting for a claimant rendered permanently blind due to a failure to treat raised intra-cranial pressure secondary to cerebral venous thrombosis, as junior to William Audland QC. Settled at mediation for sum in excess of £4m. See link to case summary [here](#)
- The Estate of LH v An NHS Trust – the deceased had been rendered tetraplegic due to a failure to immobilise his spine and perform a decompression following a fracture. He died 18 months later due to complications secondary to his injury. Causation was disputed. Settled at a mediation.
- H v Prof M – acted for the claimant who had undergone post-mastectomy breast reconstruction with implants. She had not been warned of the risks of capsular contracture following radiotherapy, which then occurred. Liability was disputed. Settled.
- Z v An NHS Trust – acted for a claimant who suffered CRPS following the negligent excision of a lipoma from her palm. Settled.
- K v An NHS Trust – acted for a claimant who suffered severe osteoarthritis in her foot following surgery to correct a hallux valgus deformity. There was a failure to obtain informed consent. Settled.
- C v An NHS Trust – acted for a claimant who suffered a permanent injury to his wrist following a delayed diagnosis of a scaphoid fracture. Settled at a mediation.
- B v An NHS Trust – acted for a claimant who suffered a 'drop foot' following failure to evacuate a post-operative haematoma. The case was advanced on the basis of consent arguments. Settled at a JSM. Read case report [here](#)
- Re Z (Deceased) – acted for the estate of a man who died due to mismanaged diabetes. Settled.
- Re HC (Deceased) – acted for the estate in a delayed diagnosis of lung cancer case. Settled.
- Ali v Carr (2017) – acted for the successful claimant in a cosmetic negligence case where damages were assessed in the High Court at £52,744.45, including PSLA of £18,000. Read case report [here](#)
- X v An NHS Trust – acted for the successful claimant in a fatal case involving failure to treat sepsis.
- Y v An NHS Trust – acted for the successful claimant in a case involving delayed diagnosis of lung cancer.

Isaac is also instructed in inquests where clinical negligence is suspected.

Before coming to the Bar, Isaac worked in the clinical negligence department at Stewarts Law LLP. He gained extensive experience working on injury at birth cases, spinal injury cases (including cauda equina), and fatality cases.

Isaac is the author of A Practical Guide to Sepsis and Meningitis Claims, available at <http://www.lawbriefpublishing.com/product/sepsisandmeningitisclaims/>

Qualifications & Awards

LLM (Commendation), City University

BPTC (Very Competent), City University

GDL (Commendation), City University

MA (Oxon), English Language and Literature, Corpus Christi College, Oxford

GDL Scholarship, Gray's Inn

Bedingfield Scholarship, Gray's Inn

Arden Scholarship, Gray's Inn

Memberships

Personal Injury Bar Association (PIBA)

Professional Negligence Bar Association (PNBA)

Action Against Medical Accidents (AvMA)

Publications and Case Reports

A Practical Guide to Sepsis and Meningitis Claims, November 2019, Law Brief Publishing Limited. Available at <http://www.lawbriefpublishing.com/product/sepsisandmeningitisclaims/>

Article: 'Standard of care in a clinical setting during the Covid-19 crisis', which can be read [here](#)

Article: 'Clinical Approach: Isaac Hogarth reviews some key decisions on sepsis and meningococcal disease', PI Focus, March 2020

Article: 'Policy Issue', an article on *Advantage v Stoodley*, PI Focus, October 2018

Case note: *Advantage Insurance v (1) Stoodley (2) Trinity Lane Insurance* [2018] EWHC 2135 (QB)

Case note: finding of neglect following prescription error

Case note: Hotpoint dishwasher inquest

Ali v Carr – facial fillers claim in the High Court

Khalid v AXA Insurance UK Plc

Isaac Hogarth helps secure rider of neglect for bereaved family in paediatric sepsis hospital inquest

A New Approach to Basic Hire Rates: *Karl Stevens v Equity Syndicate Management Ltd* [2015] EWCA Civ 93