

Isaac Hogarth

Call: 2011
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AREAS OF EXPERTISE

Clinical Negligence, Personal Injury, Insurance, Fraud, Inquests

Isaac has a specialist clinical negligence, personal injury and insurance practice. A large number of Isaac's instructions relate to cases involving life-changing spinal and brain injuries, chronic pain and fatalities. He is ranked as a leading junior in personal injury and clinical negligence in both the Legal 500 and Chambers and Partners 2024.

In addition to his injury practice, Isaac has a growing reputation as an insurance specialist and is often instructed to advise insurers and the MIB on technical coverage and indemnity issues.

Isaac is an experienced advocate with an excellent track record at trials, joint settlement meetings and mediations. He is often instructed as a junior in high value claims, but also has extensive experience as sole counsel.

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.

Personal Injury

Isaac acts for claimants and defendants in all aspects of personal injury including road traffic accidents, employer's liability, occupier's liability, product liability, public liability and public liability.

The majority of Isaac's personal injury instructions arise from road traffic accidents.

Isaac is generally instructed in serious and catastrophic injury cases, including cases involving chronic pain, brain injuries, spinal injuries and fatalities.

Many of Isaac's instructions for defendants involve allegations of fraud, or indemnity issues (see below).

Examples of Isaac's work include:

- (ongoing) Instructed for the defendant as junior to William Audland KC in the group action against Rugby

Football League, in which over 80 claimants allege brain injuries due to concussion.

- *P v E* (2023) – instructed for defendant in a motorcycle vs car accident, where the claimant developed compartment syndrome. Pled at £1.5 million. Settled for about a third of that at a JSM.
- *S v H* (2023) – instructed for defendant in claim pleaded at £900k plus provisional damages where the claimant was a young man who had suffered very serious lower limb injuries as a child. He had a residual risk of amputation. Settled following a JSM on a full and final lump sum basis. Isaac acted unled against a KC.
- *B v SR* (2023) – instructed for defendant in claim pleaded at £1.1 million, arising from RTA in which C suffered multiple traumatic injuries. She claimed that given ongoing urinary incontinence and pelvic pain, she had had to abandon her career as a flight attendant. Ogden disability alleged. Settled at JSM for less than a third of pleaded value.
- *D v MS* (2023) – instructed for defendant in claim pleaded at over £1 million, where C was a serving police officer who had been seriously injured in an RTA in the line of duty. He alleged a significant risk of medical retirement, and Ogden disability. The claim successfully settled at JSM.
- *S v (1) G (2) H* (2022) – instructed for the defendant Article 75 insurer in a claim where C had suffered multiple traumatic injuries as a result of an RTA, and claimed to be unable to return to work. C claimed £400k. Settled for a third of that.
- *W v P* (2022) – instructed for the claimant in a fatal road traffic accident, where the deceased was driving above the speed limit on a major road, when the defendant emerged into his path. Issues were contributory negligence and quantum. Settled for a six figure sum.
- *P v K* (2021) – instructed for the defendant in a serious injury claim in which a young professional riding pillion on a motorcycle was negligently knocked down and suffered a severe knee injury. Settled at a JSM (unled) against a QC for less than half the claim's pleaded value.
- *M v L* (2020) – instructed for the defendant in chronic pain claim. There was a dispute as to whether the condition was organic or functional. Pled to £1.5m. Settled shortly after JSM for less than 30% of its pleaded value.
- *C v Y* (2020) – instructed for defendant in a severe traumatic brain injury claim. Claim arose from quad biking on a dual carriageway. Liability and quantum were disputed. The claim was settled by a Calderbank offer on terms favourable to the defendant.
- *Re GA* (2020) – instructed for claimant in a motorcycle accident claim causing significant orthopaedic and psychological injuries in which quantum was complex due to the claimant only having recently embarked on a career which he would now have to abandon, and due to pre-existing medical issues. The claim settled pre-issue for a substantial sum.
- *Newell v Lily Communications* – finding of fundamental dishonesty in an EL liability trial against a telephone salesman who claimed to have suffered a significant injury to his back at work. Before HHJ George.
- *Nicholson v Thomas* – finding of fundamental dishonesty against a former prison guard who exaggerated his injuries following a serious road traffic collision. Decision of HHJ Owen KC.
- *M v X Local Borough Council and Other* – represented a third party in a serious injury claim arising from a slipping accident at a party. Settled at a JSM, at which Isaac appeared unled against a KC.
- *A v C* – acted for the Claimant in a case brought under the Animals Act after she was injured by a neighbour's dog. Settled following a settlement meeting for £50,000.
- *Khalid v AXA* – successfully had claim struck out for fraud upon conclusion of the Claimant's evidence in a liability disputed road traffic accident. QOCS disapplied and costs ordered.
- *English v Burnt Mill Academy Trust* – instructed for Defendant where the Claimant was a schoolboy who fell over a bollard which served no purpose and was removed after the accident. Claim dismissed. Decision of HHJ Moloney KC. Reported on Westlaw and Lawtel.

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)

Association of Personal Injury Lawyers (APIL)

Publications and Case Reports

A Practical Guide to Sepsis and Meningitis Claims, November 2019, Law Brief Publishing Limited. Available [here](#).

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: *RLB v Dr K: fatal clinical negligence claim arising from delayed diagnosis of colorectal cancer*

Case note: *RKT v Essex Partnership University NHS Trust: total colectomy and exacerbation of schizophrenia*

Case note: *AB v Salisbury NHS Foundation Trust: short life expectancy brain injury claim*

Case note: *C v University College London Hospitals NHS Trust: Settlement of spinal epidural haematoma claim weeks before trial*

Case note: *C v Imperial College Healthcare NHS Trust: settlement of catastrophic blindness claim*

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

Case note: *Ali v Carr* – facial fillers claim in the High Court

Case note: *Khalid v AXA Insurance UK Plc*

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

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

