

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.

Fraud

A significant proportion of Isaac's personal injury practice involves cases containing allegations of fraud including LVI, induced accidents, and fraudulent exaggeration.

Isaac is regularly instructed to advise in writing and in conference on behalf of defendants in cases where fraud is suspected.

He is familiar with the application of section 57 of the CJCA 2015, and has frequently had QOCS disapplied on the basis of findings of fundamental dishonesty.

In *Nicholson v Thomas* (2018), Isaac was instructed for the Defendant in a claim arising from a serious road traffic accident, in which the Claimant was knocked off his motorbike, and suffered spinal fractures. The Defendant's investigations included obtaining surveillance evidence which suggested exaggeration. Isaac successfully obtained a finding of fundamental dishonesty before HHJ Owen QC.

In the case of *Khalid v AXA* (2017), Isaac successfully applied to strike out the claim upon the conclusion of the Claimant's evidence. QOCS were disapplied. A report on the case can be found [here](#).

In another case, (1) *Howell* (2) *Walker v Brindley Asphalt Ltd* (2017), Isaac represented the Defendant; following a two-day trial, C1's claim was dismissed upon an application under section 57 CJCA 2015 for a finding of fundamental dishonesty, with an order for indemnity costs – a case summary can be found [here](#).

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