

Isaac Hogarth

Call: 2011
ihogarth@12kbw.co.uk



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.

Fraud

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

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.

Isaac is frequently instructed in chronic pain and mild traumatic brain injury cases where exaggeration is an issue.

Isaac has a reputation for clear and robust pleading.

A large number of claims Isaac has been involved with in this area have been discontinued or settled for very low sums early in the litigation.

In *Pajapati v Smith* (2020), the claimant brought a claim for personal injuries and credit hire. Isaac represented the defendant at trial. The Deputy District Judge made a finding of fundamental dishonesty, but also took the unusual step of striking out the entire claim on the basis of a falsely verified statement of truth.

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)

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