

Hugh Davies

1982 Middle Temple

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Education

Lincoln College, Oxford University MA Jurisprudence

Jules Thorn Scholar, Middle Temple

Professional Associations

Personal Injury Bar Association

Professional Negligence Bar Association

Association of Personal Injury Lawyers

Manchester and District Medico-Legal Society

Areas of Specialism

Personal injury, including catastrophic injury and fundamental dishonesty

Clinical Negligence

Regulatory: professional healthcare and regulation

Profile

Having completed a pupillage with Roger Toulson in London, Hugh is pleased to note that thereafter he did not hold back his progression into the Supreme Court.

Hugh's preparation for cases is meticulous. He has a flair for analysing and interpreting voluminous evidence and explaining complex issues in a way that clients understand.

He has a detailed understanding of technical medical matters, the practicalities surrounding care in the NHS and the private sector, and difficulties that may arise where experts from a number of different disciplines are involved.

His straight forward manner and communication skills are appreciated by Judges and clients alike. He is a very experienced and effective advocate and has excellent judgement.

Hugh's areas of practise include:

Personal Injury:

All types of work including road traffic, employer's liability and public liability cases. He is regularly instructed in injuries of maximum severity, injuries to the head and spine, industrial disease, psychiatric injuries and chronic pain. Many of his recent cases involve fundamental dishonesty when acting for Defendants.

Clinical Negligence:

Recent cases include hypoxic brain injury and other clinical mistakes which have led to brain damage resulting in awards of several million pounds; delayed diagnoses e.g. of a stroke, of cancers of the breast, bowel and caecum and of ulcerative colitis; missed fractures of the spine, wrist and ankle; failed sterilisations; missed avascular necrosis resulting in leg length discrepancy.

Regulatory:

For over 15 years he has been instructed by the General Medical Council in fitness to practise cases, many of which

involve clinical issues. He has also been instructed by the GMC in registration and review cases and in the Administrative Court.

Publications:

"Guide to Damages" S Allen, I Bowley & H Davies, Jordans 1st edition 2004, 2nd edition 2008 & 3rd edition 2013
"Dishonest claims: where now after Summers v Fairclough?" JPI 2012, 4, 238 Craig Sephton QC and H Davies

Notable Cases

Personal injury, catastrophic injuries:

F v G:

F involved in RTA aged 2 in which she suffered a severe traumatic brain injury. F argued for 2:1 care for the rest of her near normal life expectancy. Award included Periodical Payment Orders at £150,000 p.a. until 19 years and thereafter at £250,000 p.a. for life in addition to a lump sum payment of £7 million. Grossed up the damages exceeded £22 million. Settlement approved in Manchester in March 2020 by HHJ Sephton QC

Personal injury, strike out, abuse of process:

H v I:

H brought proceedings for soft tissue injuries sustained in a RTA. H claimed chronic pain syndrome resulting in loss of earnings and an award exceeding £600,000. C failed to reveal previous extensive custodial history and produced forged documents to support claim. Shortly before trial claim struck out as abuse of process under CPR 3.4(2)(b) in March 2019.

Clinical negligence:

J v K:

Failure by hospital to promptly diagnose a stroke in a young professional person resulted in hemiplegia. Issues on causation. Several disclosure hearings before case settled for several million pounds in March 2018.

Regulatory:

B v GMC [2016] EWHC 3221 (Admin)

When applying for full registration as an International Medical Graduate B's internship took much longer than the expected 12 months and she was refused full registration. Edis J allowed appeal as she had good personal reasons and she had almost completed the 12 months

Clinical negligence:

X v Y

GP failed to send 37 week pregnant mother to hospital when she developed an infection and X born with asymmetric diplegia cerebral palsy. Causation issues. Settlement of £3.9 million approved by the Court on 31 October 2014

Personal injury; exaggeration & dishonesty; abuse of process; Supreme Court:

Summers v Fairclough Homes Limited [2012] UKSC 26; [2012] 1 WLR 2004

C sustained serious injury in accident at work and won a trial on liability, but then dishonestly exaggerated his claim. Supreme Court rejected D's application to strike out the claim in its entirety and upheld the trial judge's decision to award damages on the agreed medical evidence

Personal injury; illegality; Court of Appeal

Vellino v Chief Constable of Greater Manchester Police [2001] EWCA Civ 1249; [2002] 1 WLR 218

Shortly after his arrest C sustained devastating injuries when he jumped out of a second floor window when trying to escape. The police could easily have prevented him from jumping, had they wanted to. Detailed analysis of illegality

Professional Discipline and High Court:

GMC -v- Dr D

Dr unsuccessfully appealed refusal to allow his name to be included in the Specialist Register under the Cardiothoracic Speciality pursuant to Article 8(2) of the Post Graduate Medical Education and Training Order of Council 2010 - HHJ Gore QC March 2014

Professional Discipline and High Court:

GMC -v- Dr S [2014] EWHC 1471 (Admin):

Dr appealed claiming that the panel's findings were wrong on the facts, that he was fit to practise and that the sanction was excessive. Appeal dismissed, HHJ Pelling QC 2 May 2014

Personal injury; Court of Appeal:

Cross v Kirklees MBC [1998] 1 All ER 561

C fell on icy pavement sustaining injury. Discussion on scope of section 41 of the Highways Act 1980 before section 41A Highways Act 1980 was introduced

Contract; Court of Appeal:

Blackpool and Fylde Aero Club v Blackpool BC [1990] 1 WLR 1195

D requested tenders for permission to operate pleasure flights from airport, but then overlooked the C's tender which had been properly submitted. Obligation to at least consider properly submitted tenders.
