



ASHLEY PRATT

Year of call
2006

Ashley Pratt is a mixed Civil/Commercial practitioner.

Ashley's practice has developed very quickly and has been involved in cases usually the preserve of those of greater call. He can comfortably deal with and is regularly instructed in high value medical and commercial matters.

The majority of Ashley's work concerns high value multi-track cases and he has been involved in many recent cases led and alone where the value of the claim(s) far exceed £1m.

LEGAL EXPERTISE

Clinical Negligence

Ashley is a busy clinical negligence practitioner and acts for national firms in this area. He has experience in clinical negligence cases ranging from obstetrics cases to failing to diagnose cancer. He is often involved with clinical negligence cases from their outset and is regularly instructed to attend inquests where there is an underlying clinical negligence issue.

Ashley has a special interest in cases involving head and spinal injuries concerning children and adults. He has been involved in numerous high value cases within this area.

Selected Cases

H v RF Trust 2019 (QB)

Complex High value birth injury claim concerning a private surgeon failing to perform a trial of instruments in the delivery suite. Appeared alone as a junior against leading counsel at various applications, and was led on

the settlement. Claim settled for £5m.

R v CUH Trust (2019)

High value delay in diagnosis of breast cancer claim. Led at JSM award included provisional damages.

ML v ES (2018)

Appeared for the family of a lady that was negligently treated by mental health services, which led to her committing suicide. Appeared alone at the inquest, and the subsequent litigation in the High Court. The claim settled in the sum of circa £500k as approved in the QB.

N v KH Trust- (2018) (QB)

Successful Claimant Liability trial at the High Court. The case settled on day two of the trial following leading counsel's opening submissions. Before Mrs Justice Lambert.

KH v LH Trust (2017-2018) (QB)

Appeared against two QCs at a multi-week inquest into the death of a man that had been restrained by security staff causing him to remain in a coma for 9 years before his death. Claim settled at a JSM for circa £250k.

Macaulay v (1) Dr Karim & (2) Croydon Health Services [2017] EWCH 1795 (QB)

Successful liability trial before Mr Justice Foskett. Led at trial. Case concerning a failure to properly identify and treat an infection, which led to multiple amputations. Quantum ongoing. The complexity of the case led the judge to remark 'the resolution of the factual and medical issues in this case has been as difficult an exercise as I can recall in quite a few years of dealing with cases of this nature'.

Personal Injury

Ashley has an exclusively multi-track personal injury practice and acts for both Claimants and Defendants at this level. Over the last few years Ashley has appeared on a number of occasions in the High Court with respect to accidents at work and RTAs. In the County Court Ashley has appeared in many multi-day trials.

Ashley has appeared against a number of silks both at court and in JSM's, and has been involved in cases where the value of claims has exceeded £1m.

Ashley accepts instructions in stress at work claims.

Selected Cases

KU v Police Force (2019) (QB)

Ongoing high value claim concerning a Police vehicle colliding with a pedestrian causing catastrophic injuries.

H v Stoke on Trent CC (2019)

2 day occupiers liability trial before HHJ Rawlings.

CM v HA (2019)

Ongoing employers liability claim. The Claimant, having been crushed whilst at work, suffered complex catastrophic injuries to his arm.

Poddington v MOJ (2018)

Successfully acted on a multi-week stress at work trial on behalf of a former prison officer.

Cotton v Heatex (2014)

4 day High Court trial (QB) led by Steven Ford QC. Accident at work claim involving various allegations of fraud, extensive surveillance and 7 experts. (HHJ Main QC).

Johnson v H (2014) (QB)

Appeal to King J following circuit judge's decision to refuse relief from sanctions for the late service of witness statements. Appeal granted in full with costs as the Defendant changed its previous stance of neutrality prior to the appeal to outright opposition at the appeal. Claim ongoing.

Inquests & Inquiries

Ashley has appeared in many high profile inquests that have been reported in the national and local media. He has appeared on numerous cases against silks. His speciality is appearing in inquests where there is suspected underlying clinical negligence. Ashley often deal with Human Rights issues in this context.

Selected Cases

KF v A Trust & A Local Authority (2019)

Acting in a multi-week inquest on behalf of the family (and the individual) that was accused of murdering his neighbour. KF was found not guilty at his criminal trial by reason of insanity, but the inquest explored the alleged failure into mental health services treatment of KF.

KH v L NHS (2018)

Acting in a week long inquest into the death of a man that was restrained by security services at a hospital.

The deceased was in a coma for 9 years following the incident. The inquest found multiple failures on the part of the Trust. Appeared as sole junior counsel against two QCs.

ML v E NHS Trust (2018)

Multi day jury inquest investigating the suicide of a lady that was found to have been failed by the clinical treating team.

Inquest into death of Seth Dixon (2016)

SF was run over, and later died, whilst crossing the road on his way home following him delivering a letter for his mother. The driver of the vehicle was found to have been using a mobile phone during the collision. The Coroner found that the use of the mobile phone during the incident contributed to Seth's death.

Inquest into death of RE (2016)

An Article 2, 5 days jury inquest into the alleged failure by a Hospital Trust to properly monitor RE, which was found to have more than minimally contributed to his death.

Inquest into death of DF (2016)

3 day Jamieson inquest into the death of an 18 hour old baby. The Coroner found multiple failings on behalf of the Trust which amounted to neglect.

Inquest into the death of SA (2016)

4 day jury inquest into the death of a psychiatric patient on section 17 leave.

Commercial

Ashley has just co-authored the review chapter in the Professional Negligence Journal (focusing on commercial litigation) for the review of 2019. This is to be published by Bloomsbury Press in February 2020. He has recently lectured (2018 and 2019) to the Law Society and commercial law firms on the Isle of Man on advocacy.

Ashley has acted in multiple commercial disputes over the years. To provide a flavour of some of his recent cases:

Currently advising a Texan oil billionaire in respect of a cross-border dispute worth circa \$4m

Advised a hotel chain management company in respect of a dispute with the franchisee. This involved complex disclosure issues

Advising a Cypriot restaurateur in respect of liquidation proceedings.

Advising a Local Authority concerning rights of way over their property in respect of a commercial property

Acting for a finance company in respect of the recovery of goods such as high value cars, and other property

Acted in the Lands Tribunal in respect of Trusts arising out of land

Acting for a Local Authority in respect of multiple employment tribunal cases

Recently successfully defended an application for summary judgment in the specialist intellectual property court

Product Liability

Ashley was instructed in assessing and assisting in filing GLO claims concerning the DePuy (as well as others) hip litigation. He is increasingly being instructed in this area.