

Dr Tagbo Ilozue

Year of Call: 2019
Email Address: tagbo.ilozue@3pb.co.uk
Secure Email: Tagbo.ilozue@3pb.co.uk.cjsm.net
Telephone: 01962 868884

Overview

Tagbo Ilozue accepts instructions across a broad range of Chambers' specialisms, with a particular interest in regulatory crime, inquests, personal injury, professional negligence, professional discipline, and public law.

He brings to his practice as a barrister the knowledge and experience that he gained working as a doctor in a variety of medical and surgical specialities. Before leaving his medical career, he completed the membership exams of both the Royal College of Surgeons and the Royal College of Physicians. He also holds a doctorate in Developmental Biology and a bachelor's degree in Philosophy & Psychology.

Academic qualifications

- Graduate Diploma in Law (GDL), University of Law – Distinction
- PhD, Developmental Biology, Queens' College, University of Cambridge
- Bachelor of Medicine and Surgery (MB BChir), Queens' College, University of Cambridge
- MA Philosophy and Psychology, Magdalen College, University of Oxford – 2:1

Scholarships

- Everard Ver Heyden Foundation Prize (for results in the BPTC) City Law School
- Winner of the City Law School Senior Moot, 2019

Professional qualifications & appointments

- BPTC, City Law School – Outstanding (7th in a year of over 400 students)
- Membership of the Royal College of Physicians (MRCP)
- Membership of the Royal College of Surgeons (MRCS, expired in July 2019)

Professional bodies

- Administrative Law Bar Association
- Association of Regulatory and Disciplinary Lawyers

- Criminal Bar Association
- Health and Safety Lawyers' Association
- Personal Injuries Bar Association
- Professional Negligence Bar Association
- Western Circuit

Expertise

Regulatory crime

Tagbo Ilozue is a member of the 3PB Crime Team and the Public and Regulatory Group. He has a strong foundation in general crime, having dedicated roughly half his first two years of practice to defending and prosecuting in every area of crime, appearing regularly in the Magistrates', Youth and Crown Courts. He has been instructed as trial counsel for offences including GBH with intent, possession with intent to supply class A drugs, and arranging the commission of sexual activity with a child. He has also appeared before the Court of Appeal in an appeal against sentence during which his submissions were described by the bench as "impressive".

Tagbo now specialises in regulatory crime and in the related matters that fall within the civil jurisdiction of the magistrates' court and the tribunals. He has a particular interest in health and safety cases, but he welcomes instructions to advise and represent prosecutors, defendants, applicants, and respondents in all areas of regulatory law. He is a member of both the Criminal Bar Association and the Health and Safety Lawyers' Association.

Selected recent instructions include:

- **M v R: Conduct endangering ships, structures or individuals**
  Advising the MCA on evidence and next steps in relation to an intended prosecution for an offence under s.58 of the Merchant Shipping Act 1995.
- **B v C: Appeal against a civil penalty notice**
  Representing the applicant landlord in his appeal to the First Tier Tribunal against a penalty imposed by the local authority for alleged breach of the Electrical Safety Regulations.
- **M v S: Breach of the COLREGs**
  Representing the MCA in the prosecution of a master accused of failing to comply with the COLREGs while navigating his vessel off the coast of the Isle of Wight (in the Crown Court at Newport).
- **N v W: Depositing/transferring controlled waste in breach of the Environmental Protection Act**
  Representing the defendant at Merthyr Tydfil Magistrates' Court and advising him in relation to prospects, procedure, and the merits of an out-of-court resolution of the case.
- **M v W: Failure to comply with the Blue Code**
  Representing the MCA in the prosecution of a vessel owner accused of failing to comply with the relevant safety regulations when taking his vessel across the Atlantic (in the Crown Court at Southampton).
- **R v E: Confiscation Order Enforcement Hearing**
  Representing the defendant in resisting activation of a term of custody following default on payments due under a confiscation order; at Weston-Super-Mare Magistrates' Court.
- **N v H: Being in control of unlicensed HMOs**
  Representing the prosecuting local authority in a 3-day trial at Nottingham Magistrates' Court.
- **L v C: Appeal against a noise abatement notice**
  Advising the appellant landlords on the prospects of success and representing them at Cambridge Magistrates' Court.
- **G v A: Application to extend pre-charge bail**
  Representing the respondent defendant in resisting the application, heard at Tameside Magistrates' Court.
- **P v M: Exceeding the speed limit in Poole Harbour**
  Representing the prosecuting harbour authority in a plea and sentencing hearing at Poole Magistrates Court.
- **P v R: Exceeding the speed limit in Poole Harbour**
  Advising the prosecuting harbour authority on evidence and prospects.
- **S v Q: Failure to pay business rates**
  Advising the defendant on the prospects of successfully resisting a liability order.

- **B v B: Committal application – unpaid council tax liability orders**
  Representing the prosecuting local authority in an application for committal to prison for failure to pay nearly ten years of council tax debts.

Inquests

Tagbo Ilozue is a member of the 3PB Inquests Team. His medical and scientific background gives him a valuable insight into the sensitive issues raised in such proceedings and a particular skill in dealing with complex expert evidence.

He will provide representation for any interested party. Recent cases include:

- **Re: II**
  Representing His Majesty's Coastguard in a 3-week inquest touching on the death of a man who drowned in the English Channel off the coast of Dorset.
- **Re: MA**
  Representing the family in a 1-day inquest touching on the death of a preterm infant who died shortly after birth.
- **Re: FO**
  Representing His Majesty's Coastguard in a half-day inquest touching on the death of a man who drowned after jumping into the Thames to try to save a woman who was struggling in the water.
- **Re: TR**
  Representing a care-home in the final 2 days of a 4-day inquest (Tagbo stepped in at short notice to cover for a colleague) touching on the death of a resident at the home who sustained a catastrophic head injury in a fall.
- **Re: LD**
  Representing Dorset Police in a PIRH for an inquest touching on the death of a woman who was murdered by her husband.
- **Re: CG**
  Representing a company in a PIRH for an anticipated 2-day jury inquest touching on the death of a man who died in the course of his work as a contractor for the company.
- **Re: BW**
  Representing the family in a 2-day inquest touching on the death of a patient who passed away shortly after he received an overdose of lorazepam in a drug administration error. Tagbo also advised regarding the quantum of the associated clinical negligence claim, which reached a favourable settlement following the inquest.

Tagbo is a member of the Health and Safety Lawyers' Association.

Personal Injury

Tagbo Ilozue is a member of the 3PB Personal Injury Group. He has amassed considerable experience in Personal Injury, acting for claimants and defendants in multi-track, fast track and small claims, in stage 3 hearings and infant settlements, and in all manner of related preliminary and interlocutory hearings. He appears regularly in the county court and maintains a busy paperwork practice, drafting pleadings and advising in relation to liability, quantum, and procedure.

He has been instructed on cases involving:

- Road traffic accidents
- Credit hire
- Employers' liability

- Public liability
- Occupiers' liability
- Health and Safety regulations
- Allegations of Fraud and Fundamental Dishonesty

Selected recent cases include:

- **Z v A: Advice and Schedule of loss (Employers' liability)**
  Advising a 36-year-old claimant on quantum and preparing a schedule for the permanent finger injury that he sustained in the course of his work, causing him disadvantage on the open labour market.
- **S v S: Multi-track trial**
  Representing the claimant prison officer at Central London County Court in an employers' liability claim for a permanent shoulder injury sustained during a fight between prisoners.
- **P v C: Advice and Particulars of Claim (Occupiers' liability)**
  Advising the claimant (on the prospects of success and on the appropriate defendant to name) and drafting the particulars of claim, in a claim for injuries sustained by a contractor who fell down an uncovered manhole shaft on premises managed by the defendant.
- **N v U: Fast track trial (RTA)**
  Representing the defendant insurer in a claim from a pedestrian, defended on the basis that there was no contact between the insured's vehicle and the claimant and the claim was fundamentally dishonest (Central London County Court).
- **R v W: Advice and Particulars of Claim (Occupiers' liability)**
  Advising the claimant on the defendants to pursue and drafting the particulars of claim for a multi-track claim arising from a knee injury sustained after a fall in a shopping centre.
- **K v B: Advice (RTA)**
  Advising the claimant on liability and expert evidence in relation to an injury sustained after the sudden braking of a bus.
- **D v A: Fast Track (RTA and credit hire)**
  Represented the defendant insurer in a claim (including £38,000 in credit hire fees) by a moped driver who accused the defendant's insured of turning his car into the path of the claimant's moped.

Tagbo is a member of the Personal Injuries Bar Association.

Clinical Negligence

Tagbo Ilozue is a member of the 3PB Clinical Negligence Group and the Professional Negligence Bar Association.

Before he came to the bar, Tagbo worked for a number of years in emergency medicine, acute medicine and a range of surgical specialities in numerous hospitals across the country. He gained familiarity with multiple clinical fields, and extensive experience in treating patients and working alongside healthcare practitioners. He thereby gained an invaluable insight into the key matters lying at the heart of clinical negligence disputes.

While working as junior doctor Tagbo achieved the rare distinction of completing the membership exams for both the Royal College of Surgeons and the Royal College of Physicians. His experience of research in a developmental biology laboratory, while working towards his PhD, enhanced his capacity for forensic analysis and ingrained a meticulous attention to detail that has translated into his legal practice.

Tagbo acts for both claimants and defendants. His practice to date has been primarily in clinical negligence; however, he has also advised in relation to solicitors' negligence claims. The experience he has acquired translates directly to professional negligence generally and he is keen to develop his practice to include professional negligence claims in additional fields,

particularly proceedings against lawyers.

His recent work includes:

- Advising a corporate claimant on the prospects of success of a claim against its previous solicitors for losses sustained after a commercial tenancy agreement fell through.
- Advising a defendant on merits and quantum, and drafting the letter of response, in relation to a proposed claim for allegedly unnecessary hip revision surgery.
- Advising a defendant regarding pre-action steps, and drafting the letter of instruction for the liability and causation expert, in a proposed claim for allegedly negligent hip replacement surgery.
- Advising a defendant in relation to pre-action steps in a proposed claim for an alleged failure to obtain informed consent prior to a haemorrhoidectomy.
- Advising a claimant on the merits of a claim for perinatal injury due to the delayed diagnosis of breech presentation.
- Advising a claimant on expert evidence in relation to a delayed diagnosis of hip dysplasia after birth.
- Advising a defendant on quantum, on the amendments that needed to be made to the expert evidence, and on settlement offers in relation to a claim arising from the peri-operative management of anticoagulation therapy.
- Advising a claimant on the merits of a claim in relation to the delayed diagnosis of an ectopic pregnancy.
- Advising a claimant on the prospects of success and evidence required for a proposed claim against her previous solicitor due to the excess costs and unfavourable outcome alleged to have been incurred in an employment dispute.

Professional Discipline and Regulatory Law

Tagbo Ilozue is a member of the 3PB Public and Regulatory Group and a member of the Association of Regulatory and Disciplinary Lawyers. He will advise and act for regulators and registrants in relation to proceedings before any professional regulator. His medical background gives him an invaluable insight in proceedings before the healthcare regulators.

Selected recent cases include:

- **G v H**
  Representing a Responsible Pharmacist in a 4-day hearing before the GPhC FtP Committee in relation to allegations of misconduct arising from sales of codeine linctus. The case was dismissed after a successful submission of no case to answer.
- **N v W**
  Representing a nurse in 3-day hearing before the NMC FtP Committee in a charge of impaired fitness to practise following a conviction.
- **B v J**
  Advising a registrant on prospects and evidence in relation to a complaint to the BACP alleging failures to comply with professional standards involving client trust, competence, record-keeping, and communication in respect of counselling services provided.
- **N v H**
  Representing a nurse in a 2-week hearing before the NMC FtP Committee (adjourned part-heard) in relation to allegations of misconduct and lack of competence.
- **N v W**
  Representing a nurse in a 9-day hearing before the NMC FtP Committee involving allegations of misconduct arising from dishonesty.
- **N v H**
  Representing a nurse in an 18-day hearing before the NMC FtP Committee in relation to an allegation of misconduct

arising from multiple professional incidents over a 3-year period.

- **H v O**
  Representing a speech and language therapist in a 5-day hearing before the Conduct and Competence Committee of the HCPC in relation to an allegation of misconduct in connection with her medicolegal practice.
- **N v M**
  Representing a nurse in a 3-day hearing before the NMC FtP Committee in relation to allegations of misconduct arising from fraud.
- **Various**
  Representing the NMC in numerous interim order, and substantive order review hearings.

Public and Administrative Law

Tagbo Ilozue is a member of the 3PB Public and Regulatory Group. He has a strong interest in public law and is keen to develop his practice in this area.

He is a co-author of the LexisNexis PSL practice note on the Fisheries Act 2020 and he has advised the Maritime and Coastguard Agency on the Implementation of the Polar Code within domestic legislation.

He is a member of the Administrative Law Bar Association. He is also a member of the Attorney General's Junior Junior scheme and welcomes instructions on that basis; he is currently assisting with the Post Office Inquiry in that capacity.

Articles

Dr Tagbo Ilozue summarises Sparkes v London Pension Funds Authority and Leigh Academies Trust [2021] EWHC 1265 (QB), in which Murray J set aside a Master's Order dismissing an application for non-party disclosure in a fatal mesothelioma claim. The Court saw fit to interfere with the Master's broad case management discretion because he was wrong in his application of the test to the relevant facts, took into account irrelevant factors, gave insufficient weight to relevant factors, and failed to balance the relevant factors fairly in the scale.

View Article

Articles

Dr Tagbo Ilozue reviews the case of Professional Standards Authority for Health and Social Care v (1) General Dental Council (2) Naveed Patel [2024] EWHC 243 (Admin), which offers a useful guide as to the proper approach to sanction in professional disciplinary cases based on convictions for serious offences. It also includes instructive comment on the ambit of the High Court's power to substitute a decision on sanction.

View Article

3PB's David Richards, Head of the national chambers' Public & Regulatory Law team, and pupil barrister Dr Tagbo Ilozue have reviewed three new regulatory key cases, covering environment regulation, food safety and housing regulations, all handed down since the UK went into lockdown.

View Article

3PB Barristers' regulatory counsel David Richards, Head of the national chambers' Public & Regulatory Law team and pupil barrister Dr Tagbo Ilozue have published a digest of recent criminal law developments and relevant case law since the UK went into lockdown.

View Article

David Richards, head of the marine group at 3PB and fellow barrister Dr Tagbo Ilozue have reviewed national and international maritime responses to the Covid 19 crisis, looking in particular at the UK regulatory framework that may be used to police responses to the coronavirus beyond the current lockdown.

View Article