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- Course Title:** An Evening with David Pittaway QC: Lecture on Non-Delegable Duties of Care in Clinical Negligence Actions
- Speakers:** David Pittaway QC – Barrister, Hailsham Chambers
- Duration:** 47 minutes
- Course description:** The seminar will examine the application of a non-delegable duty of care and vicarious liability in private healthcare provision by reference to the application of recent cases in the U.K. Supreme Court and the Federal Court of Malaysia to this area.

The recent litigation in the U.K. brought against Mr Ian Paterson, breast surgeon, and Spire Healthcare, which was compromised in September 2017 raised issues on whether the providers of hospital and ancillary facilities, who grant practising privileges to consultants owe a non-delegable duty of care to patients treated at their hospitals.

In an increasingly complex world of private healthcare provision and statutory oversight, this raises an interesting area for discussion. The issues were also recently considered in *Kok*, by the Federal Court of Malaysia, where on a different factual matrix the Court found for the private healthcare provider.

The seminar is of interest primarily to not only clinical negligence practitioners but also to those involved in professional negligence more generally as an example of the changing landscape in the application of duties of care as societal changes lead to the differing attribution of responsibility for negligence.

About the speakers:



David Pittaway QC – Hailsham Chambers

David Pittaway QC was called to the Bar of England and Wales in 1977 and appointed Queen's Counsel in 2000. He is Head of Hailsham Chambers, London, a Deputy High Court Judge and was Treasurer of the Inner Temple in 2017.

His principal practice areas are medical law, public inquiries, regulatory and disciplinary, product liability, personal injury and professional negligence.

He has an outstanding practice for healthcare and other regulators on the regulatory and disciplinary process. He is frequently instructed in cases defending high profile clients in healthcare and non-healthcare sectors against reputational damage.

As a leading authority on public inquiries and inquests, he has substantial experience of large-scale inquiries, including The Shipman Inquiry and The Hillsborough Inquest.

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He is a Fellow of Chartered Institute of Arbitrators and an Accredited Mediator. He is instructed as an arbitrator in professional negligence claims and has appeared in mediations involving clinical negligence claims. He is a past Chairman of the Professional Negligence Bar Association.

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