

ISABEL BARTER

Call 2010

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*"driven and
intelligent, she is
excellent"*
(Chambers UK)

Practice Overview

Isabel has a flourishing commercial and common law practice, with a particular focus on professional negligence, product liability, property damage, travel and jurisdiction, commercial dispute resolution and commercial fraud.

Isabel has appeared in the High Court, Court of Appeal and the Supreme Court and has experience of mediation.

Isabel has been recommended in both legal directories for a number of years. Recently she has been described as being *"frighteningly intelligent"* (Chambers Bar UK 2020) and having *"piercing insight"* (Legal 500 2020).

Isabel is particularly well regarded for her specialist expertise in professional negligence and product liability. Much of her work in the property damage field, travel and jurisdiction and commercial disputes draws on her broad experience across these other areas and clients often come to her for this combined expertise.

She has been described as having an *"exceptional style with clients"*, being *"bright and user-friendly"* (Chambers Bar UK) and a *"delight to work with"* (Legal 500).

Prior to coming to the bar, Isabel worked in the charitable sector. She graduated from Cambridge with a BA (Hons) in History. She obtained a Distinction on the GDL and an Outstanding on the BVC. She was also a Major Scholar of the Inner Temple.

Practice areas

Commercial Dispute Resolution
Commercial Fraud
Private International Law & Travel
Product Liability
Professional Negligence
Property Damage

Qualifications

BVC (Outstanding)
Graduate Diploma in Law
(Distinction)
BA (Hons) History

Education

Corpus Christi College, Cambridge
University
City Law School
BPP Law School



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Commercial Dispute Resolution

Isabel's commercial practice arises naturally out of her other practice areas, particularly professional negligence, property damage and product liability.

She has particular expertise of claims arising out of the supply of professional services, contractual 'chains' in relation to construction work, sale of goods claims, and profit-sharing agreements. She has a special interest in questions to companies' vicarious liability, see e.g. *Mohamud v WM Morrison Supermarkets plc* [2016] UKSC 11, [2016] AC 677.

Commercial Fraud

Isabel's commercial fraud expertise complements other areas of her practice, in particular in relation to professional negligence. Significant recent cases include a defending a professional in a million pound claim brought in deceit and negligence (sole Counsel), acting for tax advisers in relation to a to a £35m claim by their former client for, *inter alia*, advising its client to participate in a tax fraud, dishonest assistance, conspiracy, fraudulent trading and fraudulent breaches of fiduciary duty (led by Mark Simpson QC), and acting for defendants in a multi-million pound claim who were accused of fraudulently creating documents to evidence terms of an oral contract relating to a development site (led by Mark Simpson QC).

Private International Law & Travel

Isabel's conflict of laws practice crosses her product liability, property damage, commercial dispute resolution, professional negligence and personal injury expertise.

Particular highlights include *Allen & Others v Depuy International Limited* [2015]. Recent cases concerning defective products include questions of jurisdiction and service out in relation to products imported into the UK, complex issues arising out of large multinational contracts, and being part of a team of junior counsel in a foreign fatal accident claim arising from an allegedly defective tyre (*Groupama*).

Claims involving personal injury include claims involving the Package Travel regulations and accidents sustained outside the UK. Isabel is due to appear in a multi-day trial in the High Court in a claim concerning St Lucian local standards in early 2020. Isabel has also been instructed in

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relation to claims brought against holding companies for, *inter alia*, the actions of their African subsidiary.

Product Liability

Isabel has a busy product liability practice, acting for both claimants and defendants. She is ranked again as a leading junior in Chambers UK Bar 2020, where she is described as giving “*practical, commercial and thorough*” advice. Her work complements her property damage expertise.

Isabel's product liability practice includes automotive products, white goods, medical implants, bicycles, defective toys, gas products, domestic electrical appliances, industrial machinery and even parts of a nuclear fusion reactor. Notable cases include *Allen v Depuy* (concerning the applicable law and territorial scope of the Consumer Protection Act 1987) and the upcoming case *Wilson v Beko plc* (which concerns whether a consumer can make a claim under safety regulations/s.41 of the Consumer Protection Act 1987).

Click here for links to Isabel's and Charles Dougherty QC's **Short Introduction to the Consumer Protection Act 1987** and to Isabel's and Dan Crowley's article on **Causation: Sherlock Holmes, Submarines and the Hard Rock Café**.

Current and recent cases

Acting (led by Charles Dougherty QC) in a novel case concerning whether a consumer can make a claim under safety regulations/s.41 of the Consumer Protection Act 1987, *Wilson v Beko PLC*. Due to be heard in November 2019.

Acting in case concerning allegedly defective electrical appliance. Due to be heard in multi-day high court trial in early 2020.

Acting in case concerning alleged failure of front forks of bicycle causing the claimant to sustain serious injuries, *Pratten v Race Productions*.

Professional Negligence

Isabel has a flourishing professional negligence practice, acting for both claimants and defendants. She is regularly instructed in cases concerning solicitors and barristers, accountants and financial advisers, mortgage brokers, surveyors and valuers, receivers, approved inspectors,

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construction and design professionals. Her work complements and overlaps with the work of her other practice area of property damage.

Isabel has been listed for some years in both legal directories for professional negligence for some years, where most recently, she has been described as "frighteningly intelligent" (Chambers UK Bar 2020).

Notable cases include: *IAP v Jeffcote Donnison* [2018] EWHC 756 (Ch); a multi-million pound claim against a barrister; and *Mehjoo v Harben Barker (A Firm)* [2014] 4 All ER 806 (concerning accountants' negligence).

Current and recent cases

Acting (led by Mark Simpson QC) a £16.6m claim brought against Law of Property Act receivers alleging negligence in the sale of a development site, *Tolworth Tower v Receivers* (ongoing).

Acted (sole Counsel) in a multimillion pound claim brought against approved inspectors in deceit and negligence.

Acted (led by Mark Simpson QC) for tax advisory firm in £35m claim alleging negligence, dishonest assistance and fraudulent trading, *IAP v Jeffcote Donnison* [2018] EWHC 756 (Ch).

Property Damage

Isabel has a particular focus on property damage and the interrelated areas of professional negligence and product liability. Much of her work in the property damage field draws on her broad experience across these other areas and clients often come to her for breadth of experience.

Recent cases include those concerning damage to domestic and commercial premises and property caused by fire, floods and explosions, and cases involving nuisance and *igniis suus*.

Current and recent cases

Acting (led by Charles Dougherty QC) in a novel case concerning whether a consumer can make a claim under safety regulations/s.41 of the Consumer Protection Act 1987, *Wilson v Beko PLC*. Due to be heard in November 2019.

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Acting (sole Counsel) in claim in contract and negligence concerning a second-hand Motorhome which allegedly caught fire, causing significant property damage.

Acting (led by Neil Moody QC) in relation to a catastrophic fire arising out of an allegedly defective motor vehicle.

Acting in case where gas cylinder exploded, destroying at least one building and damaging the neighbouring ones. Case concerns, *inter alia*, breach of the Gas Appliances (Safety) Regulations 1995.

Significant Cases

Wilson v Beko, a seminal case concerning whether a claimant can bring a claim s.41 of the Consumer Protection Act 1987 (led by Charles Dougherty QC) (ongoing).

CNM Estates (Tolworth Tower) Ltd v Simon Peter Carvill-Biggs and Freddy Khalastchi, a £16.6m claim brought against Law of Property Act receivers alleging negligence in the sale of a development site (led by Mark Simpson QC) (ongoing).

Instant Access Properties Ltd (In Liquidation) v Jeffcote Donnison LLP (and others) [2018] EWHC 756 (Ch), £35m claim alleging negligence, dishonest assistance and fraudulent trading (led by Mark Simpson QC).

Fultons v Guy Shattock Associates Limited & Others, a multimillion pound claim brought against approved inspectors in deceit and negligence.

Mohamud v WM Morrison Supermarkets plc [2016] UKSC 11, [2016] AC 677, a case concerning the breadth of vicarious liability (led by Benjamin Browne QC and Roger Harris).

Allen & Others v Depuy International Limited [2015] 2 WLR 442, an important new case on the applicable law and the territorial scope of the Consumer Protection Act 1987 (led by Charles Dougherty QC).

Mehjoo v Harben Barker (A Firm) [2014] 4 All ER 806 concerning accountants' negligence, which involved issues relating to the breadth of an accountant's duty, domicile, tax avoidance schemes and remoteness (led by Mark Simpson QC).

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Recommendations

Isabel has been recommended in Chambers Bar UK since 2015 (at 5 years' call) and listed in Legal 500 since 2016.

"Frighteningly intelligent. She is extremely diligent and has a mind like a computer, that manages to store a huge raft of information. She is very attentive and is always planning the next step." **Chambers UK Bar 2020 (Professional Negligence)**

"She brings a combination of enormous hard work together with piercing insight." **Legal 500 2020 (Professional Negligence)**

"She is good at absorbing details quickly and focusing on the critical points. Her advice is practical, commercial and thorough." **Chambers UK Bar 2020 (Product Liability)**

"A brilliant junior who is a pleasure to work with and leaves no stone unturned." **Legal 500 2019 (Professional Negligence)**

"Very tenacious, instills confidence. When she says a point should be taken you trust her and you're happy to take that into hearings. I see her going places." **Chambers UK Bar 2019 (Professional Negligence)**

"Isabel is a very intelligent barrister, with a good dose of tactical nous and common sense." **Chambers UK Bar 2019 (Product Liability)**

"Broad knowledge of professional liability law and significant experience in the Court of Appeal and High Court", and "proves particularly strong acting in claims concerning accountants, financial advisers and surveyors". **Legal 500 2018 (Professional Negligence)**

"She has an exceptional style with clients and produces a quality of advice well beyond her years." "The way she can digest thousands of pages and quickly pick out the issues is amazing. She is extremely bright and user-friendly." **Chambers UK Bar 2018 (Professional Negligence)**

"Super-bright, ferociously hardworking and a delight to work with." **Legal 500 2017 (Professional Negligence)**

"Very user friendly and approachable". **Legal 500 2016 (Professional Negligence)**

"Thorough and easy to deal with - she gets completely on top of the problems". **Chambers UK Bar 2016 (Professional Negligence)**

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"Driven and intelligent, she is excellent", "She is really user-friendly, conscientious and gets to grips with documents like no other junior".

Chambers UK Bar 2015 (Professional Negligence)

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