



#### Year of Call

1992

#### Year of Silk

2007

#### Devil Masters

JG Reid QC

Sheriff Iain Abercrombie QC



## Practice Profile

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Andrew's practice is focused predominantly in the field of private law. Andrew has considerable expertise in professional and clinical negligence cases, acting for both pursuers and defenders. He has also developed an extensive practice in personal injury cases involving catastrophic spinal and brain injuries. Andrew is regularly instructed in cases before the Commercial Court. He has acted for HM Revenue & Customs in tax cases as both junior and senior counsel, from tribunal stage to the Supreme Court.

## Education & Professional Career to Date

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Trainee Solicitor, Dundas & Wilson

LLB (Hons), First class; Diploma in Legal Practice

## Appointments

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- Chairman, Police Appeals Tribunal (2008–present)
- Convenor, Training & Admissions Committee and Board of Assessors, Faculty of Advocates
- Standing Junior to the Foreign & Commonwealth Office (1995–1997)
- Standing Junior to HM Customs & Excise (1997–2006)

## Selected Cases

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- **Cheshire Mortgage Corporation Ltd v Grandison [2012] CSIH 66; [2011] CSOH 152**  
Breach of warranty claim against solicitors in mortgage fraud situation
- **Blower v Edwards [2010] CSOH 34**  
Claim against scheme actuary by pension trustees
- **Watts v Bell & Scott WS [2007] CSOH 108**  
Solicitor's negligence claim involving damages for loss of development opportunity
- **Karling v Purdue [2004] ScotCS 221**  
Immunity of medical expert for evidence in criminal case
- **McCrinkle Group Ltd v Willis Corroon Scotland Ltd [2002] SLT 209**  
Claim against insurance brokers
- **Lomond Assured Properties Ltd v McGrigor Donald [1999] ScotCS 53**  
Professional negligence
- **United Central Bakeries Ltd v Spooner Industries Ltd [2012] CSOH 111**  
Commercial
- **Persimmon Homes Ltd v Bellway Homes Ltd [2011] CSOH 149; [2012] CSOH 60**  
Claim arising out of missives for sale of development land between housebuilders
- **Morris Amusements Ltd v Glasgow Council [2009] CSOH 84**  
Acting for third party alleging breach of insurance policy negating cover
- **Royal Scottish Assurance plc v Scottish Equitable plc [2006] CSIH 47**  
Action arising from alleged negligent design of financial products
- **Logan v Scottish Water [2005] CSIH 73**  
Statutory compensation for pipeline based on ransom claim
- **Clarke v Fennoscandia Ltd [2007] UKHL 56; [2004] ScotCS 257; [2003] ScotCS 209**  
Attempt to have a foreign decree declared invalid on grounds of fraud
- **Burnett's Trs v Grainger [2004] UKHL 8**  
Effect of a delivered but unrecorded disposition in a bankruptcy situation
- **Labinski Ltd v BP Oil Development Co [2003] ScotCS 15; [2001] ScotCS 294**  
Property
- **Scottish Youth Theatre (Property) Ltd v Anderson [2002] ScotCS 94**  
Property
- **Sharp v Thomson [1997] UKHL 60**  
Property
- **Scottish Widows plc v HMRC [2011] UKSC 32**  
Taxation of insurance companies
- **HMRC v Empowerment Enterprises Ltd [2006] CSIH 46**  
Tax
- **Optos plc v HMRC [2006] UKSPC SP00560**  
Tax
- **DCM (Optical Holdings) Ltd v HMRC [2006] UKVAT V19549**  
Tax
- **John Clark (Holdings) Ltd v HMRC [2005] UKVAT V19327**  
Tax
- **CR Smith Glaziers (Dunfermline) Ltd v HMRC [2003] UKHL 7**  
Tax
- **University of Glasgow v HMCE [2003] ScotCS 38**

Tax

- **Halladale Group plc v HMCE [2003] UKVAT V18218**  
Tax
- **Cumbernauld Development Corporation v HMCE [2002] ScotCS 1**  
Tax
- **North Anderson Cars Ltd v Commissioners of Customs & Excise [1999] STC 902**  
Tax
- **Hill v Norside Ltd [2012] CSOH 187**  
Tetraplegic case following fall from scaffold
- **Vaickuviene v J Sainsbury plc [2012] CSOH 69**  
Vicarious liability of employer for murderous act by employee on another employee
- **Toner v George Morrison Builders [2010] CSOH 125**  
Work at height case
- **Law v Ronald & MIB [2010] CSOH 53**  
Whether pursuer knew car was uninsured
- **Flood v University of Glasgow [2010] CSIH 3**  
Stress at work
- **Bremner v Bartlett [2008] CSOH 3**  
Quantum of damages
- **Carling v WP Bruce Ltd [2007] CSOH 119**  
Quantum of damages
- **Kelly v Cox [2004] ScotCS 175**  
Personal injury
- **Rodger v C & J Contracts Ltd [2005] CSOH 47**  
Personal injury
- **Sturgeon v Gallagher [2002] ScotCS 288**  
Personal injury
- **Wallace v Paterson [2001] ScotCS 1**  
Serious brain injury

## Areas of Practice

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- Clinical and Professional Negligence
- Commercial
- Personal Injury
- Property
- Taxation

## Publications & Seminars

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Commission and Diligence, Archibald MacSporrán and Andrew Young (authors), Greens Practice Library, 1995

Gloag and Henderson: The Law of Scotland, contributor to 10th and 11th editions

'Conflict of interest in professional negligence claims' - September 2012

'Personal injury claims arising from defective products - 25 years of the Consumer Protection Act' - September 2011

'Fiduciary duties of directors and new business opportunities' - November 2010

'Mortgage fraud and claims against solicitors' - May 2010

'Loss of a chance: when it's worth a bet' - September 2009

## Directories

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Chambers and Partners 2020 Bar Guide:  
Band 2 for Clinical Negligence  
Band 3 for Commercial Dispute Resolution  
Band 1 for Personal Injury  
Band 1 for Professional Negligence  
Band 1 for Tax

"He is very, very intelligent and able to focus on what needs to be investigated in complex matters."

"One of the best seniors at the Bar. He has a great reputation and deservedly so."

"He's excellent - he can turn his hand to anything, is very authoritative and very personable too."

"He's academically gifted, experienced and a delight to work with."

Recommended in The Legal 500 UK Bar Guide 2019  
Band 1 for Personal Injury and medical negligence

"He hones in on the core issues of a case"

## Additional Information

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Andrew has experience of acting as an agreed expert in the determination of contractual disputes between parties