
LEO HOFFORD QC

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Summary

He is a logical, resourceful and wholly unflappable lawyer who is equipped with excellent persuasion techniques. He is a Queens Counsel who effectively anticipates and evaluates legal issues early enough to protect clients and resolve cases. He has a capacity to remain objective and civil during court proceedings, but at the same time has the expertise, experience and commitment to pursue his goals with unswerving tenacity. He is particularly adept at case analysis, strategic planning and conducting fruitful settlement negotiations. He communicates with empathy and compassion but never deviates from total professionalism. He is capable of developing a positive rapport with clients and an understanding with agents as to exactly what is required. He presents evidence in a clear and straightforward manner and has the foresight to predict the arguments of his opponent and is able to address important concerns or questions in an articulate manner. He is a Queens Counsel with a broad legal knowledge that he will share with parties of any background - both private citizens with modest financial resources as well as international commercial organisations where the sums recovered have exceeded £130 million. He applies the same effort to all cases, big or small. He has been in practice as an advocate for twenty-seven years. In his ninth year as Queens Counsel, he brings to the table a combination of knowledge, application, practicality, tenacity and good humour.

Skills

- preparation
- intellectual rigour
- careful quantification
- commitment
- negotiation
- practicality
- decision-making
- personal injury
- medical negligence
- commercial disputes
- international disputes
- insurance
- alternative dispute resolution
- IT proficiency

Work History

September 1983 — January 1986

Solicitor

7 Abercromby Place

- Developed strategies and arguments in case preparation
- Prepared cases for instructed Counsel at the Court of Session
- Presented key evidence and productions at Sheriff Court civil proofs
- Questioned and cross-examined witnesses during proofs
- Interpreted laws, decisions and regulations
- Resolved several landlord and tenant disputes
- Appeared before the Licensing Board
- Appeared at Rent Tribunals

Alston Nairn & Hogg (now Aitken Nairn WS)

January 1987 — January 1988

Solicitor

Musselburgh

Stanton Dow

- Sole practicing solicitor in a busy, high street law firm
- Involved in all aspects of buying and selling property
- Conducted small claims, evictions and personal injury work
- Conducted criminal defence work and bail appeals
- Developed strategies / arguments for case presentation
- Negotiated home mortgage modifications
- Questioned and cross-examined witnesses in the course of trials
- Explained courses of action / repercussions to clients
- Conducted settlement negotiations
- Interviewed witnesses and gathered research relevant to each case
- Managed high-volume caseload of varied complexity

September 1989 – July 1990

Advocacy Devilling

Leo Hofford Advocate

Faculty of Advocates

- Attached to a practicing advocate
- Drafted documents, pleadings, opinions and conducted case research
- Developed strategies / arguments in preparation for case consultation
- Drafted legal briefs, opinions and notes
- Analysed probable outcomes of cases using knowledge of legal precedents

Advocate

Leo Hofford Advocate

Faculty of Advocates

- Passed Advocate in July 1990
- Regularly appeared in the Sheriff Court; Inner and Outer Houses of the Court of Session
- Developed strategies and arguments in case preparation
- Presented evidence and productions at civil proofs and jury trials
- Questioned / cross-examined witnesses at proofs and trials
- Worked with experts in various areas of complexity
- Interpreted laws, rulings and regulations
- Drafted legal opinions for clients
- Analysed probable outcomes of cases per legal precedent
- Wrote regular notes for agents
- Managed all litigation preparation
- Filed case pleadings in a timely manner
- Developed a well-formulated court technique relevant to each case
- Advised clients on available courses of action and repercussions
- Negotiated settlement in countless cases
- Counsel in a long-running international litigation that successfully recovered over £130 million
- Drafted objective memoranda for many cases
- Drafted notes on liability and notes on the line of evidence
- Advised clients of potential risks and associated costs
- Resolved landlord and tenant disputes
- Managed a high-volume, high value complex caseload

Current

Queens Counsel

Leo Hofford QC

Faculty of Advocates

- Took silk in October 2008
- As Queens Counsel I continue to do most of the type of work of an Advocate
- Higher value cases and more complex issues
- Employed at a later stage of the case
- Have used expertise and experience to improve the prospects of court success and increase the probability of an out-of-court settlement

Education

1982

Undergraduate Law Degree: Law (LLB)
Edinburgh

University of Edinburgh

1982

Bachelor of Arts: English Literature and French (BA)
Edinburgh

University of Edinburgh

1975

GCSE
Perthshire

Trinity College, Glenalmond

Areas of Special Interest

After my Diploma in Legal Practice I began as a Trainee Solicitor, progressed to Assistant Solicitor, called at the Bar and took silk in 2008. My areas of special interest are personal injury, clinical and professional negligence, insurance, commercial disputes and dispute resolution generally. I have given seminars to other lawyers on various areas of personal injury. More recently I have broadened my interests to learn about international trade deal negotiation (with a view to Brexit) as well as international arbitration. I am particularly interested in the link-up between personal injury and arbitration. In June 2017 I obtained a qualification in Arbitration Law and Practice, First Class Distinction, from the University of Aberdeen. I am a Member of the Chartered Institute of Arbitrators and the Faculty Dispute Resolution Service. I am one of the Chairs at the Faculty Arbitration Conference on 29th September 2017.

Notable Cases

Piper Alpha litigation (various extended periods between 1993 and 1999) – dispute between platform contractors over liability, indemnification and settlement, leading to a recovery in excess of £130 million

John Provan v Charles Swan 7.6.2001 – petition for declarator of farm tenancy

James Stangoe v Terex Equipment 4.12.01 – industrial disease (hand /arm vibration syndrome)

Brian McGowan v Summit at Lloyds (Inner House, 12.6.02) – dispute over the interpretation of a commercial insurance contract, indemnification and jurisdiction

Zoe Mackenzie v Highland Acute Hospitals NHS Trust 2003 – medical negligence: birth asphyxia

Lannigan v Glasgow City Council (unreported, issued 12.8.04) – time bar in the context of failure to diagnose dyslexia

McFarlane v Ferguson Shipbuilders Limited 2004 Rep LR (N) 78 – personal injury action

Southesk Trust Co Ltd & Others v Angus Council & Others [2006] CSOH 6 – Outer House and Inner House appeal on relevancy, arising out of oil spillage

Jean Francois Guilbert & Others v Allianz Insurance PLC [2009] CSOH 10 – claim for loss of support by foreign nationals

Wilkie v Direct Line Insurance Plc [2007] CSOH 143; [2009] CSIH 70 – commercial insurance contract, failure to disclose a relevant fact and obligation to indemnify

Caig v Dumfries and Galloway Health Board 2010 – medical negligence: failure to diagnose hydrocephalus

Mark Smith v Sabre Insurance 2013 CSIH 28 – Inner House appeal concerning application of *res judicata*

Alexander Glancy v Greater Glasgow Health Board 1.3.13 – medical negligence; spinal surgery

Clelland v Department for Business Enterprises 2011 CSOH 46 - personal injury

Williams v Palanimurugan and Dumfries and Galloway NHS Board 2015 CSOH 46 - medical negligence

McLeish v Lothian NHS Board 2017 CSOH 71 - personal injury

Publications

Contributor to *Parliament House Portraits* - a hardback review of the Faculty of Advocates art collection

Author of *Only Blood*, a novel, published at lulu.com and also available at amazon.co.uk

Other interests

Skiing, tennis, piano, writing, reading, travel