



Admitted 1990 **Appointed to Silk** 2008 **FCI Arb**

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Areas of Practice

Damages & Reparation

Profile

Leo has more than 35 years litigation experience, both as a solicitor and as an Advocate. He has gained considerable experience in all areas of Civil Litigation and has made regular appearances in Scotland's courts, predominantly in the Inner and Outer Houses of the Court of Session. His area of particular expertise is personal injury, commercial disputes and professional / clinical negligence litigation and arbitration. He is regularly instructed in catastrophic road traffic injury cases and serious industrial diseases / accidents. He has considerable experience leading cases with high end value – often in excess of £1 million. He regularly deals with highly complex legal and quantification issues. He has been lead counsel in a number of major civil jury trials. He represents both pursuers and defenders. He is commended by agents and clients for his down-to-earth practical approach, his coolness under fire and his high success rate; he is as skilful in pre-trial negotiation as he is in court technique. He is the favoured counsel for many of the larger firms. Leo took Silk in 2008 and has since qualified as a Fellow of the Chartered Institute of Arbitrators. He is an active Member of the Faculty Dispute Resolution Service. He accepts instructions in both international and domestic arbitration.

Qualifications

1982 Undergraduate Law Degree: Law (LLB) University of Edinburgh

1982 Bachelor of Arts: English Literature and French (BA) University of Edinburgh

Representative Cases

1993–1999: various lengthy periods as Junior Counsel in the Piper Alpha litigation (ELF Enterprise Caledonia Ltd v London Engineering and Others – 7 tests cases) – dispute between platform contractors over liability, indemnification and settlement, leading to a recovery in excess of 130 million

2001: John Provan v Charles Swan 7.6.2001 – petition for declarator of farm tenancy

2001: James Stangoe v Terex Equipment – industrial disease (hand / arm vibration syndrome)

2002: Brian McGowan v Summit at Lloyds, Inner House – dispute over the interpretation of a commercial insurance contract, indemnification and jurisdiction

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

2004: Lannigan v Glasgow City Council – failure to diagnose dyslexia

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

2006: 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

Representative Cases (continued)

2009: Guilbert & Others v Allianz Insurance PLC [2009] CSOH 10 – loss of support by foreign nationals
2009: Wilkie v Direct Line Insurance Plc [2007] CSOH 143; [2009] CSIH 70 – commercial insurance and indemnity
2010: Caig v Dumfries and Galloway Health Board 2010 – medical negligence: hydrocephalus
2013: Smith v Sabre Insurance 2013 CSIH 28 – Inner House appeal res judicata
2013: Glancy v Greater Glasgow Health Board – medical negligence; spinal surgery
2011: Clelland v Department for Business Enterprises 2011 CSOH 46 – standard personal injury
2015: Williams v Palanimurugan and Dumfries and Galloway NHS Board 2015 CSOH 46 – medical negligence
2017: McLeish v Lothian NHS Board 2017 CSOH 71 – standard personal injury
2017: Gayda v Neill – cowhandling, personal injury
2019: Taylor v Silverburn – care home, personal injury
2020: Ferrie v Diageo – drinks factory, personal injury
2021: Keenan v Van Gool – RTA, personal injury
2021: Jack v Aviva – RTA, personal injury
2021: Ward v PPF – satisfaction of a claim (currently subject to appeal)
2021: Mackenzie v Mackenzie & MacDonald Carpenters – mesothelioma, personal injury
2021: A&B v Sisters of Nazareth – child abuse, personal injury
2021: Barron v West Lothian Council – 2021 CSOH – teacher abuse, personal injury
2022: Taylor v AXA Insurance – RTA, personal injury