Compass Chambers



Andrew Bergin

Year called: 2021
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Qualifications: LLB (Hons) Glasgow Caledonian University – 2011
DipLP – University of Glasgow – 2012

Profile

Andrew has a busy practice with a focus on Personal Injury and Clinical Negligence cases. He has also been instructed in criminal matters.

He has considerable expertise across the range of Personal Injury matters including Road Traffic Accidents, Employers Liability, Occupier's Liability and Public Liability. He is regularly instructed in cases concerning occupational disease and historic sexual abuse. Andrew regularly appears in the Court of Session and in the All Scotland Personal Injury Court.

Andrew also has significant experience in Clinical Negligence cases acting on behalf of both pursuers and defenders, with a particular interest in cases involving delays in the diagnosis of cancer. In addition, Andrew has been instructed in several cases concerning wrongful birth. He is currently instructed in several ongoing cases where cerebral palsy resulted from alleged midwifery negligence.

Furthermore, Andrew has experience of Fatal Accident Inquiries having conducted several of them in his time at the Bar.

Representative Cases

C&S v Norman Shaw & Live Active Leisure Ltd 2024 SC 81
Appeared as Junior Counsel for the pursuer at both first instance and on appeal to the Inner House. Case concerned the vicarious liability of the second defender for historic sexual abuse perpetrated by the first defender against the pursuers. The case was the first occasion where several Supreme Court authorities were considered and applied by a Scottish Court.

Anderson v Emtelle UK Ltd, [2023] SC EDIN 40

Appeared for the pursuer where the defender sought in effect to disapply QOCS as part of opposition to the pursuer's primary motion. Case confirmed that applications to disapply QOCS must be made by separate written application.

HMA v KF

Junior counsel for mother accused of serious sexual assault of her then 13-month-old child. Jury acquitted the accused after a 14-day High Court trial.

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