Compass Chambers

Andrew Smith KC



Year called:	1988
Year of silk:	2002/2016
Email:	andrew.smith@compasschambers.com
Qualifications:	Barrister (Gray's Inn) (2006 – date) Member of the Faculty of Advocates Ad Hoc Advocate Depute (1995 – date) Ll.B (Hons) (Dundee) (1985) Dip.LP (Dundee) (1986) Diploma in Advanced Legal Studies (Edinburgh) (1987) Languages: Basic French Diploma in Arbitration, Aberdeen University (2017) Certificate in Maritime Law (Southampton University) (2018)

2027 Chambers Top Ranked UK Bar

Practice

Andrew Smith KC has over 35 years of experience of litigation in courts at all levels.

He has practised at the Scottish Bar (call 1988, silk 2002) and since 2006 at the English Bar as a member of Exchange Chambers, and Crown Office Chambers in London. He took silk in England in 2016 after establishing a busy and successful practice in England as well as Scotland. Andrew has extensive trial and appellate experience in all courts having appeared in an estimated 400 trials and proofs; and well over a hundred appeals.

He has a wealth of court experience, including ten appearances in the Supreme Court as leader, and several in the House of Lords and Privy Council previously. He has represented several clients in successful applications to the European Court of Human Rights. He has appeared at all levels of court in both Scotland and England.

His practice is wide, but he has particular expertise and interest in commercial litigation, insurance, professional negligence and product liability (including metal to metal hips, PIP implants, Vioxx and Celebrex litigation, diesel emissions claims, claims regarding the Kenyan Tea Plantation employees). He has extensive experience in medical negligence claims and commercial claims in Scotland, and similar claims in England. He represented the pursuer in a recent claim for professional negligence in which the sum sued for was in excess of $200m US.

He represented the Pursuer in one of the highest value judgments in Scotland (Centenary 6 v TLT solicitors) of approximately £15m in respect of professional negligence by a firm of solicitors. He also successfully represented the pursuers in Montague-Trenchard and Gough v Cannons Law Practice, securing considerable success in a solicitor's professional negligence claim. The cases involved assessing loss of chance had proceedings been issued in England and thus involved considerable comparison with English litigation and process.

His practice in England involves several high profile and high value multi-party litigation claims, including Aero Toxic litigation for pilots and cabin crew, and claims against Johnson and Johnson in respect of claims concerning asbestos in baby talcum powder. He represented group claimants in vaginal mesh litigation in England against several manufacturers as well as in Scotland.

He has been rated in the legal directories for several categories (including commercial litigation, professional regulation, medical negligence and personal injury) and praised in the directories for his attention to detail, meticulous preparation and ability to innovate. Due to the amount of effort in making submissions to the Directories and the imposition on referees, Andrew had taken the decision over the past few years not to make any further submissions to the Directories.

Andrew obtained a qualification in Arbitration from Aberdeen University in 2017, and is a member of the Chartered Institute of Arbitrators. He has appeared in several arbitration hearings and regularly provides advice to clients on contractual matters with a view to protecting their position in arbitration issues.

In 2018, he attended the Southampton University Maritime Law Short Course providing him with a solid grounding on matters of international trade and shipping law, including insurance issues, jurisdiction, charterparties, limitation, towage and wreckage and all other aspects of shipping and maritime law. He acts for many clients on issues of international trade and contract.

Memberships

- Member of the Faculty of Advocates' Personal Injury Law Group
- Member of the Professional Negligence Bar Association
- Member of the Faculty of Advocates Council (2006 – 2009)
- Member of Gray's Inn, London (2006 – date)
- Member of the Chartered Institute of Arbitrators