

## James Hastie

**Year called:** 2004  
**Email:** [james.hastie@compasschambers.com](mailto:james.hastie@compasschambers.com)  
**Qualifications:** LLB (Hons), Aberdeen University.  
Diploma in Legal  
Practice, Edinburgh University



## Practice

Since calling James has developed a busy reparation practice acting for both pursuers and defenders (mainly local authorities) in accident and industrial disease claims. In reparation terms he has appeared mainly in the Court of Session.

While reparation forms the mainstay of James' practice he continues to be instructed in other areas including professional negligence claims, medical and clinical negligence claims, conveyancing and property disputes (servitudes, boundary disputes and actions of division and sale), commercial matters and wills and executries. In these matters he has appeared both in the Sheriff Court (and before the Sheriff Principal) and in the Court of Session.

## Representative cases

### Reparation

*Hutchison v North Lanarkshire Council* 2007 - unsuccessfully pursuing a claim where the pursuer tripped in a car park owned, but not adopted for maintenance purposes, by a local authority;

*Campbell v Elliot Group* 2009 - successfully pursuing a claim for injury at work where the pursuer injured his knee in a fall in his employer's works yard;

*Sinclair v Morrison and another* 2009 - successfully defending a claim for an uninsured developer in respect of a claim by a lorry driver for damages when a load being unloaded at a development site fell on him;

*Nugent v Glasgow City Council* 2009 - acting as junior in the successful defence of a tripping case against a local authority;

*Campbell v Downie* 2010 - successfully pursuing a claim where the pursuer alleged he was shunted into the car in front by the defender and the defender claimed the pursuer had already ran into the car in front when he came to collide with the pursuer;

*Hodgkinson v East Renfrewshire Council* 2011 - acting as junior in unsuccessful claim where the pursuer was injured opening a gate at work.

*Macdougall v Emtec Limited* 2012 –unsuccessfully pursuing claim where a plumber alleged cramped working conditions resulted in the onset of neck pain

## Professional Liability

*Halifax plc v DLA Piper* 2009 -as junior, unsuccessfully arguing that a firm of solicitors should be personally liable on a contract where they concluded missives for the purchase of property on behalf of a non existent client

## Other

*McIntosh v Moncrieff* 2005-2007 - successful defence in this unreported case before the Sheriff and Sheriff Principal in an action for rectification relating to a boundary dispute

*Anderson v Aitchison* 2009 - in another unreported Sheriff Court dispute in relation to an alleged servitude over a dam successfully defending at debate the pursuer's argument that the matter was res judicata.

## Professional Memberships

While at the bar James has also acted as an ad hoc legal assessor to the NMC Fitness to Practice Panel.