

Steve Love QC

Year called: 2001
Year of silk: 2016
Email: steve.love@compasschambers.com
Qualifications: 2006 - Accredited Mediator
1986 - LL.B (Aberdeen)
1987 - Dip.LP (Aberdeen)



Practice

Steve specialises and is highly experienced in regulatory matters and personal injury litigation and came to the Bar in 2001 having been a respected solicitor for 12 years. He took silk in 2016.

His principal fields of practice include: -

- Health and Safety, Environmental and Road Traffic Prosecutions
- Fatal Accident Inquiries
- Personal Injury
- Professional Negligence

He has: advised and appeared for individuals and companies in relation to prosecutions under the Health and Safety at Work Act 1974, the Environmental Protection Act 1990, the Food Safety Act 1990 and related statutory regulations; advised and appeared for appellants in relation to improvement and prohibition notices served under the Health and Safety at Work Act 1974; advised and appeared for the accused in prosecutions under the Road Traffic Act 1988 and other road traffic related provisions; and represented parties at Fatal Accident Inquiries.

As part of his Personal Injury practice in which he acts for both pursuers and defenders, Steve has considerable experience in dealing with claims arising out of employment, clinical negligence, road traffic accidents (particularly those involving motorcycles), claims against the Motor Insurers Bureau, claims arising from accidents involving aircraft and claims related to industrial injury and disease (including those related to asbestos exposure, Vibration White Finger and occupational asthma). He is highly experienced in catastrophic injury and clinical negligence claims.

Steve is an instructor on the Faculty of Advocates' foundation course for new advocates and a qualified mediator.

Representative cases

Regulatory

HMA v Forsyths Limited - February 2008 - fatal accident involving use of argon in purge gas damming procedure - represented accused company charged on indictment under sections 2(1) and 33(1) HSWA

HMA v Barr Electrical & Another - August 2008 fatal accident involving wiring of control equipment - represented accused director and company charged on indictment under sections 2(1) and 33(1) HSWA

HMA v Mitie Engineering Services Limited & Others - September 2008 - fatal accident in the course of electrical works being carried out at commercial premises - represented interests of director charged on indictment under and in terms of section 37 HSWA

HMA v Gordon Wallace - February 2009 - representing accused in High Court prosecution under and in terms of Section 1 of the Road Traffic Act 1988

HMA v E Nicholson & Sons (Metals) Limited - February 2010 - fatal accident in the course of the demolition of public house premises - represented interests of company charged on indictment under and in terms of sections 3(1) and 33(1) HSWA

PF (Elgin) v Robert White - March 2010 - representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988

PF (Banff) v Frank Ralph - June 2010 - representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988

PF (Hamilton) v Ann Frances Carrigan - September 2010 - representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988

HMA v Claire Angus - November 2010 - representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988 - successful special defence of non-insane automatism

HMA v Ian McEwan - July 2011- representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988

HMA v John Agnew - July 2011 - representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988 *PF (Stranraer) v Doon Transport Limited and Another* - September 2011 – representing accused in prosecution under and in terms of section 40A of the Road Traffic Act 1991

The Bourbon Dolphin – March 2012 - representing a major oil company in appeal against improvement notice relating to alleged breach of Section 3 of HSWA following the capsizing of the Bourbon Dolphin in course of anchor handling operations in the North Sea

HMA v Beckley - August 2012 – representing accused in High Court prosecution under section 1 of the Road Traffic Act 1988

HMA (Dunoon) v Sloan – October 2012 – representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988

HMA v Hydropumps Limited – October 2013 – representing accused in prosecution under and in terms of sections 2(1) and 33(1) HSWA

HMA v John Stewart – Edinburgh March 2014 - representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988

HMA v Callum Munro - Stirling June 2014 - representing accused in prosecution under and in terms of section 2B of the

Road Traffic Act 1988

HMA v Caroline Mackay – Stornoway May 2014 - representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988

HMA v Eskdale Shooting Services – Duns November 2014 – representing accused in prosecution under and in terms of HSWA 1974

HMA v James Hodge – Oban March 2015 - representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988

HMA v Veronica Mackenzie – Oban May 2015 - representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988

HMA v Morris & Spottiswood – Glasgow June 2015 – represented interests of company charged on indictment under and in terms of sections 3(1) and 33(1) HSWA

HMA v Christopher Huntington – Aberdeen July 2015 – representing accused in prosecution under and in terms of section 2B of the Road Traffic Act 1988

Reparation

McFarlane v Corus Construction Limited [2006] CSOH 38 - party injured in course of employment - question of application of health and safety legislation given circumstances in which pursuer injured.

Welsh v Brady [2008] CSOH 45 - party injured when struck by running dog - whether dog owner strictly liable for the pursuer's injuries in terms of the provisions of the Animals (Scotland) Act

Duffy v Enterprise Engineering Services Limited [2008] CSOH 141 - party injured in accident on barge berthed in Bergen, Norway - whether safe means of access/egress provided

James Sinclair v Arthur Morrison & Others [2009] CSOH 81 – pursuer injured when pallets fell on him from a lorry – question of whether, on balance, dislodged by operations being performed by a forklift truck

Alan Law v Frank Ronald and Motor Insurers Bureau [2010] CSOH 53 - pursuer injured in road traffic accident – whether Clause 6 of the Uninsured Drivers' Agreement applied to exclude MIB's liability

Eric Middleton v Highland Council [2010] CSOH (unreported) - pursuer injured when motorcycle slid on loose stone chips on road - whether roads authority vicariously liable for acts and omissions of relevant employees

Sim v Strathclyde Fire Board [2011] CSOH 63 – pursuer injured when in collision with a fire engine responding to an emergency

William Toner v George Morrison Builders [2010] CSOH 125 - pursuer injured falling from roof of premises - whether non-employer defender liable in terms of applicable regulations

Alison Bellingham & Others v James Todd [2011] CSOH - claim for damages under and in terms of section 1(4) of the Damages (Scotland) Act 1976

Karen Thomson & Others v Dennis Thomson Builders Limited - Civil Jury Trial - February 2011 - claim for damages under and in terms of section 1(4) of the Damages (Scotland) Act 1976

William Reid v DB Schenker Rail (UK) Limited [2012] CSIH 16 – appeal from Sheriff Principal relating to court’s treatment of evidence and medical causation

Leonora McInnes v Norwich Union & Another [2012] CSOH 6A – apportionment of blame for a serious/fatal road traffic accident

Eric Mc Dermid v D & E Mackay(Contractors) Limited [2013] CSIH 60 – appeal from the Sheriff Principal relating to the findings made in light of failure on the part of agents

Ronald Pate v Stewart Homes Limited [2013] CSOH 30 – whether circumstances of accident leading to injury to pursuer had been established on the evidence

James Farmer v FTV Proclad Limited [2013] CSOH 165 – pursuer injured in an accident at work – issue of whether “traffic route in a workplace”

Richard Holdich v Lothian Health Board [2013] CSOH 197 - case involved the novel question of whether property rights existed in connection with a sperm sample

Drummond Cox v Dundee City Council [2014] CSOK 3 – issue of whether duty of care breached when holding a training exercise on a training pitch affected by snow and ice

Marilyn Stuart & Others v Amanda Reid & Another [2014] CSOH 117A – quantum of damages payable to grandchildren under section 4(3)(b) of the Damages (Scotland) Act 2011

Adam Wagner v ARLA Foods plc & Another [2015] CSOH 51 and [2016] CSIH 34 – appeal from Lord ordinary relating to an accident involving a motorcyclist and issues of liability and contributory negligence

Adam Russell v NFU [2014] CSOH 157 – motorcycle accident when a vehicle towing a trailer reversed from a field onto a main A road

Lesley Jackson v Andrew Murray & Another 2015 SC (UKSC) 105 – appeal to the Supreme Court in relation to the assessment of contributory negligence in a “dashing out” case

David Robinson v Scottish Borders Council [2016] CSOH 47 – cyclist injured when he fell from his bicycle as a result of unexpected metalwork in the carriageway of an A road – issue of whether defect presented a foreseeable danger to cyclists and whether the local authority ought to have identified it on a reasonable inspection

Peter Dewar v Scottish Borders Council [2017] CSOH 68 – whether defect in a road was, on balance, the cause of the pursuer’s loss of control over his motorcycle and whether the local authority ought to have identified the defect and repaired before the accident

FAI

Death of Basilio Brazao – Stirling June 2014 – representing manufacturer of fall arrest equipment in connection with a death arising in the course of employment and while using fall arrest equipment

Death of Margaret Gilchrist – Glasgow March 2016 – representing the interests of a local authority in connection with the death in a bath while being cared for at home

Death of Mark Burry – Dundee November 2017 – representing interested party following a death arising in the course of employment when heavy, steel pipes fell from an A frame

Professional Liability

Durham-Muir v Macritchie, 14.8.01, Glasgow Sheriff Court - Professional negligence claim against veterinary surgeon - whether vet negligent in administration of drugs to insulin dependent miniature poodle leading to its death.

Contract and commercial litigation

McGowan v Summit at Lloyds 12.6.02, CSIH - defenders pleaded that the court had no jurisdiction on the basis that an insurance policy contained a clause conferring exclusive jurisdiction on the courts of England - plea repelled and appeal brought against that decision.

Other

Scott v Thomson, 6.12.02, CSIH - Appellant claimed damages from the respondents, in respect of her loss of the right to occupy premises as her residence, in terms of section 36 of the Housing (Scotland) Act 1988.

Duff v Merrick Homes, 18.3.03, CSOH - Action before the court on Procedure Roll for discussion of general plea to the relevancy and specification of pleadings against background of previous Inner House decision.

Toby Croft & Others v CHC Scotia Limited – Mediation Edinburgh December 2015 - mediation arising out of the crash landing of a Super Puma helicopter in the sea off Shetland

Professional Memberships

Member of the Health & Safety Lawyer's Association

Member of the United Kingdom Environmental Law Association

Member of the Faculty of Advocates Personal Injury Law Group

Director - Iusful Events Ltd

Lectures and seminars

Steve has spoken at a number of events organised by Central Law Training, the Scottish Young Lawyers Association and Compass Chambers. He is a Director of Iusful Events Limited, a company that provides advocacy/skills training for lawyers and training for lawyers and expert witnesses.

What the directories say

Legal 500 2017 – Ranked Tier 1 for both “Health and Safety and Regulatory” and “Personal Injury and Medical Negligence”: “*A fantastic advocate and clients love him...He has an incisive eye for the key issues in a case.*”

Chambers 2018 – Ranked Band 1 for Personal Injury: “*A silk-tongued street fighter....He's very hard working and good with clients. He is down-to-earth, good at tactics and negotiations.*”

Details

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