

More for Lawyers - March 2023

Welcome to the March edition of More for Lawyers. This month we cover a wide variety of topics from bereavement damages to wrongful interdicts, and from employment rights following Brexit and an interesting Supreme Court decision on the interplay between contractual remedies and unjust enrichment. We also attach a link to our annual Litigation in Scotland review and outline the progress of proposed changes in the law of diligence and the rules of court. I hope you enjoy the read and, as always, if we can assist in relation to any disputes which your clients have, please just let us know. We are always happy to discuss.

RICHARD MCMEEKEN

Partner, Litigation and Solicitor Advocate



AUTHOR: NICOLA EDGAR

Bereavement Damages: A Postcode Lottery

For some years in Scotland, the appropriate level of damages which should be awarded to relatives following the wrongful death of a loved one has been the subject of much discussion and comment. A recent English High Court decision highlighted the disparity in the sums awarded to claimants in Scotland, compared to those in the rest of the UK.

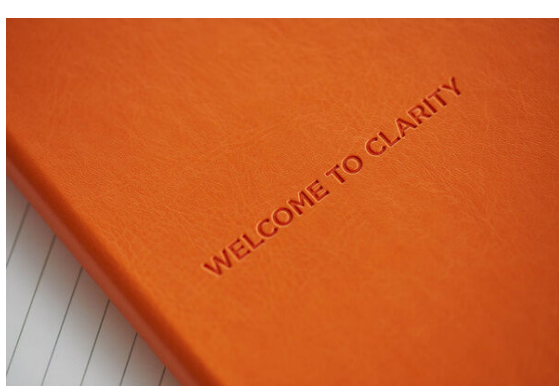
[READ MORE](#) →

AUTHOR: RICHARD MCMEEKEN

Contracts and the Consequences of Saying Nothing

Sometimes cases with the simplest of facts, lead to the most complicated disagreements on the law. The case of Barton v. Morris [2023] UKSC3 is one of them.

[READ MORE](#) →



AUTHOR: ALASTAIR JOHNSTON

Wrongful Interdicts: Another Day, Another Wrong?

An interesting question has recently been answered by the Court of Session: is a wrongful interdict a "one off wrong" or does it give rise to a wrong each day that it remains in place?

[READ MORE](#) →



AUTHOR: INNES CLARK

What employment rights will disappear as a result of the Retained EU Law (Revocation and Reform) Bill?

The Retained EU Law Bill could result in significant changes for UK employment rights.

[READ MORE](#) →



Litigation updates

- The Scottish Government has published the [responses](#) it has received to its proposals for reform of the Scottish Statutory debt solutions and diligence.
- The Scottish Civil Justice Council have published the responses to their target consultation on the Inner House Rules, you can view the responses [here](#).

Litigation in Scotland

Earlier this year we published our [Litigation in Scotland Update 2023](#) which covers some of the key developments in the field of litigation in Scotland over the past 12 months. The report covers a number of areas including the recent changes to the Scots law of prescription and the Scottish Law Commission's proposed reform to the termination of commercial leases.



Our Service

More for Lawyers is for our professional colleagues. Working in partnership with other law firms throughout Scotland we can ensure that our clients and theirs get the best possible service. Our focus is on litigation agency work in the Scottish, Sheriff Appeal Court and the All-Scotland Personal Injury Court. We also offer mediation services.



Areas of Expertise

We provide advice to clients on the following areas: contract disputes; company, partnership & shareholder disputes; insolvency; property & real estate; banking & finance; insurance; reparation & personal injury; and trusts & executry disputes.

Edinburgh
0131 516 9217

Glasgow
0141 530 3675

info@morton-fraser.com

Social

[FACEBOOK](#) →

[LINKEDIN](#) →

[TWITTER](#) →

[PODCAST](#) →

The contents of this update are for information only and are not intended to be construed as legal advice. Morton Fraser accepts no responsibility for the content of any third party websites to which this update refers.



[Manage Preferences](#)
[Unsubscribe](#)
[Forward to a friend](#)