

DAVID MOGGACH

YEAR OF CALL

1999

EDUCATION

University of Aberdeen

- LLB

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- Diploma of Legal Practice

PROFESSIONAL EXPERIENCE

- Former Police Officer who was an authorised Firearms Officer, Advanced Driving Instructor and Trained Accident Investigator.
- Thereafter solicitor in private practice and later Procurator Fiscal Depute.

AREAS OF PRACTICE

As an advocate specialises in criminal trials, mostly in the area of Road Traffic matters, Firearms, Commercial Fishing, Health and Safety, Drugs and Sexual Offences and also FAIs.

COURTS/TRIBUNAL EXPERIENCE

Experience in all courts in Scotland including Solemn Sheriff Court cases, High Court of Justiciary and Court of Appeal.

SELECTED CASES

HMA v Riverside Construction – Health and Safety Prosecution and FAI relating to a building collapse on Union Street, Aberdeen

HMA v Edward Watt – giving rise to Lord Advocate’s ref No. 1 of 2001 (Clarification of Definition of Rape)

HMA v Hector Dick – charged with the murder of Arlene Fraser, charges dropped

HMA v Amanda Williamson – unusual charges relating to reckless conduct of supplying alcohol to a minor which resulted in her death

HMA v Alexander Milne - £3.3 million financial investment fraud

HMA v Brian McIntosh – the first Scottish case where it was successfully argued that the five year minimum sentence should not apply in a case involving firearms charges

HMA v Ian Buchan – prosecution relating to multi-million pound allegations of illegal landing of fish