DEANS COURT CHAMBERS

Rosalind Scott Bell

1993 Middle Temple, scottbell@deanscourt.co.uk



Education

Manchester University Law LLB

Professional Associations

Criminal Bar Association

Health and Safety Lawyer Association

ARDL

Appointments

Medical Practitioners Tribunal Service (formerly General Medical Council) Legal Assessor 2010 - 2017

List of Specialist Regulatory Advocates in Health and Safety and Environmental Law (List B)

Member of the Bar of Northern Ireland

Appointed by the Department of Energy and Climate Change to hear Carbon Reduction Commitment Energy Efficiency Scheme (CRC) Appeals

Grade 4 Prosecutor and Rape Panel Member

Areas of Specialism

- Regulatory
- Professional Discipline and Regulation
- Health and Safety
- Crime
- Inquests
- GMC Defence

- Environmental
- Trading Standards
- Trademark & Copyright
- Licensing
- Criminal Regulatory
- Fire Safety Law
- General Crime
- Motoring Offences
- Homicide
- Sexual Offences
- Money Laundering
- Firearms
- Drug Importation and Supply
- Prison Law
- Pollution, Waste & Water

Profile

Rosalind's practice encompasses a wide range of specialisms, on which she has drawn a variety of praise for her meticulous approach.

Disciplinary Proceedings

Appointed as Legal Assessor to the Medical Practitioners Tribunal Service (MPTS) from 2010 to 2018, Ros regularly advised Tribunals who considered the conduct and fitness to practise of doctors. She has resigned her post as an Assessor and she now represents Doctors at MPTS hearings.

Ros is also instructed in fitness to practise proceedings before the General Pharmaceutical Council (GPhC), Health Care Professions Council (HCPC) and the General Osteopathic Council (GOsC), and she appears for both the Police Officer concerned, and the Appropriate Authority in Police disciplinary proceedings.

Health and Safety Offences

Ros is regularly sought to defend both companies and individuals in H&S matters. She also prosecutes on behalf of the Health and Safety Executive (HSE) and Local Authorities, having been appointed to the HSE specialist Panel. She regularly advises from a very early stage in proceedings in order to give direction to the gathering and accumulation of evidence, and the drafting of charges or defence statements as appropriate.

Inquests

Ros has represented a wide variety of individuals and institutions at Inquests, involving both Article 2 and Jury Inquests as the need arises.

Recent cases include;

Representing a family on a direct access basis, where there were issues of neglect by the Police and by the School;

Representing a care home in a case involving mistakes in medicine administration;

Representing a Local Authority where a death in a care home occurred during the heatwave of 2018 and heat was a factor;

Representing a nurse, through the RCN, who worked in a prison, in a case involving the death of a prisoner who had sought medical help;

Representing a City Council in an inquest into the death of a member of a gym in the gym swimming pool. Issues surrounding the disclosed medical background of the deceased to the gym upon registration by him, and the gym's reaction to those medical issues explored.

Trading standards and Food Agency

Ros's practice also involves Consumer Protection law. This ranges from breaches of Food Hygiene Regulations to Fraud, and covers all manner of investigations into businesses and traders. Increasingly common is the use of the internet by traders, and misleading actions and omissions occurring through inaccuracies on websites.

Crime

Ros has prosecuted and defended the most serious cases, from murder, rape and historic abuse on children to money laundering and fraud. She has a reputation for handling cases that involve particularly vulnerable individuals (witnesses or defendants) either because of their age or their mental health.

Licencing

Regularly instructed in firearms licencing appeals and taxi licencing matters.

Public Access

Ros is qualified to receive instructions direct from businesses, professionals and members of the public. Any such requests should be directed to her clerks in the first instance.

Described in the leading legal directories: "*Very thorough and great with clients*." Legal 500 2020; "*Utterly fearless and great with clients*." Legal 500 2018; "*Her craft and oratory skill make her superb to watch in court*", and one who, "*sees the key issues, focuses on them and drives home her points effectively*". Legal 500 2017; She is a "*perceptive and precise advocate*." Legal 500 2016; She is described as "*highly proficient in broader regulatory cases...Always extremely well prepared and utterly fearless in court*." Legal 500 2015; "*Well regarded in professional discipline, trading standards and licensing.*" Legal 500 2014 "*Her varied practice includes a significant amount of prosecution work for the HSE and local authorities*". In the 2011 Legal 500 she has '*an eye for detail, is immensely thorough and can get to grips with the most complicated of regulatory cases'*. In the Legal 500 2010 she is described as "*persuasive, gains the ear of the court*."

Notable Cases

Claire Matthews -v- SRA

Practice Area: Professional Discipline

Mary O'Rourke QC, Ros Scott Bell (Deans Court Chambers), Mark Harries QC (Sergeant's Inn Chambers) and Marianne Butler (Fountain Court Chambers), all instructed by Leigh Day Solicitors, were delighted to hear today that the Solicitor's Disciplinary Tribunal (SDT) has permitted the SRA to withdraw all allegations against their client, Claire Matthews. Claire had been struck off the Roll of Solicitors in March 2020 following a hearing before the SDT in which she represented herself. Claire, a newly qualified

Solicitor, had delayed in informing her employer that she had left a locked brief case containing client documents on a train. Relevant medical evidence was available only after the original SDT hearing and the appeal was ultimately allowed by consent. The SRA concluded that a re-hearing of the allegations would not be in the public interest, providing Claire agreed to conditions being placed on her practising certificate. The entire legal team acted pro bono.

HSE v Thompson Contracts Ltd. [2019]

Practice Area: Health & Safety

Defended TCL in respect of an allegation that they were in breach of s.2(1) HSWA, which came to light when an employee suffered injury when moving MDF sheeting.

Preston City Council v Halfords Ltd. [2019]

Practice Area: Health & Safety

Acted for the City Council against Halfords Ltd., who breached their statutory duties in respect of employees who were exposed to risk in relation to the storage of boxed bikes. A stack collapsed, causing injury.

Preston City Council v Tile Mart Ltd. [2018]

Practice Area: Health & Safety

Acted for Preston City Council in the prosecution of Tile Mart Ltd. (t/a Roccia), who breached H&S legislation by exposing a 4 yr old to risk. A sink unit, which had not been fixed into the showroom wall according to the manufacturer's specification, fell onto her causing injury.

Carlisle City Council v Pegasus Storage Solutions Ltd. and Brian Vallely [2018]

Practice Area: Health & Safety

Successfully defended Brian Vallely, who was subcontracted by Pegasus to fit storage racking. An incident occurred at a facility owned by Edmundson Electrical Ltd. who had contracted with Pegasus to supply storage racking for heavy duty cable.

REDCAR AND CLEVELAND BOROUGH COUNCIL v COOKE, COOKE AND AEDIS [2016]

Practice Area: Trading Standards and Food Safety

Breaches of consumer protection regulations - rogue builders. Case also involved non-compliance by the independent building control specialist, in relation to the failure to provide material to RCBC. Advising at very early stage, pre-charge, right through to trial and sentence.

HSE v VERTELLUS SPECIALITIES UK LTD [2017]

Practice Area: Health & Safety

Control of Major Accident Hazards (COMAH) Regulations were breached, exemplified by a serious fire at a chemicals site in Middlesbrough.

HSE v ARMSTRONG WORLD INDUSTRIES LTD AND ANOTHER [2017]

Practice Area: Health and Safety

A contractor, undertaking electrical cable replacement works at a factory, received burn injuries from cutting through a live cable. Defendants were “medium” and “large” under the new Sentencing Guidelines.

HSE v BT PLC [2016]

Practice Area: Health and Safety

Case involving life-changing injuries to two employees as a result of deficiencies in construction and maintenance of electrical systems and work at height. Sentence under the new Sentencing Guidelines.

DARLINGTON BOROUGH COUNCIL v ALDI FOOD STORES LTD AND WILKLINSON MAINTENANCE LTD [2016]

Practice Area: Health and Safety

Involved Aldi contracting Wilkinson for construction work. Work was not adequately particularised in the latter's RAMS. An unsecured smoking shelter blew over causing injury to an employee of Aldi. Both defendants liable under HSWA '74 and fined under new Sentencing Guidelines.

HSE v BRIMMS CONSTRUCTION LTD AND M&C ROOFING CONTRACTORS LTD [2015]

Practice Area: Health and Safety

Case involving a fall from height by a roofer through a rooflight. Obligations of principal contractors. CDM Regs, Bad character.

HSE v WRIGHT(Trading as PW Joinery and Building Services) [2015]

Practice Area: Health and Safety

Involved a fatal fall of an employee from a ladder and inadequate construction and maintenance of scaffolding.

HSE v GATESHEAD COUNCIL AND CONNELLY [2014]

Practice Area: Health and Safety

Involved Gateshead Council contracting with Connelly, who was not suitably qualified, to fell trees adjacent to a live railway line. Tree caused significant damage to track and oncoming train. Duties of contracting companies, even where no involvement by them in the contracted work. Duty to conduct 'due diligence' checks on contractors.

MIDDLESBROUGH BOROUGH COUNCIL v SAINSBURY'S SUPERMARKETS LTD AND WINCANTON GROUP LTD [2014]

Practice Area: Health and Safety

Injuries caused by roll cages toppling over when off loaded from lorries

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HSE v STANNAH LIFTS SERVICES AND C G GRANT [2014]

Practice Area: Health and Safety

Case involved the fall through a rooflight located in Stannah premises by an employee of C G Grant, a roofing company. Duties of contracting companies, even where no involvement by them in the contracted work. Duty to conduct 'due diligence' checks on contractors.

REDCAR AND CLEVELAND BOROUGH COUNCIL v FAIDULLA[2016]

Practice Area: Trading Standards and Food Safety

Food hygiene regulation breaches. Fast Food outlet repeatedly breaching standards. Advised on charges, venue and offences to be 'taken into consideration' after further breaches discovered

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REDCAR AND CLEVELAND BOROUGH COUNCIL v HADDEN [2016]

Practice Area: Trading Standards and Food Safety

Breaches of Consumer protection Regulations by builder. 7 different complainants.

GATESHEAD COUNCIL v E-GREEN ENERGY LTD, COCHRANE, BISHOP AND GREEN [2015]

Practice Area: Trading Standards and Food Safety

Case involved the sale of 'Green Deal Assessments' by the Defendant company (and directors). Consumer protection issues, cold calling, bombardment of people by unsolicited phone calls.

NATURAL ENGLAND v STOKER FRATER

Practice Area: Trading Standards and Food Safety

Natural England withdrew proceedings after the submission by Ros of a skeleton argument, alleging abuse of process, detailing numerous failures (by Natural England) to comply with the Codes of Practice within PACE.

NORTHUMBERLAND TRADING STANDARDS v MICHAEL STONEHOUSE

Practice Area: Trading Standards and Food Safety

Involved Cattle Database Regs and Cattle Identification Regs 1998.

R v Graham

Practice Area: Crime

Represented a teaching assistant charged with grooming type offences on a pupil.

R v Peacock

Practice Area: Crime

Represented mother accused of being involved in the death of her 18 month old son.

R v Glendinning

Practice Area: Crime

Prosecuted 19yr old defendant with autism in respect of serious sexual assaults on 6 different young girls

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R v Skirving, Burns, Dougherty and Storey

Practice Area: Crime

Prosecuted 4 men in respect of financial fraud against Darlington Borough Council, one of whom was an "insider".

What the Directories say

Miss Scott Bell is approachable, thorough and has in-depth knowledge in these subject area.

Legal 500, 2021

Well regarded

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Legal 500

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Legal 500

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