DEANS COURT CHAMBERS

Rosalind Emsley-Smith

2001 Gray's Inn, Emsley-Smith@deanscourt.co.uk



Education

Manchester Metropolitan University - LLB

BVC - Very Competent.

Professional Associations

Criminal Bar Association

Northern Circuit

Young Fraud Lawyers Association

Manchester and District Medico-Legal Society.

Appointments

CPS Advocates Panel - Cat 3 (R)

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

GMC Approved Panel of Advocates

Grade 4 Prosecutor

Areas of Specialism

- General Crime
- Health & Safety
- Environmental
- Sexual Offences
- Inquests
- Professional Discipline
- Money Laundering, Confiscation and Asset Forfeiture.
- Fraud
- Licensing
- Motoring Offences
- Consumer Protection & Trade Marks

- Local Authority Prosecutions
- Court of Protection
- Crime
- Professional Healthcare and Regulation
- Criminal Regulatory
- Fire Safety Law
- Prison Law
- Drug Importation and Supply
- Pollution, Waste & Water

Profile

Ros Emsley Smith is a extremely talented advocate with a range of experience over her 20 year career at the Bar.

Inquests

Rosalind has a wide experience of coronial law, representing a range of private companies and families in the Coroner's Court. She is often instructed in Article 2 inquests investigating deaths in police and prison custody. Her experience covers fatal road traffic collisions, drug related deaths, fatal falls in care homes, suicide and more.

Regulatory and Health and Safety

Her training at the criminal bar early in her career enables her to robustly represent clients from Inquest through to Crown Court trial if required. She has extensive experience of HSE prosecutions and can utilise her skills to good effect on behalf of her clients.

She regularly prosecutes on behalf of the HSE and the EA and is particularly known for successfully prosecuting difficult and complex Crown court cases involving particularly problematic defendants. She has received instructions beyond her prosecutor's grade for many years, and regularly acts as Counsel alone against much more senior Barristers including Kings Counsel.

She has an authoritative understanding of the law in these areas and an ability to make the law easily digestible for juries. Her legal submissions are known to be of a high standard and she boasts an impressive success rate.

Rosalind Emsley-Smith has significant expertise in prosecuting and defending environmental pollution offences.

She regularly advises and acts in matters arising from pollution incidents, environmental permit breaches, and regulatory investigations, navigating the complex legal and technical issues that often accompany such cases.

Drawing on a detailed understanding of environmental legislation and enforcement processes, Rosalind provides strategic and effective representation from the earliest stages of an investigation through to prosecution and court proceedings.

Her experience enables her to work closely with clients and technical experts to present robust, evidence-based cases in matters involving environmental harm and regulatory compliance.

Key areas of expertise include:

- Environmental pollution incidents
- Water industry regulatory enforcement
- Environmental permit breaches
- Criminal prosecutions
- Regulatory investigations and compliance matters

Professional Discipline

Rosalind has been appearing on behalf of the General Medical Council presenting cases before Fitness to Practice Tribunals since 2010. During that time her caseload has become more complex and now includes specialist clinical cases and allegations of deficient professional performance in addition to misconduct cases.

Local Authorities

Rosalind prosecutes and defends local authority prosecutions including benefit fraud, Consumer Protection from Unfair Trading Regulation cases, food hygiene cases, building and planning regulation cases, fly tipping cases and waste disposal cases. In this context she has advised in respect of stating cases and judicial review, drafting grounds and responses if required.

General Crime

Rosalind prosecutes and defends serious cases of significant complexity in the Crown Court. The majority of her practice is made up of serious sexual offences and fraud.

She also has extensive experience of the Court of Appeal with an enviable success rate.

Rosalind is regularly instructed in large scale frauds and drug conspiracies involving voluminous paperwork. She takes a methodical and diligent approach to her case preparation, is robust in court and always puts her clients first.

She is also instructed in respect of general crime including allegations of dishonesty, false imprisonment, kidnap, violence, neglect and child cruelty, drug offences and arson.

Licensing

Rosalind has extensive licensing experience with a solid command of the Licensing Act and associated case law. She regularly appears before licensing committees and the Magistrates' Court in respect of appeals. She is a member of the Institute of Licensing.

Notable Cases

Practice Area: INQUESTS

Inquest into the death of LB. This was an Article 2 death in custody case with numerous IPs due to the movement of LB prior to his death. The case lasted 6 days. For the CRC.

Practice Area:

Inquest into the death of RG. This was a 3 week Article 2 death in custody case in which there were a number of failings by a number of agencies which complicated the process with individual becoming IPs throughout the 3 week hearing. For the family.

Practice Area:

Inquest into the death of AR. A death in a half way house treatment centre. For the company.

HSE v Riaz Ahmad

Practice Area: HEALTH & SAFETY

The HSE investigation and prosecution followed the collapse of a large three storey Victorian which was in the process of being turned into a Shisha bar. Multiple fatalities were narrowly avoided.

HSE v Scrappers Limited

Practice Area:

The HSE investigating and prosecution followed a serious accident at the Scrappers Yard which was featured in the BBC fly on the wall documentary about the Bolton Scrap Yard. The injured party was left with permanent scarring.

HSE v Siteweld Construction.

Practice Area:

Fatal HSE prosecution following a crane collapse. Defence.

HSE v Capita Properties

Practice Area:

Fatal HSE prosecution, led junior for defence

HSE v Carter Brothers

Practice Area:

Fatal HSE prosecution, defence

EA v Allison

Practice Area: ENVIRONMENT AGENCY

The EA investigation and prosecution followed persistent and large scale illegal fly tipping on farm land in Burnley. The defendant was made subject to a Regulation 44 order at sentence which he failed to comply with, The EA pursued contempt of court proceedings and the defendant was imprisoned for 6 months.

EA v Harron Homes

Practice Area:

The EA investigation and prosecution followed a serious illegal water discharge incident on a construction site in Huddersfield. The defendant company entered guilty pleas but what followed was detailed counter submissions and legal argument regarding the basis upon which the company were to be sentenced and the sentencing guidelines.

GMC -v- Dr O

Practice Area: PROFESSIONAL DISCIPLINE

Dr O was facing allegations amounting to misconduct on the basis that on two occasions he contacted his employers to report that he was too unwell to work but in fact performed locum shifts elsewhere.

Additionally he failed to inform his employer that a clinical attachment had concluded and so was paid for a three month period of work he did not perform. Dr O sought to rely on technicalities in his contract of employment to justify his conduct. Dr O also faced allegations of clinical misconduct in that he failed to diagnose a patient with a significant post biopsy bleed.

GMC -v- Dr W

Practice Area:

This case involved allegations of a complex nature regarding the care provided by a Consultant Clinical Oncologist. The case involved particularly dense expert medical evidence and an ability to be flexible in approach throughout the twists and turns of the case.

GMC -v- Dr P

Practice Area:

Represented the GMC against a Doctor who was facing a wide range of clinical allegations regarding his work as a Consultant Plastic Surgeon at a private clinic in Preston. The witnesses were made up of number of woman who were unhappy with the results of surgery and obviously detailed expert evidence was required in this case. The doctor also faced allegations of dishonesty in that it was alleged and found proved that he had falsified medical records to cover up his errors. The case lasted in the region of five weeks. The doctor was erased from the medical register.

GMC -v- Dr B

Practice Area:

Dr B faced allegations of misconduct in that he used his position to pursue an emotional relationship with a patient. He further faced allegations relating to the inappropriate writing of prescriptions for the same patient.

R v Whiteley

Practice Area: CRIME

6 week cocaine conspiracy following operation Jennet. A large scale investigation into County lines large scale drug distribution.

R v Greening

Practice Area:

5 week trial relating to historic abuse allegations dating back to the 1970s following a very large investigation into residential schools in Cumbria.

R v Corrigan

Practice Area:

A money laundering allegation following industrial scale theft by prison officers working at Forest Back Prison.

R v KF

Practice Area:

S18 with a claw hammer.

more

R v JC

Practice Area:

Secured the acquittal of a former teacher charged with nine charges of historical indecent assault and two serious sexual offences.

more

R v KB

Practice Area:

Defends client who was later acquitted of 22 counts of rape and sexual assault.

more

R v L

Practice Area:

Secured the acquittal of a woman charged with seven counts of engaging in sexual activity with a child.

more

more

more

R -v- TC

Practice Area:

The case was a theft in breach of trust.

The defendant stole £20,000 from her daughter's bank account having been entrusted with the bank card to ensure her daughter didn't dip in to the money. The defendant's daughter was saving for her wedding

and had put her inheritance from her father in the account.

The Judge was persuaded to suspend the 12 month sentence of imprisonment.

more

R v Walsby-Tickle

Practice Area:

Led Junior, first on the indictment in respect of a fraud against the NHS by an optician. The value of the fraud being well in excess on £1 million.

R v Adnan Kanj

Practice Area:

Led Junior in respect of a six month money laundering trial linked to a multi million pound MTIC fraud.

R v Terri Ann Davies

Practice Area:

Led junior defending in an allegation of perverting the course of justice arising out of a 5 handed murder.

R v Crossley

Practice Area:

A three month trial where my client was facing allegations of assisting an offender. The offender in question was charged with murder and kidnap following a violent gang attack. The body was never found.

R v Stephenson

Practice Area:

Historic rape allegations from 3 family members. This case involved complicated issues relating to the interrelationship between fitness to plead and having capacity to take part in court proceedings pursuant to the Mental Capacity Act 2005.

R v Johns

Practice Area:

16 counts of Rape and indecent assault on 3 young boys. Defending.

R v Aikman

Practice Area:

Rape and Indecent assault X10 with 3 complainants. Defence.

R v Aydin

Practice Area:

A taxi driver charged with raping a patient he had collected from a psychiatric hospital. The trial judge commented that he had been represented with “conspicuous ability”.

R v Palmer, Smith and others

Practice Area:

Five handed conspiracy to supply class A drugs, undercover police investigation, led junior for the defence.

R v Scott.

Practice Area:

Five allegations of armed robbery of Manchester City centre bookmakers.

What the Directories say

"*She's thoughtful, appealing, and her judgement is spot on. She is also really modest; there's no bluff and nonsense. Rosalind is a very impressive advocate. Her submissions are very impressive.*"

Chambers and Partners, 2026

"Rosalind is a very switched on and good advocate. A very experienced prosecutor, she is very capable."

Chambers and Partners, 2025

“She is tenacious, diligent, and highly sought after.”

Chambers and Partners, 2024

“She will put the hours in because she cares.”

Chambers & Partners, 2024

She is a very good advocate.

Chambers & Partners, 2023

Rosalind is hard-working and extremely fair.

Chambers & Partners, 2023

She is good at communicating, talking me through her mental processes and seeking input.

Chambers & Partners, 2023

I have been impressed with her grasp of the detail and ability to drill into things and get to the point.

Friendly, approachable, good with witnesses and good on the detail. She has a practical and can-do approach.

Chambers and Partners, 2022

She is approachable, good with witnesses and has a can-do attitude.

She is very well respected.

The judges love her - she is down to earth and focused. She appeals to juries because they can relate to her.

Chambers and Partners, 2022

She has a very impressive legal brain and is very persuasive in court. Her advocacy and preparation of complex legal arguments is very strong.

Chambers and Partners, 2021

She is a very accomplished advocate: always very well prepared, knows her brief and argues her corner.

She is very tenacious and impressive in a hearing.

Chambers and Partners, 2021

Her true strength comes in trials, and her closing speeches to juries are masterful without a wasted word.

Legal 500, 2021

An advocate who uses her broad experience in criminal law to good effect in disciplinary cases in the healthcare sector. She regularly acts for the GMC and has a wide knowledge of the MPTS, with a particular focus on fitness to practise hearings and reviews of fitness to practise hearings.

Very experienced and very good on her feet.

Chambers and Partners

A junior who comes highly recommended for her work ethic and her client care skills. She regularly handles serious crime and complex fraud matters, acting as both prosecution and defence counsel in cases concerning violent and sexual offences. She also has a thriving regulatory practice, has prosecuted a number of cases for the HSE and frequently presents

cases before the Medical Practitioners Tribunal.

She is very sharp, hard-working and has a nice manner with clients.

Chambers and Partners

Appearing regularly at the Crown Court, Emsley-Smith defends and prosecutes serious fraud cases and handles sexual assault offences. She also has a good performance history before the Court of Appeal. Instructing solicitors recommend her for her work.

A good performer with a tremendous track record of getting results.

Chambers UK

Recommended Junior.

Legal 500

Very experienced and good on her feet.

Chambers and Partners

She has a very likeable manner in front of juries.

Legal 500

She has experience in serious violence, fraud and sexual offences cases.

Legal 500

An advocate who uses her broad experience in criminal law to good effect in disciplinary cases in the healthcare sector. She regularly acts for the GMC and has a wide knowledge of the MPTS, with a particular focus on fitness to practise hearings and reviews of fitness to practise hearings.

She has a well-rounded knowledge of regulatory matters, takes a sensible approach on cases to progress them and is liked by the client.

A busy practitioner in the GMC. Very tenacious and very thorough in cross-examining. A very confident, impressive performer.

Chambers and Partners

A versatile and able advocate

Well regarded for her work relating to the General Medical Council

Legal 500

‘dynamic and astute in court’.

Legal 500

'efficient, well prepared and flexible, and is dynamic and astute in court.'

Legal 500

A junior who comes highly recommended for her work ethic and her client care skills. She regularly handles serious crime and complex fraud matters, acting as both prosecution and defence counsel in cases concerning violent and sexual offences. She also has a thriving regulatory practice, has prosecuted a number of cases for the HSE and frequently presents cases before the Medical Practitioners Tribunal.
Very experienced, very competent, very good on her feet.

Chambers and Partners

Clients know she will fight tooth and nail for them.

Legal 500

A junior who comes highly recommended for her work ethic and her client care skills. She regularly handles serious crime and fraud matters, acting as both prosecution and defence counsel on cases concerning violent and sexual offences. She also has a thriving regulatory practice.
A good lawyer who is hard-working and bright.
A very good advocate who can read the situation well in terms of the judge and who is very versatile and effective.

Chambers UK

She is diligent, hardworking, and has an excellent client manner.

Legal 500

'is a rising star.'

Legal 500

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