

# Ros Scott Bell

Door Tenant | Call 1993

"Utterly fearless and great with clients" Legal 500

## APPOINTMENTS

- Medical Practitioners Tribunal Service (formerly General Medical Council) Legal Assessor (2010 – 2018)
- List B Specialist Regulatory Advocate in Health and Safety and Environmental Law
- 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

## EXPERTISE

- Professional disciplinary and misconduct proceedings.
- Regulatory crime, including trading standards and environmental health
- Inquests.
- Firearms and alcohol licensing.
- Serious crime, principally fraud, drugs and violence.
- Courts Martial cases.

## Health & Safety

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.

## Trading Standards & Food Safety

Ros' 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 can occur through inaccuracies on websites.

## Coroners Inquests

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

## Disciplinary Proceedings



## Expertise

Criminal

Regulatory

Licensing

Agriculture & Rural Affairs

## Clerking team



**Liam Gorman**  
Lead Criminal &  
Regulatory Clerk  
0191 245 9521



**Chris Gibbin**  
Clerk (Middlesbrough)  
01642 247 569



**Alyson Hailes**  
Criminal & Regulatory  
Clerk  
0191 245 9542

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.

## 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.

## MEMBERSHIPS

- Health and Safety Lawyers Association
- Association of Regulatory and Disciplinary Lawyers
- Criminal Bar Association

## LECTURES & SEMINARS

Contributes to Trinity's ongoing programme of seminars covering topics including professional disciplinary hearings (police and NMC/HCPC), public interest immunity, disclosure and Coroners Inquests.

## 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.

For further details visit [www.rosscottbell.co.uk](http://www.rosscottbell.co.uk)

## What Others Say

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"approachable, thorough and has in-depth knowledge in these subject area"  
**Legal 500 2021**

"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"  
**Legal 500 2017**

"highly proficient in broader regulatory cases...Always extremely well prepared and utterly fearless in court"  
**Legal 500 2016**

"Well regarded"  
**Legal 500 2015**

"Her varied practice includes a significant amount of prosecution work for the HSE and local authorities"  
**Legal 500 2014**

"sees the key issues, focuses on them and drives home her points effectively". She is a "perceptive and precise advocate"  
**Legal 500 2012**

"an eye for detail, is immensely thorough and can get to grips with the most complicated of regulatory cases"  
**Legal 500 2011**

"persuasive, gains the ear of the court"  
**Legal 500 2010**

"Ros was extremely clear when giving her advice and her manner was authoritative without being over-bearing."  
**MPTS Tribunal Chair**

"Excellent advice, clear and specific"  
**MPTS Tribunal Chair**

"Very good, gave clear appropriate advice. One of the best I have come across. Commended by others"  
**MPTS Tribunal Chair**

## Notable Cases

### Health & Safety

HSE V THOMPSON CONTRACTS LTD. [2019] 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] 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] 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] 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.

HSE v VERTELLUS SPECIALITIES UK LTD [2017] - 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] 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] - 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 WILKINSON MAINTENANCE LTD [2016] - 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] - 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] - involved a fatal fall of an employee from a ladder and inadequate construction and maintenance of scaffolding.

HSE v GATESHEAD COUNCIL AND CONNELLY [2014] - 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] - injuries caused by roll cages toppling over when off loaded from lorries

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

## Trading Standards & Food Safety

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

REDCAR AND CLEVELAND BOROUGH COUNCIL v FAIDULLA[2016] - 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.

REDCAR AND CLEVELAND BOROUGH COUNCIL v HADDEN [2016] - Breaches of Consumer protection Regulations by builder. 7 different complainants.

GATESHEAD COUNCIL v E-GREEN ENERGY LTD, COCHRANE, BISHOP AND GREEN [2015] - 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 - 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 - involved Cattle Database Regs and Cattle Identification Regs 1998.

## 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 in 2019 / 2020 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.

## Crime

R v Graham - represented a teaching assistant charged with grooming type offences on a pupil

R v Peacock - represented mother accused of being involved in the death of her 18 month old son.

R v Glendinning - prosecuted 19yr old defendant with autism in respect of serious sexual assaults on 6 different young girls

R v Skirving, Burns, Dougherty and Storey - prosecuted 4 men in respect of financial fraud against Darlington Borough Council, one of whom was an "insider".