



## RUTH CHARTERIS



### Year of Call

2000

### Devil Masters

Laurence Murphy QC

IM Duguid QC

JG Thomson



## Practice Profile

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Ruth came to the Bar on completion of her post as Legal Assistant to the Lord President. She quickly established and has maintained an extensive and varied civil practice in which she has conducted cases at all stages of the legal process. Ruth is regularly instructed in lengthy and complex cases, requiring a disciplined and committed approach to case preparation and presentation. She appears in cases involving a wide range of complicated legal and factual issues and demonstrates an aptitude for quickly mastering, and ably presenting, the issues. Her areas of practice include judicial review, proceeds of crime, professional negligence, insurance litigation, personal injury and property disputes. Ruth is Second Standing Junior to the Scottish Government.

## Education & Professional Career to Date

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Legal Assistant to the Lord President

LLB; Diploma in Legal Practice

## Appointments

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- Second Standing Junior to the Scottish Government (2016–present)
- Standing Junior to the Scottish Government (2012–2016)
- Ad hoc Advocate Depute (2010–2016)
- Legally Qualified Chair, Scottish Social Services Council (SSSC) (2017–present)

## Selected Cases

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- **RSPB v Scottish Ministers [2017] CSIH 31**  
Judicial review of consents for wind farms in the Forth and Tay (Inner House and Outer House including application for protected expenses orders)
- **Warner v Scapa Flow Charters [2017] CSIH13**  
The timebar provisions of the Athens Convention and their relationship with domestic law (Inner House and Outer House)
- **P v Scottish Ministers [2017] CSOH 33**  
Judicial review of disclosure of historic criminal convictions on PVG certificate
- **Declan Hainey FAI**  
Long running Fatal Accident Inquiry into the circumstances surrounding the death of Declan Hainey, September 2014, Sheriff Anderson
- **Rosemary Cairns v. Northern Lighthouse Board and Calypso Marine Limited [2013] CSOH 22**  
Proof on liability involving questions of negligence in the operation of a boat and indemnity issues
- **Sarah Marshall v Fife Health Board, 25 January 2012**  
Civil jury trial in dental negligence case
- **Pamela Swarbrick v Ministry of Defence, 19 January 2011**  
Civil jury trial in which the mother of an RAF serviceman killed in Afghanistan sought damages from the MOD
- **Christina Fraser FAI**  
Fatal Accident Inquiry into the circumstances surrounding the death of Christina Fraser, June 2010, Sheriff Sutherland
- **Nicola Reid v David Ogilvie and Alexander Forrest, 15 January 2010**  
Civil jury trial involving questions of liability and quantum in a serious road traffic accident involving a pregnant driver
- **Reverend Donald Smith and another v Reverend John Morrison and others [2009] CSOH 113; [2011] CSIH 52**  
Procedure roll and reclaiming motion in a property case arising out of a secession from the church
- **Elizabeth Gordon v Mark Martin Lynch [2009] CSOH 116**  
Proof in a catastrophic brain injury case
- **John Telfer v Gordon MacPherson, 6 February 2008**  
Civil jury trial in which a cyclist sought damages from another cyclist who was part of the same touring group
- **Enid Smith v Lothian University Hospitals NHS Trust [2007] CSOH 08**  
Proof in a complex neurosurgical medical negligence proof
- **Free Church of Scotland (Continuing) v Free Church of Scotland [2005] CSOH 46**  
4 week procedure roll involving an examination of adherence to the fundamental principles of the church
- **Gillies Ramsay Diamond v PJW Enterprises Ltd [2004] SC 430**  
Reclaiming motion in adjudication case

## Areas of Practice

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- Clinical and Professional Negligence
- Crime
- Personal Injury
- Property
- Public and Fatal Accident Inquiries
- Public Law

## Publications & Seminars

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'Intervention - in the Public Interest?', Scots Law Times (News), 87, 2000

'Sun Sets on Dawn Raids', Scots Law Times (News), 271, 2000

Articles in the Scottish Parliament Law Review

Regular seminars on areas of current legal development

## Directories

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Recommended in Chambers & Partners UK Bar Guide 2018

Recommended in the Legal 500 in 2016 & 2017