



## 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, regulatory law, proceeds of crime, professional negligence, insurance litigation, personal injury and property disputes. Ruth was an ad hoc Advocate Depute (2010-2016) and has been a Standing Junior to the Scottish Government since 2012. She is currently Second Standing Junior to the Scottish Government (2016 - present). She is also Chair of the Fitness to Practice Panel of the SSSC (2017-present).

## Education & Professional Career to Date

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Tutor in Constitutional Law, University of Edinburgh

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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- **ABC v Principal Reporter [2018] CSIH 72**  
Scope of a siblings's Article 8 procedural rights where a children's hearing made contact decisions about his sibling (Inner House)
- **Warner v Scapa Flow Charters [2018] UKSC 52**  
The timebar provisions of the Athens Convention and their relationship with domestic law (Supreme Court, Inner House and Outer House)
- **David Whitehouse v Chief Constable [2018] CSOH 93**  
Action of damages against police and Lord Advocate alleging wrongful prosecutions. Procedure Roll debate as to Lord Advocate's absolute immunity and Article 8
- **Docherty's Exrs v Secretary of State [2018] CSIH 57**  
Identification of lex loci delicti where a deceased was exposed to asbestos in both Scotland and England (Inner House)
- **RSPB v Scottish Minsters [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 and opposing permission to appeal to Supreme Court)
- **P v Scottish Ministers [2017] CSOH 33**  
Judicial review examining whether disclosure of historic criminal convictions on PVG certificate breached the petitioner's Article 8 rights
- **Declan Hailey FAI**  
Long running Fatal Accident Inquiry into the circumstances surrounding the death of Declan Hailey, 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, indemnity issues and the Athens Convention
- **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
- **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 dispute arising out of a secession from a non-established church
- **Elizabeth Gordon v Mark Martin Lynch [2009] CSOH 116**  
Proof in a catastrophic brain injury case
- **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 a non-established 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 2019 - Personal Injury

Recommended in The Legal 500 UK Bar Guide since 2016  
Band 1 - Personal Injury & Medical Negligence

"Dedicated, practical and empathetic."