



Rosie Eleanor Scott

Year of call: 2013

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Rosie practises public and human rights law in its broadest sense, with a particular interest in Court of Protection, health and social care, education and judicial review work. She is a robust and thorough advocate, meticulous in preparation.

Rosie graduated at the top of her year from Magdalen College, Oxford in Ancient and Modern History. She then converted to law, with a “Distinction” on the GDL and “Outstanding” on the BPTC from City Law School.

Since commencing practice in September 2016, Rosie has appeared as sole counsel in the High Court, Court of Protection, County Courts, Crown and Magistrates’ Courts, and before the First-Tier Tribunal (Special Educational Needs and Disability), Mental Health Tribunals and Planning Inspectorate for England (PINS) Inspectors.

Areas of expertise

Court of Protection - Welfare

Court of Protection - Property and Affairs

Medical Treatment Cases

Administrative and Public

Education

Medical Treatment Cases

Rosie has appeared in the Court of Protection and the High Court in relation to medical treatment cases for adults and children, on behalf of family members, local authorities, health bodies and P.

Cases of note:

- ***Nottingham University Hospitals NHS Trust v M and F and Z (A child, by his Guardian)* [2021] EWHC 2613 (Fam)** - Rosie appeared on behalf of Z’s mother before Mr Justice Peel, opposing the Trust’s application to place a ceiling on the treatment that would be given to Z in the event of further deterioration in his chronic condition. The judge granted the application, but praised the compromise treatment framework developed and advanced by Rosie on Z’s mother’s behalf as “well-intentioned and thoughtful”. During her cross-examination of the highly-experienced independent expert and two treating clinicians, she extracted concessions as to the chances of success of further invasive treatment and clinicians’ inability to predict with certainty how much longer Z would live following further treatment.

The judge also acknowledged that “I am grateful to counsel for their focussed and helpful written and oral submissions. I particularly acknowledge the assistance of those who act pro bono on behalf of the parents, Ms Scott and Ms Kelly”, both of 39 Essex Chambers (paragraph 18).

- ***Isle of Wight Council v (1) JH (by his Litigation Friend the Official Solicitor) (2) JHA (unreported, July 2021)*** - Rosie appeared on behalf of P in support of the local authority’s successful application that he receive his Covid-19 vaccines. Rosie advised the Official Solicitor in relation to appropriate evidence and drafted a thorough position statement addressing the mother’s multiple concerns about the vaccine and the legal framework, which was heavily relied upon in the judge’s judgment.
- **Covid-19 vaccination cases (2021-22)** - Rosie has successfully acted for the applicant in four separate vaccination applications, seeking declarations that it is in P’s best interests to have the vaccine. She is very familiar with the growing body of case law on vaccines, and with issues arising from developing appropriate and sensitive care plans for vaccination and contingency scenarios.

Memberships

- Court of Protection Bar Association (COPBA)
- Administrative Law Bar Association (ALBA)
- The Honourable Society of the Middle Temple

Qualifications

Education

- 2012-2013 – The City Law School – Bar Professional Training Course, Outstanding
- 2011-2012 – The City Law School – Graduate Diploma in Law, Distinction
- 2007-2010 – Magdalen College, University of Oxford – Ancient & Modern History, First Class BA Hons. – first in year
- 2002-2007 – Lancing College – 4 As at A level; 11 A*s at GCSE

Scholarships and prizes

- 2012-13 – Middle Temple Queen Mother Scholarship, “Outstanding BPTC candidate”
- 2012-13 – Certificate of Honour, Middle Temple, for “Outstanding” BPTC grade
- 2012-13 – Caroline Lester Prize – Finalist in Rosamund Smith Mooting Competition, Middle Temple
- 2012-13 – Finalist, Graham Turnbull Human Rights Essay Prize, The Law Society
- 2011-12 – Middle Temple Queen Mother Scholarship, “Outstanding GDL candidate”
- 2011-12 – The City Law School, Santander Mobility Scholarship, “for Academic Merit”

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