



## 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

## Education

Rosie has conducted numerous hearings before the First-Tier Tribunal in relation to s.51 CFA 2014 appeals regarding Education Health and Care Plans for children and young people with Special Educational Needs, including National Trial cases involving health and social care needs and provision for the child.

She has considerable experience in both working with and cross-examining Educational Psychologists, Speech and Language Therapists, Occupational Therapists, and teaching staff.

Rosie is a skilled negotiator on the Working Document, and has frequently been able to reduce the number of issues considerably through clear, firm and sensitive explanations and discussions with professionals and parents.

Rosie is instructed on a regular basis by local education authorities to draft statements of case and consent orders, advise in the run-up to Tribunal hearings and conduct conferences with clients and education providers.

Cases of note:

- ***VS and RS v Hampshire County Council and National Autistic Society* [2021] UKUT 187 (AAC)** - Rosie assisted Steve Broach pro bono to prepare and appear on behalf of the National Autistic Society, before the Upper Tribunal, examining the operation and effect of the First Tier Tribunal's powers to make recommendations in relation to EHCPs' health and social care sections. The NAS was concerned to highlight the relative deficiencies of the Tribunal's powers in relation to the health and social care sections of EHCPs, compared with the education aspects. In its judgment the Upper Tribunal provides important new guidance on the appropriate approach to recommendations and the need for specification of health and social care recommendations under the National Trial. The Judge also noted the difficulties identified by the NAS on obtaining social care evidence from local authorities and in ensuring appropriate argument before the First Tier Tribunal, and directed that his judgment should be sent to the Department for Education so that it could be considered ahead of the evaluation of the National Trial.
- ***RL (unreported, June 2022)*** - Rosie appeared on behalf of the local authority in relation to a long-running and highly-complex matter involving a boy with significant and undiagnosed mental health and cognitive issues. Her collaborative approach to discussing and refining the working document with R's mother and professionals enabled the parties to agree on the vast majority of issues, and to focus on the key areas of disagreement. The tribunal praised her flexible and consensus-focused attitude in the hearing.

## Memberships

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

## Qualifications

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### 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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