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Abigail Scott

Year of Call: 2019
Telephone: 0115 947 2581

Overview

Abigail's practice encompasses personal injury, clinical negligence, disease and inquests. She is a member of the Attorney General's C Panel.

Abigail enjoys a busy court practice, regularly appearing in the County Court and High Court. She has a thriving paperwork practice and is regularly instructed for advice and pleadings (including schedules/counter-schedules) in claims for six and seven figure sums. Through her work on the Attorney General's C Panel, she is well versed in claims involving the loss of a career and valuable pension benefits.

Recent instructions include:

- Representing the claimant from pleading to settlement in a claim for significant lower limb injuries resulting in a loss of career and valuable pension benefits. The claim settled at JSM for over £600,000.
- Representation of a bereaved mother at inquest following the death of her 12 year old son in hospital.
- Pleadings and representation in stress at work and harassment claims involving loss of career and pension benefits, pleaded at over £1m.
- Representing the claimant at first instance and on appeal (both successfully) in a dispute over the validity of service of proceedings where a photocopy of the sealed claim form was served after retrospective extension of time for service.
- Providing junior counsel assistance to the claimants in *Município de Mariana and others v BHP Group* in their class action for damages arising from the collapse of the Fundão Dam in Brazil.

Abigail holds a First Class (Honours) degree in Law and an 'Outstanding' grade on the BPTC (1st in Year).

She is a Harmsworth Scholar (Middle Temple) and received the Dean's Scholarship for Academic Excellence, the Richard Bagley Prize for Outstanding Achievement in Pro Bono Activity and the Taylor Prize from Nottingham Law School. In 2022, she was shortlisted for Advocate's Young Pro Bono Barrister of the year.

As an undergraduate, Abigail won four major mooting competitions, each judged by Supreme Court, Court of Appeal and/or High Court judges. Her presentation was described by Lord Hodge as "*particularly impressive*".

Abigail is a member of Chambers' Editorial Committee and an Editor for the Ropewalk Personal Injury Blog.

Prior to joining the Bar, Abigail was a senior manager in a motorcycle dealership where she gained varied experience in commercial, employment and business matters. She is therefore alive to the commercial realities often underpinning many of the cases she handles.

In her spare time, Abigail enjoys running, cycling, hiking and kayaking. She is a keen horsewoman.

Expertise

Personal Injury

Abigail drafts robust personal injury pleadings and provides practical and comprehensive advice on liability, quantum and strategy. She combines a fast track and multi-track workload in the County Court and High Court, accepting instructions from claimants and defendants.

Recent instructions include:

- Representing a claimant from pleading to settlement in a claim for significant lower limb injuries resulting in the loss of her career and significant pension loss. Settled at JSM for over £600,000.
- Representing a claimant from pleading to settlement in a claim for significant abdominal injuries following a road traffic accident. Settled at JSM for over £400,000.
- Representing a claimant from pleading to settlement in a claim for significant leg injuries, settling at JSM for over £350,000.
- Pleadings and representation in significant sexual abuse, stress at work and harassment claims, including claims involving loss of career and pension benefits pleaded in excess of £1m.
- Advice and pleadings on behalf of the estate and dependants of a mother who developed a grade 4 pressure sore and sepsis whilst in nursing care.
- Providing junior counsel assistance to the claimants in *Munícipio de Mariana and others v BHP Group* in their class action for damages arising from the collapse of the Fundão Dam.

Abigail receives instructions across the breadth of personal injury disputes including employers' liability, public liability, occupiers' liability, stress/bullying/harassment at work, Package Travel claims, defective premises, construction accidents, product liability, sports injury claims, road traffic accidents and Highways Act claims. She is willing to accept instructions on a CFA in appropriate cases.

Abigail has been instructed in cases involving surveillance evidence where there have been disputes as to the extent of any injury and future loss.

Clinical Negligence

Abigail has a developing clinical negligence practice and is willing to offer advice and assistance to her instructing solicitors from the earliest stages of an intended claim. She accepts instructions on a CFA in appropriate cases.

Recent instructions include claims arising from:

- Failures to refer, treat or convey to hospital.
- Delayed diagnosis (including cancer).
- Negligent surgical procedures.
- Defective medical devices.
- Failings in mental health services and support.

Inquests

Abigail is regularly instructed in the Coroners' courts, both at pre-inquest review and final inquest hearings. Abigail accepts instructions from all categories of interested persons.

Abigail recognises the impact coronial proceedings may have on subsequent civil proceedings and makes herself available to provide advice to her instructing solicitors from the earliest stages of the investigation. She is willing to accept instructions on a CFA in appropriate cases.

Recent instructions in this area include:

- Representing family members following the death of their mother who developed a grade 4 pressure sore and sepsis whilst in nursing care. A finding of neglect followed. See press coverage.
- Representing a bereaved mother following the death of her 12 year old son in hospital. See press coverage.
- Representing, at the pre-inquest review, the family of a 15-year-old girl who died having contracted bacterial meningitis. See press coverage.
- Representing the bereaved family of a grandmother following a fatal road traffic collision.

Disease

Abigail's pupillage throughout 2019/20 was primarily in the field of occupational disease under the supervision of specialist practitioner Kam Jaspal.

She now has a strong disease practice in her own right, accepting instructions in cases arising from, amongst others, asbestos, noise and vibration exposure.

Recent instructions include:

- Acting on behalf of the Ministry of Defence in military deafness claims (from pleadings through to resolution), including claims pleaded at over £1m with substantial claims for loss of career and pension.
- Drafting pleadings arising from claims for alleged asbestos-induced injury, including lung cancer, mesothelioma and asbestosis, and including contribution proceedings.

Abigail is well versed in limitation, breach of duty and causation issues across a breadth of industrial diseases and is regularly instructed on trials and interlocutory hearings. She drafts robust pleadings, advice, Part 18 requests, and schedules and counter-schedules of loss.

Counter Fraud

Abigail has extensive experience acting for claimants and defendants in cases where fraud is alleged.

When acting for defendants, she has obtained findings of fundamental dishonesty resulting in the dismissal or an otherwise meritorious claim and/or enforceable costs penalties.

Abigail has previously been instructed in cases involving surveillance evidence and is able to provide robust advice to solicitors and clients (whether for the claimant or defendant) on its impact on the case.

Animals & Equine

Abigail welcomes instructions in this area, having acted in cases involving the Animals Act 1971, negligence, breach of contract, ownership disputes and interim injunction applications. She has also acted in cases of veterinary negligence.

Abigail is regularly instructed in matters involving horses, dogs and livestock and is herself a keen horsewoman who brings her experience to bear in such claims.

Police Law

Abigail has a developing police law practice and is particularly interested in cases overlapping her core practice areas of inquests, occupational disease, personal injury, and animals and equine.

Through her work on the Attorney General's Panel, Abigail has significant experience in advising and representing government departments and public bodies, including the Ministry of Justice, Ministry of Defence and HMCTS.

Employment

Abigail has experience in employment disputes involving unfair dismissal and allegations of harassment/discrimination. Instructions include:

- Defending a sexual harassment claim, securing a significant costs order against the claimant following a five-day hearing (click to read judgment and reasons).
- Defending claims of discrimination (including disability discrimination).
- Representation at case management and costs hearings.
- Advising on merits and remedies.

Prior to joining Ropewalk Chambers, Abigail conducted employment hearings for Free Representation Unit and the Nottingham Law School Legal Advice Centre.

Appointments

- Attorney General's C Panel (from February 2025).

Professional Memberships

- Professional Negligence Bar Association
- Personal Injuries Bar Association
- UK Environmental Law Association
- UK Centre for Animal Law

Qualifications

- BPTC (Outstanding), Nottingham Law School
- LLB (First Class), Open University

Awards

- Finalist in the UK Environmental Law Association Junior Moot 2014 (judged by Lord Carnwath)
- Winner of the UK Environmental Law Association Junior Moot 2015 (judged by Lord Carnwath)
- Winner of the ICLR Open University Moot 2017 (judged by Lady Hale)
- Winner of The Times/2TG Moot 2017 (judged by Lord Hodge, Clarke LJ and Sir Richard Aikens in the presence of then Lord Chief Justice, Lord Thomas of Cwmgiedd)
- Winner of the UK Environmental Law Association Senior Moot 2019 (judged by Dove J)
- Harmsworth Scholarship (The Honourable Society of the Middle Temple)
- Dean's Scholarship for Academic Excellence (Nottingham Law School)
- Richard Bagley Prize for Outstanding Achievement in Pro Bono Activity (Nottingham Law School)
- Taylor Prize (Nottingham Law School)
- Winner of the Nottingham Law School/Ropewalk Chambers Mooting Competition 2019 (judged by Jayne Adams KC)
- Shortlisted for Young Pro Bono Barrister of 2022 (Advocate)

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