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Abigail Scott

Year of Call: 2019

Telephone: 0115 947 2581

Overview

Abigail holds a First Class (Honours) degree in Law and was graded Outstanding on the BPTC (1st in year). She joined Ropewalk Chambers as a tenant in 2020.

Abigail has a busy court practice encompassing trials, applications, CMCs and CCMCs. She enjoys a thriving paperwork practice and is regularly instructed in multi-track cases to draft advices, pleadings, schedules and counter-schedules of loss. She is regularly instructed in PI/clinical negligence, inquest, disease and employment matters.

Abigail's recent instructions include:

- Representing the family at inquest following the death of their mother who developed a grade 4 pressure sore and sepsis whilst in nursing care. Abigail secured a finding of neglect ([read more](#)).
- Pleading, representation and settlement of a claim for significant abdominal injuries following a road traffic accident. The claim settled at JSM for over £400,000.
- Pleadings and advice arising from claims for alleged asbestos-induced injury (including lung cancer, asbestosis and mesothelioma).
- 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.
- Defending a sexual harassment claim in the Employment Tribunal, securing a significant costs order against the claimant following a five-day hearing ([see judgment and reasons](#)).

Abigail 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 mooted 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 the Government Legal Department's Junior Junior scheme. She is a member of Chambers' Editorial Committee and an Editor for the Ropewalk Personal Injury Blog.

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

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.

Expertise

Disease

Abigail completed pupillage primarily in the field of occupational disease under the supervision of [Kam Jaspal](#). She accepts instructions across all areas of disease work.

Recent instructions include defences to alleged asbestos-induced lung cancer and fatal mesothelioma claims and advice and pleadings on contribution proceedings following settled mesothelioma 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.

Abigail drafts robust pleadings, advice, Part 18 requests, and complex schedules and counter-schedules of loss.

Abigail is a contributor to the [Ropewalk Disease Blog](#). She has also delivered webinars on issues of breach of duty (COSHH) and causation in disease cases.

Inquests

Abigail has a growing inquests practice and is regularly instructed at both pre-inquest review hearings and inquests. She accepts instructions from all categories of interested persons.

Abigail has a particular interest in medically complex cases and has acted in cases involving delayed treatment, delayed diagnosis and nursing home deaths arising from neglect.

Notable cases include:

- Representation of a bereaved daughter following the death of her mother who developed a grade 4 pressure sore and sepsis whilst in a nursing home. Abigail secured a finding of neglect ([read more](#))
- Representation of a bereaved mother following the death of her 12 year old son in hospital ([read more](#))

Abigail is willing to accept instructions for inquest hearings on a CFA in appropriate cases.

Clinical Negligence

Abigail welcomes instructions in this area having previously drafted pleadings and advices in matters concerning delayed diagnosis and negligent treatment. She has experience of dental negligence claims.

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, accepting instructions from claimants and defendants alike.

Recent instructions include a claim which settled at JSM, with Abigail's client receiving a sum exceeding £400,000. Abigail represented the Claimant from pleading to settlement.

Abigail receives instructions across the breadth of personal injury disputes including employers' liability, public liability, occupiers' liability, 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.

Counter Fraud

Abigail welcomes instructions in this area.

For defendants, she has successfully obtained findings of fundamental dishonesty; for claimants, she has averted findings of fundamental dishonesty notwithstanding problematic witness evidence. She has been instructed in cases involving surveillance evidence where issues of exaggeration and/or dishonesty have been raised.

Abigail's cross-examination is carefully prepared and thorough, and she is abreast of the key authorities in this area.

Animals & Equine

Abigail welcomes instructions in this area. She is a keen horsewoman and brings her experience to bear in disputes involving equines. She has previously been involved in Animals Act claims and defending claims for breach of contract following a sale of a horse which was described as unfit for purpose.

Abigail is a member of the UK Centre for Animal Law.

Employment

Abigail has a developing employment practice and welcomes instructions in this area. Recent instructions include:

- Defending a sexual harassment claim, securing a significant costs order against the claimant following a five-day hearing (see [judgment and reasons](#)).
- Representation at case management/preliminary 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.

Motor

Abigail is experienced in road traffic accident disputes, appearing regularly on the fast track in both liability and quantum trials. She is proficient with issues relating to credit hire and fundamental dishonesty.

Abigail produces robust pleadings and advice in RTA matters and is familiar with issues arising from indemnity, driver identity and claims involving the MIB.

Commercial Dispute Resolution

Abigail accepts instructions in sales of goods claims, Consumer Rights Act claims and wider breach of contract claims. She has drafted pleadings in breach of contract claims involving the provision of services and defective goods and has successfully defended claims of poor workmanship. She has also successfully represented claimants in consumer goods and services disputes.

Property & Real Estate

Abigail welcomes instructions in this area. She has knowledge of charging orders and orders for sale; enforcement of Tomlin orders containing provisions for the sale of a property; and claims for nuisance arising from neighbouring properties.

She has recently drafted documentation for a matter relating to an alleged common intention constructive trust which will be heard in the Property Chamber Land Registration First Tier Tribunal.

Planning & Environmental

Abigail has an interest in planning law having been supervised during pupillage by Jonathan Mitchell. In her own right, Abigail has been instructed in proceedings relating to a prosecution for failure to comply with s.215 notice in respect of listed buildings (see [here](#)) and s.211 prosecution relating to trees in a conservation area.

Appointments

- Member of the Government Legal Department Junior Junior Scheme

Professional Memberships

- Personal Injuries Bar 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)

Ropewalk Chambers

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