Compass Chambers

Barney Ross KC



Year called: 2013
Email: barney.ross@compasschambers.com
Qualifications: LLB (First Class Honours), University of Edinburgh and McGill University, Montreal
Dip.LP, University of Edinburgh
Faculty Scholar 2012/13

Practice

Barney Ross KC is an advocate specialising in reparation, regulatory and criminal law.

In his civil practice, Barney acts for both pursuers and defenders in fatal and catastrophic injury actions in the Court of Session, including brain and spinal injury claims. He has particular expertise in the specialist areas of clinical negligence, industrial disease and historical child abuse. Recent notable cases include *T v Congregation of Christian Brothers* [2020] SCEDIN 13, where he appeared for the pursuer (with Simon Di Rollo QC) at proof in a successful action for damages in respect of serious sexual abuse at a boarding school during the 1980s. Barney was instructed on behalf of the Health Boards in the recent Vaginal Mesh "class action" in the Court of Session.

Barney is instructed in Public Inquiries, Fatal Accident Inquiries and for the defence in criminal prosecutions relating to health and safety, environmental, maritime, and other regulatory offences. He is currently instructed (with Simon Bowie QC) for the NHS Scotland Health Boards in the *Infected Blood Inquiry*, a UK-wide public inquiry into the use of infected bood and blood products in the NHS since 1970. He defended a major distillery company charged with legionella related offences, for whom he continues to act (with Murdo Macleod QC) in related civil actions currently proceeding before the Court of Session. He represented the family of the deceased in the *Queensferry Crossing* FAI. He was part of the team which successfully defended a doctor in a major prosecution under the Terrorism Acts in the High Court: *H.M. Advocate v Badri*. He accepts instructions to advise on potential challenges to search warrants, including Revenue & Customs warrants.

With considerable experience in both the civil and criminal courts, Barney is accustomed to the demands of high-profile and complex cases involving large quantities of documentary evidence.

Prior to calling to the bar, Barney was a Procurator Fiscal Depute with the Crown Office and Procurator Fiscal Service.

Representative Cases

Personal Injury

Aker Solutions Ltd v CHC Scotia Limited 2021
for aviation services company in successful defence of action for damages arising from heliopter accident in the North Sea

T v Congregation of Christian Brothers [2020] SCEDIN 13
for the pursuer at proof in successful action for damages re serious sexual abuse at a boarding school during the 1980

J v UK Insurance Limited 2020
for insurer in high value claim re catastrophic spinal injuries sustained in road traffic accident

AB v Rainbow Rooms International 2020
for defender in personal injury action re stroke sustained by allegedly negligent hairdressing treatment

A v Advocate General for Scotland 2020
for pursuer who developed mesothelioma as a result of exposure to asbestos blankets during service in the RAF in the 1990s

McLean v Fairfield Shipping Ltd 2019 SLT 476
for defender in opposed motion for issues in fatal mesothelioma claim,debate re operation of s22(4) of the Prescription and Limitation (Scotland) Act 1973

C v G 2017 SLT 1311
for the pusuer and respondent (with Simon Di Rollo QC) re Inner House reclaiming motion in civil action for damages for rape

Hunter's Executrix Nominate v The Advocate General for Scotland 2016 SLT 1287; 2017 Rep. L.R. 14
for the pursuers in procedure roll debate on the relevancy of claims brought under the Damages (Scotland) Act 2011 by the family of a mesothelioma victim: novel question of statutory construction of the word "child" and "grandchild" for the purposes of establishing title to sue

WW v the Advocate General for Scotland 2015 CSOH 111
for the pursuer in first proof on quantum of damages for pleural plaques following Damages (Asbestos Related Conditions) Scotland Act 2009; decision resulted in significant increase in provisional damages awards in cases of this type

Clinical Negligence

X v Dr Y and Dr Z 2020
for the pursuer in clinical negligence action re failure of General Practitioners to refer pursuer for investigation of breast symptoms

Z & Ors v Lanarkshire Health Board 2020
for defender in fatal clinical negligence action re failure to diagnose breast cancer at the defender's breast clinic

Vaginal Mesh Litigation
for NHS Scotland in clinical negligence class action before the Court of Session

Regulatory & Criminal

Re Infected Blood Inquiry 2021
for the NHS Scotland Health Boards in a UK-wide public inquiry into the use of infected blood and blood products in the NHS since 1970

Fatal Accident Inquiry re death of Clare Shannon 2020
for Lothian Health Board at FAI arising from suicide of patient in psychiatric ward at the Royal Edinburgh Hospital

H.M. Advocate v Aquarius Limited 2020
for the defence in prosecution of fishing company under Health & Safety at Work etc. Act 1974 re death of fisherman lost overboard from fishing vessel

H.M. Advocate v Ayrshire & Arran Health Board 2020
for the defence in prosecution on indictment under the Health and Safety at Work etc. Act 1974 re suicide of patient in hospital grounds

H.M. Advocate v SG 2019
for defence in prosecution re fatal accident during scallop diving expedition in Orkney

H.M. Advocate v N Ltd 2018
for the defence (with Murdo Macleod QC) re distillery charged with various legionella related health and safety contraventions; and in relation to related civil actins currently proceeding before the Court of Session

Stasic v Advocate General for Scotland [2018] HCJAC 61
for complainer in successful Bill of Suspension re Revenue & Customs search warrant granted in respect fo VAT fraud investigation

H.M. Advocate v M Ltd & Ors 2018
for the defence re major environmental prosecution under the Environmental Protection Act 1990 and the Pollution Prevention and Control (Scotland) Regulations 2000

Queensferry Crossing Fatal Accident Inquiry 2018
for the family of the deceased in a Fatal Accident Inquiry re fatal accident on the new Queensferry Crossing construction site

Procurator Fiscal, Dumfries v AT 2017
for the defence re farmer prosecuted under Animal By Products (Enforcement) (Scotland) Regulations 2011; acquittal following no case to answer submission

Procurator Fiscal, Dumbarton v MA 2016
for the defence in prosecution of a company director under the Health and Safety at Work Act 1974 arising from a speed boat accident on Loch Lomond

Herron v Poundland Limited, Edinburgh Sheriff Court 2015
for a local authority at proof; validity of a Hygiene Emergency Prohibition Notice served under the Food Hygiene (Scotland) Regulations 2006 upheld following a rodent infestation in a high street store

H.M. Advocate v Yusif Badri, Glasgow High Court 2015
for the defence in prosecution of University of Aberdeen medical student for offences under the Terrorism Acts; accused acquitted of all charges after trial

H.M. Advocate v Alexander Murray 2015
for the defence in unsuccessful prosecution of fishing vessel owner re charges of human trafficking

P.F Inverness v Andrew Tetsill, Inverness Sheriff Court 2015
for the defence in summary prosecution for causing death by careless driving; accused was father of deceased; accused acquitted after trial

Procurator Fiscal, Dumfries v Stephen Russell 2015
for the defence in summary prosecution under strict liability provisions of the The Water Environment (Controlled Activities) (Scotland) Regulations 2005 arising from a major pollution incident at a surface coal mine; accused acquitted after trial.

Paterson v Harvie 2014 S.L.T. 857
Junior counsel in 5 bench appeal relating to section 38 of the Criminal Justice and Licensing (Scotland) Act 2010.

What the Directories Say

Legal 500 2025 - Ranked for Crime and Regulatory and Persona Injury and Medical Negligence.

'He provides terrific support throughout the litigation process, establishes excellent client relationships and can be both robust and pragmatic when dealing with opponents, as required.'

Chambers UK 2022 - Ranked for Personal Injury
"He's hard-working, great on the detail and very easy to work with."

Legal 500 UK 2022 - Ranked for Personal Injury
"Barney is an exceptional advocate and it is a pleasure to work with him. He is exceptionally diligent and provides very considered advice."

Chambers UK 2021 - Ranked for Personal Injury
"Brilliant with clients, always very well prepared and a pleasure to work with."

Legal 500 UK 2020 - Ranked for Personal Injury
"Personable and charismatic with great negotiation skills."

Chambers UK 2019 - Ranked for Personal Injury
"His speed of response and manner with clients have made him a pleasure to instruct"

Chambers UK 2018 - Ranked for Personal Injury
"He has forged a a fantastic reputation for his skill and experience, especially in the field of industrial disease litigation."
"He is very switched-on, very good, very personable and very enthusiastic."

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