

Dominic Scullion

Year called: 2020
Email: dominic.scullion@compasschambers.com
Qualifications: 2020: Called to the Bar
2016: Solicitor Advocate
2012: Solicitor
2010: Dip LP, University of Aberdeen
2009: LLB (Hons), University of Aberdeen



Profile

Dominic called to the Bar in 2020, having qualified as a solicitor in 2012 and as a solicitor advocate in 2016. His principal areas of practice are public law, health and safety, and reparation.

Dominic is experienced in advising on statutory interpretation, regulatory law, human rights, data protection and freedom of information. He has also acted for insurers, public authorities, private companies and individuals in reparation actions (including 'stress at work' claims and damages for compensation as a result of data protection breaches). He has conducted numerous fatal accident inquiries and has experience of health and safety enforcement notice appeals.

Since passing Advocate, Dominic has been instructed in judicial reviews (including as a public interest intervener), reparation actions (for pursuers and defenders), a placing request appeal, statutory appeals / reclaiming motions, and in connection with two public inquiries.

Dominic was a lecturer at the University of Dundee, has tutored at the universities of Aberdeen and Edinburgh, and has had articles and notes published in professional and academic journals. He is a Law Reporter for Session Cases, a member of the Advisory Board to the Stair Memorial Encyclopaedia, and his update to the Health and Safety at Work volume of the Stair Memorial Encyclopaedia was published in print and online in November 2020. He is in the process of co-authoring the second edition of An Introduction to Written Pleading with Professor Robert Black QC and Sheriff Principal Anwar.

Dominic has been on the panel of Standing Junior Counsel to the Scottish Government since 2020.

Representative Cases

Public Law

Avaaz Foundation v Scottish Ministers [2021] CSOH 119 (junior counsel for the Scottish Ministers – judicial review – proceeds of crime – unexplained wealth orders – role of the Lord Advocate)

Avaaz Foundation v Scottish Ministers [2021] CSOH 81 (junior counsel for the Scottish Ministers - time bar in judicial review – permission to proceed)

R & Others v Chief Constable of the Police Service of Scotland [2021] CSOH 73 (junior counsel for Chief Constable in judicial review – disciplinary proceedings)

Swindells v Scottish Legal Complaints Commission 2021 CSIH (unreported – instructed for respondent in appeal to the Second Division of the Inner House under Legal Profession and Legal Aid (Scotland) Act 2007)

AB v Principal Reporter 2021 CSOH (unreported – instructed as counsel for the Principal Reporter in judicial review)

McCue’s Guardian v Glasgow City Council 2021 SC 107 (counsel for the public interest intervener, the Scottish Public Services Ombudsman, in a reclaiming motion before the Second Division– judicial review – alternative remedy – whether petition for judicial review competent)

Complaint concerning Councillor Gregor Murray (appeared for the Commissioner for Ethical Standards in Public Life in Scotland in a hearing before the Standards Commission for Scotland, Dundee, 2019)

XY v Principal Reporter [2019] CSIH 19 (junior to Gerry Moynihan QC in appeal to First Division – compatibility of relevant person status in the Children’s Hearings system)

Beggs v Scottish Information Commissioner 2019 SC 247 (solicitor advocate for respondent in appeal to First Division – freedom of information – vexatious requests)

ABC v Principal Reporter and the Lord Advocate 2019 SC 186 (junior to Gerry Moynihan QC in reclaiming motion before the First Division – compatibility of relevant person status in the Children’s Hearings system)

NR v Roma Bruce-Davies 2018 Fam LR 71 (solicitor advocate for Principal Reporter in appeal to Sheriff Appeal Court – appeal against decision of Children’s Hearing to suspend contact – sufficiency of evidence – human rights)

Philip Gormley, Chief Constable of Police Scotland v Scottish Information Commissioner XA133/16, 23 June 2017, (junior to David Johnston QC in appeal to Second Division – freedom of information – risk of harm if information released)

CF v MF 2017 SLT 945 (solicitor advocate for Principal Reporter in appeal to Extra Division – relevant person status in children’s hearings – state intervention)

Health & Safety

HM Inspector of Health & Safety v Chevron North Sea Ltd 2018 SC (UKSC) 132 (instructing solicitor – health and safety – prohibition notices – admissibility of evidence)

Inquiries

Scottish Child Abuse Inquiry (instructed by a core participant 2020 -)

Inquiry into the death of George Cameron (1 day FAI, Sheriff Wade QC, Perth 2019)

Inquiry into the death of Pradeep Bhowmick (1 day FAI, Summary Sheriff Allan McKay, Hamilton, 2019)

Inquiry into the death of William Hume (3 day FAI, Sheriff McCrossan, Peterhead, 2019)

Inquiry into the death of Alan Smith (2 day FAI, Sheriff N McFadyen, Edinburgh, 2019)

Inquiry into the death of Raygen Merchant (6 day FAI, Sheriff Mundy, Falkirk, 2018)

Inquiry into the death of Mandy Ross (1 day FAI, Sheriff Tait, Edinburgh, 2017)

Inquiry into the death of Paul McMahon (1 day FAI, Sheriff Noble, Edinburgh, 2017)

Inquiry into the death of Colin Penrose (14 day FAI, Sheriff Principal Turnbull, Glasgow, 2017)

Inquiry into the death of Jason Jackson (9 day FAI, Sheriff Foulis, Perth, 2016/2017)

Inquiry into the death of Richard Murphy (1 day FAI, Sheriff Wood, Glasgow, 2015)

Inquiry into the death of Ross McColm (2 day FAI, Sheriff L Smith, Falkirk, 2015)

Inquiry into the death of Robert Tait (1 day FAI, Sheriff Crowe, Edinburgh, 2015)

Inquiry into the death of Denis Cannon (3 day FAI, Sheriff Wade QC, Alloa, 2015)

Reparation

Ramsay v Chief Constable and Lord Advocate [2022] SC EDIN (unreported - junior counsel for the Lord Advocate in reparation action – currently being appealed)

McCann v Dumfries & Galloway Council 2021 SC EDIN 36 (counsel for the pursuer in occupiers' liability case against local authority)

Daniel Kaizer v Scottish Ministers 2018 SC 491 (instructing solicitor – liability of prison authorities for assault by one prisoner on another)

Appointments

- Member of the Faculty of Advocates Law Reform Committee (2022 -)
- External Examiner, University of Dundee (2021 -)
- Standing Junior Counsel to the Scottish Government (2020 -)
- Ad hoc Reporter to the Professional Conduct Sub-Committee of the Law Society of Scotland (2020)
- Member of the Advisory Board to the Stair Memorial Encyclopaedia (2019 -)
- Law Reporter for Session Cases (2017 -)
- Director of the Scottish Legal Action Group (2014 – 2018)
- Lecturer in Law at the University of Dundee (2013 – 2014)
- Tutor at the universities of Aberdeen (2009/10) and Edinburgh (2011-2013; 2015)

Publications

- 'Health and Safety at Work', 2nd Reissue, *The Laws of Scotland: Stair Memorial Encyclopaedia* (2020)
- 'Limited Liability Partnerships' in G Black (ed) *Business Law in Scotland* (2019)
- 'The restricted right to appeal in children's hearings proceedings – a recent decision', 2017 *Scots Law Times* 39, 207-209
- 'The Scottish Law on Child Cruelty and Wilful Neglect: Time for Reform?' 2016 *Juridical Review* 1, 49-74; (co-authored with Prof PR Ferguson)
- 'Mine, and They're Private: Commentary on WF, Petitioner' *Journal of the Law Society of Scotland* August 2016;
- 'The Courts Reform Bill and a Case Involving a Bike', 2014 *Edinburgh Law Review*, 18(1) 146-149
- 'The Prince of Wales and the Duke of Cambridge: a Constitutional Analysis', 2011 *Aberdeen Student Law Review*, 2, 99 – 109

*Numerous other notes and reviews in legal journals.