Compass Chambers



Elaine Russell

Year called: 2020
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Practice

Since calling, Elaine has been well instructed in a range of Personal Injury, Clinical Negligence and Fatal Accident Inquiry work. She represents both pursuers and defenders and regularly appears in the Court of Session and ASPIC.

Elaine is regularly instructed in all areas of litigation, including road traffic, disease and employers and public liability cases. Her work includes complex and high value work and challenging causation issues. Elaine's work has included numerous Fatal Accident Inquiries in courts in Scotland.

She sits on the management committee of Compass Chambers.

Her main areas of experience are:

Reparation
Personal Injury
Clinical Negligence
FAIs and Public Inquiries
Insurance Law

Representative Cases

Sophie Peach v Aviva, 21 February 2025, Edinburgh Sheriff Court
This was a quantum only proof that ran in the All-Scotland Personal Injury Court. Liability was admitted and solatium and treatment costs for Cognitive Behaviour Therapy (£1,170) and Physiotherapy (£350) were in dispute. The insurance company representing the at fault driver refused to meet the cost of treatment. Evidence was led from the pursuer and the treatment providers. A submission was made about the reasonability of such costs and what award of damages should be made for the injury sustained by the pursuer. An award of £2,500 was made for a 10 week physical injury, £3,000 for Generalised Anxiety Disorder and the treatment costs were awarded in full.

Fatal Accident Inquiry into the deaths of Mira-Belle Bosch, Elie McCormick and Leo Lamont

This was a conjoined Fatal Accident Inquiry overseen by Sheriff Principal Anwar at Glasgow Sheriff Court, arising from the death of three babies. The evidential hearing ran over a period of approximately 3 months from January to March 2024. Complex evidential, medical and causation issues. The determination is still awaited, given the complexity and extent of evidence heard.

Fatal Accident Inquiry into the death of Dr Sara Macrae [2024] FAI 49
This was held at Edinburgh Sheriff Court in September 2024 in relation to the suicide of a patient at Edinburgh Royal Infirmary.

Fatal Accident Inquiry into the death of Linda Allan [2023] FAI 18
This was held at Dunfermline Sheriff Court.

Gallacher & Ors v SC Cheadle Hulme Ltd & Ors- [2014] CSOH 103
As a Solicitor, Court of Session action for multiple pursuers family member of deceased who died of mesothelioma. Highest reported awards in terms of section 4(3)(b) of Damages (Scotland) Act 2011 for bereavement awards for loss of society.

Young v Advocate General for Scotland and Dicketts v Advocate General for Scotland- 2011 SLT (News) 38
As a Solicitor, Civil jury trial for family members of young men killed in Nimrod Afghanistan aircrash. Legal case was based on systemic breach of military covenant. The *Young* case was the first reported bereavement award made to a deceased's sibling.

Qualifications

1994: MA (Hons) in English, University of Aberdeen
1996: Bachelor of Law, University of Aberdeen
1997: Diploma in Legal Practice, University of Aberdeen
1999: Qualified as a solicitor with Miller Samuel, Glasgow
2003: Associate then Partner of Golds Solicitors, Glasgow
2007: Partner of merged firm of Irwin Mitchell (Scotland) LLP
2016: Partner of Harper Macleod LLP
2019: Consultant of Thorntons LLP
2018 - present: Tutor in Civil Litigation, University of Glasgow

Practice related positions

2013- 2016: Coordinator and Chairperson for Scotland of Motor Accident Solicitors Society

2012- 2018: Personal Injury Accredited Specialist with Law Society of Scotland

2008- 2018: Senior Litigator with the Association of Personal Injury Lawyers