Compass Chambers

Emma Fraser (Toner) KC



Year called:	2009
Year of silk:	2025
Email:	emma.fraser@compasschambers.com
Qualifications:	LL.B (Hons), (University of Strathclyde and University of Rouen, France) Dip. LP, Glasgow Graduate School of Law PG Diploma in Forensic Medicine, Society of Apothecaries of London Faculty Scholar 2008/2009 MCIArb Chartered Institute of Arbitrators 2017 PG Cert Law and Medical Ethics, University of Edinburgh 2019

LEADING JUNIOR
Legal500
UNITED KINGDOM
2025

2027
Chambers
Top Ranked
UK Bar
Emma Fraser (Toner) KC

Principal areas of Practice:

- Regulatory Crime including Health & Safety and Road Traffic
- Fatal Accident and Public Inquiries

Emma's principal areas of practice are regulatory crime and Fatal Accident Inquiries. She is ranked Band 1 in both Health & Safety and Public & Fatal Accident Inquiries in Chambers UK 2027.

Emma has considerable experience of Fatal Accident Inquiries and of Public Inquiries under the Inquiries Act 2005. She has been instructed in many of the most significant Fatal Accident Inquiries and Public Inquiries in recent years and has appeared on behalf of companies, public bodies, professionals and private individuals. Her clients have included health boards, health care professionals, Police Scotland, local authorities, aircraft manufacturers, Maritime and Coastguard Agency, His Majesty's Inspectorate of Constabulary in Scotland and the Care Inspectorate. She is presently instructed in the Scottish Hospitals Public Inquiry and the UK and Scottish Covid Inquiries.

Emma is the Editor of Session Cases law reports.

Representative Cases:

- **Stonehaven Rail Crash FAI** (Inquiry into deaths following train derailment at Carmont in 2020) (2026)
- **M9 FAI** (Fatal Accident Inquiry into deaths at M9 in 2015; instructed on behalf of HM Inspectorate of Constabulary in Scotland) (2023)

- **FAI Death of Ann Drummond** (Fatal Accident Inquiry into domestic homicide; instructed on behalf of Police Scotland) (2023)
- **FAI Death of Jessi MacLennan** (Fatal Accident Inquiry into delayed diagnosis of tumour in infant; instructed on behalf of NHS Highland) (2023)
- **FAI Death of James Stevenson** (Fatal Accident Inquiry following explosion at groundworks site; instructed on behalf of JJL Groundworks Ltd) (2022)
- **FAI Death of Keith Johnson** (Fatal Accident Inquiry into death of road worker struck by lorry; instructed on behalf of lorry driver) (2022)
- **FAI Cherry Sands** (Fatal Accident Inquiry into death at sea; instructed on behalf of Maritime and Coastguard Agency) (2022)
- **Price v Veolia Water Outsourcing Ltd** (fatal claim following death at work at waste water treatment site; instructed on behalf of Veolia) (2022)
- **HM Advocate v Norbord Europe Ltd** (trial under Health and Safety at Work Act 1974, s 2 and 3) (2022)
- **HM Advocate v Icon Fabrications** (prosecution under Health and Safety at Work Act 1974, s2 and 3) (2021)
- **FAI Death of LKF** (Fatal Accident Inquiry into death of child following contact with NHS24; instructed on behalf of nurse on call) (2021)
- **FAI Death of William Black** (Fatal Accident Inquiry following accident at work; instructed on behalf of Aberdeen City Council) (2021)
- **FAI Sumburgh** (2020) (instructed on behalf of aircraft manufacturer, Airbus Helicopters, in inquiry into deaths following Superpuma ditching in 2013)
- **HM Advocate v Phoenix Roofing** (prosecution under Health and Safety at Work Act 1974, s2 and 3) (2020)
- **Clark v KLM Airlines** (personal injury action under Montreal Convention; instructed on behalf of airline) (2019)
- **PF Glasgow v Cordia Services LLP** (HSWA 1974, s2 prosecution; instructed on behalf of Glasgow City Council) (2019)
- **PF Glasgow v Thermatic Scotland Ltd** (HSWA 1974, s2 prosecution; instructed on behalf of Thermatic Scotland LLP) (2019)
- **FAI Clutha Bar, Glasgow** (instructed on behalf of aircraft manufacturer, Airbus Helicopters, in FAI into helicopter crash at Clutha Bar in 2013) (2018- 2019)
- **FAI Death of Michael Towell** (Fatal Accident Inquiry into death of professional boxer, involving issues of medical management and advice) (2018)
- **FAI Death of James Scott Miller / Miller v Power and Dickinson Transport** (Fatal Accident Inquiry involving issues of medical fitness to drive and interpretation of DVLA guidelines / associated action for damages arising from fatality- instructed for next of kin of deceased) (2017 and 2019)
- **Craigton Cemetery Fatal Accident Inquiry** (Fatal Accident Inquiry into death of child in cemetery; instructed on behalf of Glasgow City Council) (2016- 2017)
- **PF Airdrie v DW** (s1A Road Traffic Act 1988 re causing serious injury by dangerous driving- acquitted after trial) (2017)
- **In Re Death of Barbara Anderson** (Fatal Accident Inquiry into death of wheelchair user in housefire: instructed on behalf of manufacturer of wheelchair component) (2016)
- **Glasgow Bin Lorry Fatal Accident Inquiry** (instructed as Junior Counsel on behalf of next of kin of 3 deceased) (2015)
- **HMA v Sneddon** (defence counsel in prosecution under s1 Road Traffic Act 1988 re causing death by dangerous driving- convicted of causing death by careless driving under s2B after trial)(2014)
- **HMA v Andrew Coulter & Others** (instructed as defence Junior Counsel in application brought by Crown under the Double Jeopardy (Scotland) Act 2011 in relation to the proceedings which gave rise to the Chhokar Inuiry (2014)
- **In Re Death of Marcel Daisley/ Daisley v. Groundworks Development Ltd** (Fatal Accident Inquiry into death on construction site/ associated action for damages arising from fatality) (2014)
- **HMA v. Glasgow City Council** (Health and Safety at Work Act 1974, charges under sections 2 and 33; instructed on behalf of Glasgow City Council in prosecution arising from fatality) (2014)

- **Bysouth v. Argyle and Bute Council** (Junior Counsel in action for damages arising from fatality- suicide of child in care of Council)(2012)
- **Rosepark Care Home Fatal Accident Inquiry** (instructed on behalf of member of nursing staff) (2009- 2010)

Appointments

Editor, Session Cases 2020-
Deputy Editor, Session Cases 2016-2020
Reporter, Session Cases 2013- 2016

Professional Memberships

- Chartered Institute of Arbitrators
- Health and Safety Lawyers' Association
- Association of Regulatory and Disciplinary Lawyers
- Scottish Medico-Legal Society
- Scottish Criminal Bar Association

Foreign Languages

- French

Recent Talks

Public Inquiries Update (Compass Chambers Conference, November 2023)

Public Inquiries (Care Inspectorate In-house training, June 2023)

Challenges with Major Inquiries (Central Law Training, March 2023)

Fatal Accident Inquiries- 2 years on from 2016 Act (Compass Chambers Conference, Glasgow, 2019)

Sentencing Trends in Health and Safety Cases (Nov 2018) Compass Chambers Conference, Edinburgh

Fatal Accident Inquiries: what the criminal practitioner needs to know (October 2018) Central Law Training

Fatal Accident Inquiries under the new rules (October 2018) Personal Injury Conference, Central Law Training

FAIs under the 2016 Act (March 2018, Compass Chambers Conference, Aberdeen)

Regulatory Crime Update (March 2018, Central Law Training Conference);

Fatal Accident Inquiries and the 2016 Act (June 2017, Scottish In House Lawyers Group)

Essential Criminal law update (Oct 2015)
for Central Law Training

What the Directories Say

Chambers UK 2024- Band 1- "Emma offers a fantastic service both to corporate clients and individuals alike. She had a broad range of knowledge and goes above and beyond to secure results for our clients." "She is highly experienced and her preparation and client care skills are excellent."

Chambers UK 2023- Band 1- "Emma is an excellent advocate. She is great with clients and has an exceptional knowledge of the law." "She cuts right to the heart of key issues."

Legal 500 UK 2020 - Ranked as a leading Junior for Health & Safety and Regulatory - "A persuasive advocate who represents her clients with compassion and strength."

Legal 500 UK 2020 - Ranked as a leading Junior for Personal Injury and Clinical Negligence - "Diligent, conscientious and punctual. "