

## **Bruce Erroch**

### **Personal information**

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### **Clerking information**

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### **General Information**

LL.B (Hons), University of Glasgow

Dip L.P., University of Glasgow

### **Appointments**

Advocate Depute 2009 – 2012

Senior Advocate Depute 2013 – 2017

Convener, Mental Health Tribunal for Scotland 2016 - date

Legal Assessor, Nursing and Midwifery Council 2016 – date

Legal Chair, Scottish Social Services Council 2017 -date

Legal Member, Parole Board for Scotland 2018 - date

### **Practice**

Bruce is highly experienced in a wide range of litigation in the Court of Session, outer and inner houses, the Appeal Court and the High Court of Justiciary. He has appeared frequently in the Sheriff Court, the Sheriff Appeal Court and before various statutory tribunals including the Employment Tribunal, the Employment Appeals Tribunal and the Courts Martial.

He is Convener of the Mental Health Tribunal, Legal Assessor to the Nursing and Midwifery Council, Legal Chair of the Scottish Social Services Council and a Legal member of the Parole Board for Scotland.

His principal fields of practice include:

Consumer protection and product liability

Child law

Criminal trials

Employment law

Fatal accident inquiries

Mental Health

Personal injury

Professional and clinical negligence

Regulatory law

In his early career at the bar, Bruce was one of the principal Counsel instructed in the well-known litigation arising out of alleged child abuse at orphanages throughout Scotland, including Nazereth House and Smyllum Park. He succeeded in gaining damages for the pursuer in the first reported historical sex abuse case. He has regularly been instructed for and against public authorities in reparation matters, including claim arising from workplace accidents, industrial disease and road traffic accidents. He has appeared in a number of fatal accident enquiries.

Bruce has a longstanding interest in consumer protection and product liability, dating back to his involvement with one of the early texts on the matter. Additionally he has appeared before the Employment Tribunal and the Employment Appeals Tribunal.

He has appeared in numerous complex children's referral appeals and contested adoptions.

He has substantial expertise in regulatory law, sitting as Legal Chair of the Scottish Social Service Council and Legal Assessor to the Nursing and Midwifery Council and having conducted disciplinary proceedings before a variety of professional bodies.

From 2009 to 2017 Bruce moved from civil practice to undertake a lengthy and successful period of public service as an Advocate Depute, culminating in his appointment as Senior Advocate Depute in 2013. In that role he was one of Scotland's most senior prosecutors, leading for the Crown in many of the most high-profile prosecutions and appeals. He developed the ability to master complex briefs quickly and honed his skills in examining and cross-examining thousands of witnesses. In light of that experience, he has an expertise in cases involving sexual abuse, regulatory crime, fatal accident inquiries and health and safety prosecutions.

### **Selected cases**

Gorrie v Marist Brothers 2002 SCLR 436

Malone v Hill 2003 Rep. L.R. 2003

Moohan v Glasgow City Council 2003 SCLR 367

Walker v Chief Constable Lothian and Borders [2005] L.L.R. 720

Link Housing Association v Murphy 2007 SC 294

Fegan v Highland Council 2007 SC 723

Gallagher v HM Advocate 2010 JC 240

Lewry v HM Advocate 2013 SCCR 396

I v Dunn 2014 SCL 281

HM Advocate v Mason 2015 SLT 1

M v Murphy 2015 SCL 408  
M v Harvie 2015 SCL 402  
Boden v Harvie 2015 SCCR 113  
H v HM Advocate 2015 SCCR 380  
Van der Schiff v HM Advocate 2015 S.C.L. 783  
Stewart v Harvie 2016 SCCR 1  
Borland v HM Advocate 2016 SCCR 8  
Brown v HM Advocate 2016 SCL 441  
Tupper v HM Advocate 2016 SCL. 441  
W v HM Advocate 2016 JC 148  
Reid v HM Advocate 2017 JC 37  
Kerseboom v HM Advocate 2017 JC 47  
McDowall v HM Advocate 2017 S.C.L. 158  
Raza v HM Advocate 2017 SCCR 263

### **Publications and Seminars**

Bruce is an accomplished speaker has delivered seminars for a number of CPD providers and was the co-author of the Scottish chapter Product Liability. He is an accredited trainer on the Faculty of Advocates skills programme for devils and a mentor on the Bar Mock Trials competition.

## **THEMIS ADOVCATES**

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