

# Peter Gray KC (Scotland)

Call: 1992 | Silk: 2002 (Scotland)

"He is so thorough, thoughtful and incredible with clients. He is also excellent on his feet and is so well respected."

Chambers UK 2024



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Peter Gray KC (2002 Scotland) is a leading practitioner in regulatory crime and, in particular, in the fields of health and safety crime in respect of which he has been instructed to appear on behalf of corporates accused in the most serious prosecutions, statutory appeals and high profile Fatal Accident Inquiries in recent years.

## Expertise

### Health & Safety

Peter is consistently instructed in the most high profile cases in these fields and current instructions include:

- Representing **global oil and gas producer** in forthcoming health and safety prosecution relating to two major uncontrolled hydrocarbon releases.
- Representing a **major distiller** in forthcoming health and safety prosecution relating to the very severe injuries suffered by an employee whilst in the course of undertaking maintenance works.
- Representing **leading construction company** in forthcoming health and safety prosecution arising from death of a sub-contractor in course of unloading operations.

### Recent Cases:

#### *HMA v Network Rail Infrastructure Limited 2023*

Represented Network Rail in health and safety prosecution brought under Section 3 of the HSWA 1974 arising from the derailment of a train at Carmont, Aberdeenshire and the subsequent deaths of 3 individuals, and injury to others.

#### *HMA v Hermes Parcelnet Ltd 2022*

Represented Hermes in health and safety prosecution brought under Section 2 of the HSWA 1974 arising from the death of an employee in the course of being trained in the operation of an articulated trailer mover.

***HMA v Bright Horizons Family Solutions Ltd 2022***

Represented Bright Horizons FS Ltd in health and safety prosecution brought under Section 3 of the HSWA 1974 arising from the death by choking of an 11 month old baby whilst at Bright Horizons Nursery at Corstorphine, Edinburgh as a result of inadequate supervision whilst eating.

***HMA v HC-One Ltd 2022***

Represented HC-One Ltd in health and safety prosecution brought under Section 3 of the HSWA 1974 arising from the death of a vulnerable resident (as a result of choking) at HC-One Care Home in Tullibody. Fatal incident arose as a result of failure to provide adequate instruction to staff responsible for providing snacks to residents which met their dietary and medical needs.

***HMA v Cameron House Resort (Loch Lomond) Limited 2021***

Represented CHRLLL in health and safety prosecution brought under Section 53 and 54 of the Fire (Scotland) Act 2005 arising from the death of two guests as the result of a fire at the hotel premises in December 2017.

***HMA v Network Rail 2020***

Represented Network Rail in health and safety prosecution arising from incident whereby trespasser on the line sustained serious injuries as result of electrocution.

***HMA v Scottish Water 2020***

Represented Scottish Water in health and safety prosecution under section 2 HSWA 1974 relating to serious injuries sustained by employee in the course of lone working at treatment plant.

***HMA v BP Exploration Operating Company Limited 2019***

Represented BP in health and safety prosecution brought under Section 3 of the HSWA 1974 arising from an uncontrolled hydrocarbon release at the Sullom Voe Terminal.

***HMA v Sir Robert McAlpine Ltd 2018***

Represented SRM Ltd in prosecution brought under Section 2 of the HSWA 1974, Regulation 3 of the MHSW Regulations 1999 and Regulation 22 of the CDM Regulations 2007, arising from an incident In October 2013 when an employee of SRM Ltd lost his life in the course of his employment as a result of a fall from height which occurred during the course of the construction of the Glasgow School of Art.

***HSE v Chevron North Sea Limited 2017***

Represented Chevron in appeal to the Supreme Court brought by HSE against decision of Inner House refusing appeal brought by HSE against decision of Employment Tribunal in appeal against Prohibition Notice brought under Section 24 HSWA 1974.

***Scottish Power Generation Ltd v HMA 2016***

Represented SPG in appeal against sentence imposed in relation to a breach of section 2 of HSWA 1974 relating to serious injuries sustained by employee as a result of a failure by SPG to keep in good repair an industrial valve. Appeal was first in which the Appeal Court in Scotland has had opportunity to consider whether 2016 Sentencing Guidelines Council of England Guidelines should be

adopted in Scotland.

## Public Inquiries

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As the leading practitioner in health and safety crime in Scotland, Peter has been instructed in the most serious and high profile Fatal Accident Inquiries relating to deaths in the workplace, and Public Inquiries relating to matters of safety which have given rise to widespread public concern. Peter's current instructions in this area include:

- Representing **Greater Glasgow and Clyde Health Board** in the Scottish Hospitals Public Inquiry relating to how issues regarding the adequacy of ventilation, water contamination and other matters at the Queen Elizabeth University Hospital Campus Glasgow adversely impacted patient safety and care.
- Representing **Glasgow City Council** in the ongoing Scottish Covid Public Inquiry.
- Representing **Network Rail Infrastructure Limited** in Fatal Accident Inquiry (Scottish equivalent of Inquest) into the circumstances surrounding the deaths of, and injuries to, a number of train employees and passengers following the derailment of a train at Stonehaven, Aberdeenshire in August 2020.

## Recent Cases:

### **Re Cameron House Resort (Loch Lomond) Limited 2022**

Represented CHRRLL in Fatal Accident Inquiry into the deaths of two guests as a result of the outbreak of a fire at the hotel in 2017.

### **Re Taqa Bratani Ltd 2022**

Representing Taqa Bratani Ltd in Fatal Accident Inquiry into the circumstances surrounding the death of an employee whilst carrying out lifeboat maintenance in the course of his employment on an offshore installation.

### **Re Maritime & Coastguard Agency 2022**

Representing MCA in Fatal Accident Inquiry into the circumstances of the deaths of three crew in the course of their employment as fishermen on the Louisa fishing vessel.

### **Re Veolia Water Outsourcing Limited 2021**

Representing Veolia Water Outsourcing Limited in Fatal Accident Inquiry into the circumstances surrounding the death of an employee in the course of employment at a wastewater treatment plant in 2018.

### **Re Total E & P UK Ltd 2020**

Representing Total E & P UK Ltd in Fatal Accident Inquiry into the circumstances surrounding crash of helicopter on approach to Sumburgh Airport in 2013 resulting in four fatalities.

### **The Clutha Fatal Accident Inquiry 2019**

Representing Babcock Mission Control Services Onshore Limited in Fatal Accident Inquiry into the circumstances surrounding crash of helicopter into Clutha Tavern in Glasgow in November 2013 resulting in multiple fatalities.