

Adam Black

Year called: 2020
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Qualifications: LLB (Hons) - University of Strathclyde
PG Dip. Legal Practice - University of Strathclyde



Profile

Adam called to the Bar in 2020. Since then, Adam has enjoyed a mixed criminal and civil practice across diverse practice areas.

Adam has acted for pursuers and defenders concerning a range of personal injury litigation. He has also been instructed in claims arising from clinical negligence and historical abuse.

Prior to joining Compass Chambers, Adam worked in a busy firm of solicitors in Fife where he specialised in crime, family, and mental health law. He gained extensive experience in the preparation and presentation of criminal cases. Adam has conducted summary and jury trials. At the Bar, Adam has defended cases alone and with a senior counsel in the High Court of Justiciary. He has also acted in cases concerning proceeds of crime, extradition, health and safety, and environmental prosecutions. In addition to crime, Adam has been instructed in children's referral proofs, in related judicial review, and in permanence proceedings.

Before calling, Adam was appointed as an ad-hoc reporter to the Law Society of Scotland's Professional Conduct Sub-Committee, providing recommendations to the Committee concerning conduct complaints against Solicitors. He has since been instructed for professionals in connection with disciplinary proceedings before the Nursing and Midwifery Council, and the General Pharmaceutical Council.

Adam has a particular interest in cases involving issues of mental health law and capacity. Many of the cases in which Adam has acted have involved representing vulnerable persons. He has regularly appeared before the Mental Health Tribunal for Scotland and has been appointed as a curator *ad litem*. He has been instructed in several appeals to the Sheriff Principal against decisions of the Mental Health Tribunal for Scotland.

Representative Cases

Scott Henry Sneddon Mackay v HMA [2017] HCJAC 44

As instructing Solicitor in an appeal against conviction in the first reported case to consider the terms of S51A of the

Criminal Procedure (Scotland) Act 1995.

Lilburn v AA, CG and CPLAS Trustees Limited [2018] CSIH 2

As Solicitor in an application to the Court of Session for an order ordaining the Pension Ombudsman to state a case. The applicant sought (unsuccessfully) to persuade the Court of Session to use its discretion for relief from failing to comply with the rules based on his history of mental health illness.

Mason v PF Stornoway (Unreported) 2018

As Solicitor, successful appeal against sentence to Sheriff Appeal Court (Criminal). This case involved a Sheriff's decision to impose sex offenders registration requirements under the Sexual Offences Act 2003 following the imposition of a Compulsion Order. Successfully argued that this disposal was incompetent following the breach of a Risk of Sexual Harm Order where the accused was not a 'relevant offender' under the Sexual Offences Act 2003.

HMA v Andrew Ross 2019 (Inverness Sheriff Court)

As Solicitor, acquittal in a case involving an allegation of assault to severe injury and permanent disfigurement with a knife.

Cameron v PF Edinburgh (Unreported) 2020

This successful appeal against sentence to the Sheriff Appeal Court (Criminal) considered the proper approach to discounting a custodial sentence where backdating was not possible.

JM v Mental Health Tribunal for Scotland B1379/20 (Glasgow Sheriff Court)

This successful appeal to the Sheriff Principal against a decision of the Mental Health Tribunal for Scotland considered the fairness and compatibility of MHTS being unable to grant an adjournment to an application for a Compulsory Treatment Order, in the case of a patient who had been subject to a Transfer for Treatment Direction before the application.

HMA v Campbell Gray - 2021 (Livingston High Court)

Acquittal in an attempted murder trial involving the use of a knife.

AB, Petitioner v Principal Reporter 2021 P1053/20 (unreported)

This petition for judicial review concerned a recognition by the Children's Reporter that KA was a relevant person in relation to AB by virtue of an agreement regarding paternity between KA and AB's mother, in circumstances where AB did not accept KA was their parent.

Nursing and Midwifery Council v SA & SB 2021

In this case Adam was instructed to defend SB, a nurse accused of professional misconduct by allegedly failing to follow controlled drugs procedure in a hospice. The proceedings were brought to an end with no finding of misconduct after 16 days.

Procurator Fiscal v Healthcare Environmental Services Limited and Garry Pettigrew

In this environmental case, Adam was instructed with Mark Stewart QC to defend Mr Pettigrew, a former director of HES in two summary complaints concerning offences contrary to the Environment Act 1995, The Pollution Prevention and Control (Scotland) Regulations 2012, and the Pollution Prevention and Control Act 1999.

CD & Others v A Local Authority

In this case Adam was instructed with with Richard Pugh to defend a local authority in connection with 4 linked actions of historical abuse by foster carers.

Grier v The Chief Constable & The Lord Advocate -

Adam acted as junior counsel to Andrew Smith QC for the pursuer in this commercial action alleging malicious prosecution of Mr Grier by The Chief Constable and The Lord Advocate. The case is presently being reclaimed.

<https://scotcourts.gov.uk/search-judgments/judgment?id=7ef00393-7a8b-4093-a98b-a2fd5aa32a78>