

Adam Black

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



Profile

Adam has a busy and deliberately wide-ranging practice, dealing with broadly reparation, regulatory crime, commercial litigation, and public law.

Adam has significant group litigation experience having been instructed to act and advise in a variety of claims including those relating to medical products, diesel emissions, data privacy, and working conditions. Previous instructions include: Vaginal Mesh Litigation. Current instructions include: The Kenyan Tea Pickers group litigation, The BMW NOx Emissions Litigation, and anticipated litigation against a number of other diesel vehicle manufacturers.

In his reparation practice, Adam is regularly instructed in personal injury and clinical negligence matters for both pursuers and defenders including individuals, health boards, local authorities and insurers.

In commercial litigation, Adam has acted in cases concerning contractual disputes, professional negligence, insurance, and public liability.

Adam's public law practice has principally related to cases involving issues of mental health law and capacity. He has been instructed to appear before the Mental Health Tribunal for Scotland and has regularly been appointed as a curator *ad litem*. He has acted in several appeals relating to decisions of the Mental Health Tribunal for Scotland, in proceedings under the Adults with Incapacity (Scotland) Act 2000, and in related judicial reviews. He has also acted in cases relating to children's hearings/referrals, prison law; and human rights. He has appeared in criminal appeals relating to sentencing policy.

Representative Cases

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..

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.

Grier v The Chief Constable & The Lord Advocate 2022 CSIH 57

Adam was instructed 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 in the Outer and Inner House.

Pelvic Mesh Group Litigation

Adam acted as junior counsel for the pursuers in the pelvic mesh group litigation, achieving settlement in advance of proof in 2022.

HMA v LB, JI & JT 2022 HCJAC 48

In this case Adam appeared for LB as junior counsel to Donald Findlay KC in a crown appeal against sentence in which the crown invited the court to provide a guideline judgment on sentencing in rape cases.

Margaret Kirkwood v Thelem Assurances 2023 CSIH 30

This case concerned the recoverability of fees of a foreign agent in a Scottish litigation.

Appointments

Member of the Scottish Junior Bar Association Committee (2023 -)

Member of the Faculty of Advocates Free Legal Services Unit Committee (2021-2022)

Curator ad litem for the Mental Health Tribunal for Scotland (2021 -)

Ad hoc Reporter to the Professional Conduct Sub-Committee of the Law Society of Scotland (2020-2021)

Publications

Discount or Windfall? The Cost of Future Accommodation, Journal of the Law Society of Scotland, November 2020