



**Year of call** 2003

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## Areas of Practice

Damages & Reparation, Family, Public Law & Equality

## Profile

David has acted and acts in a wide variety of cases in many areas of civil law.

David is often instructed in the field of Family Law and has been involved in cases regarding children, including all aspects of private and public law. He has also dealt with financial provision following upon the end of relationships, including cohabitants claims on death and otherwise.

David also regularly undertakes work for prisoners, principally through the mechanism of judicial review. David has been involved in a wide variety of mental health and incapacity cases, in which he has a particular interest. He has appeared before the Mental Health Tribunal for Scotland, on appeal and in judicial review proceedings – acting in cases dealing with restricted patients and also civil patients. In relation to incapacity cases he has appeared in the Sheriff Court, Sheriff Appeal Court and Inner House.

He also has particular interest in freedom of the press and the various reporting restrictions that might be imposed in different cases.

He often acts in slightly more unorthodox cases.

## Representative Cases

WS v MHTS 2011 SC 43 (mental health, cross-border patient transfer, State Hospital)  
Inverclyde v T [2011] CSOH 27 (family law, first reported Permanence Order case in Court of Session)  
C, petitioner 2012 SLT 521 (mental health, Compulsory Treatment Order, suspension of detention, absconding, res judicata)  
M v R 2013 SCLR 393 (Court of Session, family law, adoption, welfare test)  
Kerr v Mangan 2013 SLT (Sh Ct) 102 (cohabitation, succession, international private law)  
Hogg v Scottish Ministers 2013 SLT 717 (prisons, release, intra-UK transfer, Channel Islands policy decision)  
M v Scottish Ministers 2013 SLT 875 (prisons, transfer to open conditions, rehabilitation)  
M, petitioner 2013 SLT 951 (family law, aliment, contempt)  
Craig v Parole Board 2013 SLT 953 (prisons, parole, oral hearing)  
M, petitioner 2013 SLT 1001 (mental health, smoking, State Hospital)  
Brown v The Parole Board for Scotland and the Scottish Ministers [2013] CSOH 200 (prisons, extended sentence, rehabilitation)  
G v MHTS 2014 SLT 247; (and previously G v MHTS 2012 SC 13) (mental health, excessive security)  
Dutch v The Parole Board for Scotland and the Scottish Ministers 2014 SLT 285 (prisons, rehabilitation, parole, human rights, “reading down”)  
Beggs v Scottish Information Commissioner [2014] CSIH 10 (Freedom of Information, public interest exemption, police enquiries)