



## NICOLA GILCHRIST



### Year of Call

2011

### Devil Masters

Kate Dowdalls QC

Gavin McColl QC

Shelagh McCall QC

@NicolaGilchrist on Twitter

LinkedIn Profile



## Practice Profile

Nicola is recommended in both the Chambers & Partners UK Bar and The Legal 500 UK Bar guides.

Nicola specialises in family and child law, and is regularly involved in cases in the Court of Session and Sheriff Courts both in cases at first instance and in appeals to the Sheriff Appeal Court and the Inner House. She has experience across the board in litigation concerning divorce, financial provision, cohabitation and civil partnerships. Her expertise in child law encompasses all of its many facets, including complex jurisdictional issues, international child abduction, permanence orders and petitions for adoption. She has a particular interest in cases that involve sensitive cross-cultural issues, domestic abuse and matters affecting women and girls. She successfully appeared in the first forced marriage case to be heard in Scotland. Nicola was appointed as an Advocate Depute (Ad Hoc) in 2015 and she has been instructed as junior counsel in a number of criminal trials and has appeared in the High Court of Justiciary and in the Criminal Appeal Court for both the Crown and the Appellant. Nicola was appointed as a lead statement taker at the Scottish Child Abuse Inquiry in 2016.

Nicola is a director of Relationships Scotland.

## Education & Professional Career to Date

Trainee Solicitor - Balfour & Manson

Solicitor - MMS

Solicitor - HBJ Gateley Wareing

Solicitor - HMRC

MA (Hons) in Psychology; LLB; Diploma in Legal Practice

## Appointments

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- Member of the Equality & Human Rights Commission Panel of Counsel (2019–present)
- Arnot Manderson Advocates Equality and Diversity Officer (2018–present)
- Chair of Scottish Women's Aid (2018–2019)
- Faculty Equality and Diversity Committee (2017–present)
- Vice Chair of Scottish Women's Aid (2016–2018)
- Director of Relationships Scotland (2015–present)
- Ad hoc Advocate Depute (2015–present)
- Committee Member of the Advocates Family Law Association (2013–present)
- Director of Scottish Womens Aid (2013–2019)

## Selected Cases

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- **ABC (Appellant) v Principal Reporter and another (Respondents) (Scotland) In the matter of XY (Appellant) (Scotland) [2020] UKSC 26**  
Supreme Court Appeal
- **Children's Referral at Livingston re: CC, FC and LC [2019] SC LIV 60**  
Acted for FC in these proceedings. The ground of referral in relation to FC was not found to be established.
- **Gordon Woods v Lesley Price [2019] SAC (CIV) 18**  
Success in sheriff appeal court in relation to the need to obtain updated views of a child in proceedings.
- **Unreported, December 2018**  
Successfully acted for a surviving cohabitant for orders in terms of section 29 of the Family Law (Scotland) Act 2006
- **Unreported, October 2018**  
Successfully acted for a respondent father in defending an application for a permanence order with authority to adopt
- **Petition of ABC for judicial review- appeal to the Inner House 2018 S.L.T. 1281**
- **Petition of ABC for judicial review- Outer House 2018 S.L.T. 1100**
- **North Lanarkshire Council v KR- Inner House 2018 Fam. L.R. 92**
- **North Lanarkshire Council v KR- Sheriff Appeal Court [2017] SAC (Civ) 38**
- **City of Edinburgh Council v RO and RD 2017 Fam. L.R. 27**
- **Petition of GMCR for the return of a child [2017] CSOH 66; [2017] 4 WLUK 401; 2017 G.W.D. 17-275**
- **B v HMA- 2015 J.C. 289**  
Anderson appeal in relation to the offence of plagiary
- **Unreported, October 2015**  
Successfully acted for a wife in holding that she had not been divorced in Pakistan by way of talaq proceedings
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## **Thomas Ross Young v HMA- 2014 S.L.T. 21; 2014 S.L.T. 1037**

Use of expert evidence

- **Children's Referral in respect of AV- Unreported, 2013, Inverness Sheriff Court**  
Forced Marriage Protection Order

## **Areas of Practice**

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- Crime
- Family

## **Publications & Seminars**

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Article for Scots Law Times 2015- "Forced Marriage in Scotland" SLT. 2015, 1, 1-4.

Nicola regularly speaks at seminars and conferences on all matters pertaining to family law, in particular matters relating to permanence orders and adoption, domestic abuse, vulnerable witnesses and forced marriage. She has spoken at events for: the Advocates Family Law Association (AFLA), the Arnot Manderson Family Law Group, the Legal Services Agency, CLT, MBL Seminars, Holyrood Communications, University of Strathclyde's Reblaw event in 2017 and 2019 and she provides training to Scottish Women's Aid Network. Nicola delivered a two day session on family law for the 2019 Devil's January Skills Course.

## **Directories**

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Recommended in Chambers & Partners UK Bar Guide 2020

Family/Matrimonial- Band 3

"If you want someone at home with modern family presentations, Nicola is very good."

"Nicola is very hard-working and comprehensive in the work that she does."

Recommended in Chambers & Partners UK Bar Guide 2019

Family/Matrimonial- Band 3

"She is meticulous and has good attention to detail. She is also easy to work with and empathetic towards clients, which is really important." "She is very approachable and good at putting clients at ease."

Recommended in The Legal 500 UK Bar Guide 2020

Band 1 Family and Childcare

Nominated by the Legal 500 for Scottish Junior Counsel of the year 2020.

## **Additional Information**

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Featured in Scottish Woman magazine (issue 61, 2017) in list of "remarkable women" for work with Scottish Women's Aid (SWA)