



Gillian Black

Gillian Black is a Professor of Scots Private Law at the University of Edinburgh, a Commissioner at the Scottish Law Commission, a qualified solicitor, and an Officer of Arms in the Court of the Lord Lyon.

Gillian's research focuses on family law, with a particular interest in adult relationships and the parent/child relationship. She has researched, presented and published on a wide range of topics within this field, including:

- fault-based divorce and Article 8 privacy considerations
- financial provision on divorce
- the legal significance of consensual sexual intimacy in establishing (and dissolving) adult relationships
- issues of legitimacy and equality in the succession to titles, honours and coats of arms
- surrogacy
- the significance of genetics vs social parenting in the parent/child relationship
- children's rights and the UNCRC
- child contact disputes and contempt of court
- relocation and the judicial approaches to determining private law disputes concerning child contact
- permanence orders
- the significance of pre- and post-Enlightenment marriage as evidenced in the works of Jane Austen

Gillian also has an extensive body of research on heraldry and peerage law.

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Appointments

- Commissioner at the Scottish Law Commission (SLC)
- Officer of Arms, as Linlithgow Pursuivant Extraordinary

Publications

PUBLICATIONS

Gillian Black, Woolman and Black on Contract (6th ed, W Green, 2018; 5th ed, 2014; 4th ed 2010)

Gillian Black, Publicity Rights and Image: Exploitation and Legal Control (Hart, 2011)

Gillian Black, Data Protection – Stair Memorial Encyclopaedia (The Law Society of Scotland/LexisNexis, 2010)

- Crispin Agnew and Gillian Black, “Reforming the law of succession to peerages, baronetcies and dignities: Identifying problems and exploring solutions” (2023) Public Law 104
- Gillian Black, “Adult relationships and the ongoing legal significance of sexual intimacy”, in JM Scherpe and S Gilmore (eds) Family Matters: Essays in Honour of John Eekelaar. Scherpe (Intersentia, 2022), p. 309-328
- Gillian Black, “Scotland’s Named Person Scheme: A case study of Article 5 of the United Nations Convention on the Rights of the Child in practice”, in C Fenton-Glynn and B Sloan (eds) Parental Guidance, State Responsibility and Evolving Capacities , (Brill Academic Publishers, 2021) p. 307-322
- Crispin Agnew and Gillian Black, “Sir Walter Scott of Abbotsford and the enigma of His ‘Moor Proper’ heraldic supporter”, History Scotland Magazine, November 2021
- Gillian Black, “Seeking the views of children: Judicial and statutory developments” (2021) 25(3) Edinburgh Law Review, 342
- Gillian Black, “Medical Chimera: a different type of heraldic beast?” 2021(1) The Double Tressure No 44, 46
- Gillian Black, “Making a Difference? Heraldry, human rights and matters of differencing” 2020 The Double Tressure No 43, 2
- Gillian Black, “Scotland’s Named Person scheme: a case study of Article 5 UNCRC in practice” (2020) International Journal of Children’s Rights
- Gillian Black, “Protecting Privacy in Divorce Actions: Article 8 and the Need for Law Reform”, (2019) Edinburgh Law Review 332-359

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- Gillian Black, “Coyle v Coyle: Commentary”, in Sharon Cowan, Chloe Kennedy, Vanessa E Munro (eds), *Scottish Feminist Judgments: (Re)Creating Law from the Outside In* (Hart, 2019)
- Gillian Black, “Birth and Status: the Ongoing Discrimination against Children in Scots law based on Parentage”, in Marit Skivenes and Karl Harald Sovig (eds), *Child Rights and International Discrimination Law*, (Routledge 2019).
- Crispin Agnew and Gillian Black, “The significance of status and genetics in succession to titles, honours, dignities and coats of arms: Making the case for reform”, (2018) *Cambridge Law Journal*, Vol 77, pp 321-348
- Gillian Black, “Identifying the legal parent/child relationship and the biological prerogative: Who then is my parent?”, 2018 *Juridical Review* 22-41
- Gillian Black, “Crossing the threshold: Judicial clarity on Permanence Orders and the Adoption and Children (Scotland) Act 2007”, (2017) *Juridical Review* 169-178
- Gillian Black and Leslie Stevens, “Enhancing Data Protection and Data Processing in the Public Sector: The Critical Role of Proportionality and the Public Interest” (2013) 10 *SCRIPTed* 93-122
- Gillian Black, Daniel Carr, “Cohabitants’ rights in conflict: The Family Law (Scotland) Act 2006 vs unjustified enrichment in *Courtney’s Executors v Campbell*”, (2017), *Edinburgh Law Review*, Vol 21, pp 293-300
- Gillian Black “When is a Parent not a Parent?: *CS v KS* and *JS* and the Question of Genetic Parentage or Social Parenting” (2015) *Edinburgh Law Review* 192 263-268
- Gillian Black “Exploiting Image: Making a Case for the Legal Regulation of Publicity Rights in the United Kingdom” (2011) *European Intellectual Property Review* 413-418
- Gillian Black, “Child contact and contempt of court” (2022) *Scots Law Times*, 125
- Gillian Black, “Contact Hearings and Contempt of Court: *SM v CM*”, (2017), *Edinburgh Law Review*, Vol 21, pp 275-281

Education

University education

Sept 2005 – Jan 2009, PhD (part-time), University of Edinburgh, “A Right of Publicity in Scots Law”

1999-2000, Diploma in Legal Practice, Glasgow Graduate School of Law, Prize for Professional Ethics

1995-1999, LLB (Hons), University of Glasgow, First class Honours, Bennett Miller Prize for Private Law

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