



Eilish Lindsay
Year of Call: 2023

Summary of professional experience

Eilish graduated from the University of Edinburgh in 2014 with an LLB (Honours) degree and Diploma in Professional Legal Practice in 2015. She subsequently obtained her Masters in Law (with merit) in 2021. She called to the Bar in 2023 after a number of years working in private practice. Prior to calling, Eilish worked at a large litigation firm dealing with a wide array of matters, including personal injury litigation and regularly conducting Fatal Accident Inquiries, public inquiries, and regulatory work.

Since calling to the Bar, Eilish has gained experience of conducting trials in both the Sheriff and High Court. She has been instructed on behalf of the defence in a range of matters, including murder; attempted murder; offences in contravention of terrorism legislation; rape and serious sexual assaults; assaults with weapons to severe injury and danger of life; offences in contravention of the Domestic Abuse (Scotland) Act 2018; offences under the Misuse of Drugs Act 1971; and offences in contravention of Children and Young Persons (Scotland) Act 1937. She also regularly appears in the Criminal Appeal Court.

Alongside a criminal practice, Eilish has experience of a wide array of personal injury matters. She regularly appears in the All Scotland Personal Injury Court and Court of Session. She appears on behalf of the pursuer and defender. She also has significant experience in dealing with claims arising from historic physical and sexual abuse within institutions.

Eilish is a tutor at the University of Edinburgh on the Diploma in Professional Legal Practice, teaching Civil Court Practice. She is also a contributor to the Lexis Nexis briefings on the law of evidence and corporate crime.

Areas of Practice

Criminal Trials	Road Traffic Violations
Post conviction proceedings	Professional Liability & Regulation
FAI and Public Inquiries	Professional Disciplinary Proceedings
Health & Safety	Personal Injury

Selected Cases

Fatal Accident Inquiry into the death of Ciaran James Williamson [2018] FAI 3 (as solicitor) - Acting on behalf of one of the parents of the deceased, a young child, who died in a cemetery under the operation and control of Glasgow City Council in a lengthy Fatal Accident Inquiry. The resulting determination made recommendations to the Scottish Government, and industry bodies, to implement guidance on memorial safety in cemeteries for use by local authorities throughout Scotland to improve safety.

[Fatal Accident Inquiry into the death of Mark Patrick Hutton \[2020\] FAI 1 \(as solicitor\)](#) – Acting on behalf of a Police Custody and Security Officer where it was suggested that he had failed in his professional duties towards the deceased. The client successfully avoided any criticism in the determination issued by Sheriff Carmichael.

HMA v GS (2022) – Conducted an 8 day trial on behalf of an accused in respect of charges relating to domestic abuse and assaults on a former partner, resulting in the accused being acquitted by the jury.

HMA v KM (2023) – Conducting debate on behalf of the accused in respect of the admissibility of medical evidence relating to an incriminee regarding a case arising from the assault of a young baby. Thereafter conducting the trial on behalf of the accused where he was acquitted by the jury of an offence under Section 12, Children and Young Persons (Scotland) Act 1937.

HMA v WW (2024) – Conducting a trial on behalf of an accused in respect of charges relating to the sexual assault of a young child. The accused was acquitted by the jury after a 5 day trial.

HMA v AE (2024) – Appeared as Junior, with Leader, at trial on behalf of an accused charged with various offences under the Terrorism Act 2000; Firearms Act 1968 and Air Weapons and Licensing (Scotland) Act 2015.

[David Moffat v HMA \[2024\] HCJAC 24](#) – Appearing at an appeal against sentence on behalf of the appellant. The appeal related to the application of notification requirements in terms of Section 80 and 82 of the Sexual Offences Act 2003, and sentences which are imposed in *cumulo*. The sentencing sheriff accepted she had erred in imposing a single *cumulo* sentence and ought to have imposed individual sentences in respect of sexual offending. The appeal was allowed, resulting in the appellants sentence being quashed, and substituted with application of the correct approach.

HMA v SB (2025) – Successfully negotiated a plea with the Crown in a case of various offences under the Misuse of Drugs Act 1971, wilful fire raising and danger of life. A plea was accepted in relation to the wilful fire raising only, resulting in a significantly shorter sentence being imposed.

Appointments and memberships

Member of the Faculty of Advocates Criminal Bar Association – 2022 to Present

Ad Hoc Advocate Depute (Sentence Appeals) – 2023 to Present

Testimonials

“[Eilish’s] professionalism and experience was invaluable in dealing with my case.”

“I have been impressed by her thorough preparation, careful summaries and ability to retrieve information quickly and pleasant approach to cases and consultations.”

“Her grasp of the facts and the applicable law was excellent. I was able to rely on her intricate knowledge of the brief and her assiduous preparation.”

“Working with Eilish was a very positive experience. She is approachable, knowledgeable and thorough in every aspect of her work.”