



# NEAIR MAQBOL

CALL 2004

0151 242 0707

Clerks@7HS.co.uk

www.7hs.co.uk

Nationwide

## AREAS OF EXPERTISE

### Civil

Neair is a specialist in the areas of Regulatory/Professional Discipline with an emphasis on Healthcare Regulation, Personal Injury, Clinical Negligence and Coroners' Inquests. She accepts instructions in Courts and Tribunals nationally. She has a busy paperwork practice and is happy to provide advice or pleadings on an urgent basis. Neair offers training and seminars to solicitors in all areas of her practice.

## PROFILE OVERVIEW

### Education and Qualifications:

- Law LLB (Hons)
- BVC

### Memberships:

- Association of Regulatory & Disciplinary Lawyers
- PIBA
- Middle Temple

Neair has had exposure to a wealth of regulatory work. She accepts instructions in all areas of healthcare regulation and has considerable experience of representing nurses in proceedings brought by The Nursing and Midwifery Council. She is an experienced trial advocate who gives robust advice, while also having a particular skill in dealing with vulnerable or nervous clients. She has built up extensive experience encompassing lengthy and high profile cases and includes appellate experience.

While she has a particular interest in the area of dishonesty, she has significant experience of acting in a wide range of matters. Her instructions regularly involve cases of the utmost complexity, including those relating to health and misconduct, clinical incompetence, fraud, neglect, suggested sexual impropriety and registration appeals.

## NOTABLE CASES

### ENMC v NS & Others:

Defended a ward manager who faced charges relating to the death of an in-patient on a mental health ward. Following a successful application to exclude the expert's evidence and upon hearing witness evidence, all 12 charges were dismissed at the close of the NMC's case, following a finding of no case to answer.

### NMC v JA:

Acted on behalf of the Registrant in a two-week hearing in relation to breaches of policy on a mental health ward. Further concerns raised related to inappropriate use of seclusion in circumstances where it was not clinically necessary to do so. Finding of No Impairment.



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## NOTABLE CASES

### **Professional Standards Authority for Health and Social Care v Nursing and Midwifery Counsel (1) and Joe Apeaning (2) [2017] EWHC 3573 (Admin):**

Acted on behalf of the second respondent in an appeal brought by the PSA on the basis a finding of no impairment by the lower tribunal was not sufficient to maintain proper professional standards and conduct for members of the profession. The case received coverage in The Post.

### **NMC v JB**

Allegations of theft of controlled drugs. Successfully applied to transfer the matter from the Conduct and Competence Committee to the Health Committee despite objections on behalf of the Council.

### **NMC v GC:**

Issues of clinical incompetence were considered. A finding of no impairment was reached.

### **NMC v AN:**

Fraudulent entry on the register case, arising as a result of a failure to disclose a number of convictions.

### **NMC v JR & Others:**

Five-week hearing arising as a result of a referral from the Coroner following the death of a mental health patient. Persuaded the panel to impose a short caution order, as opposed to the suspension order advanced by the NMC.

### **NMC v AW:**

Persuaded the panel to impose a short suspension order rather than an order for strike off, as suggested by the NMC, in respect of a registrant who had a conviction for stalking, was subject to a suspended sentence order and had also received an indefinite straining order.

## INQUESTS

Neair has an extensive inquest practice, acting for interested persons and for the family. She has acted in lengthy Article 2 inquests, and is well versed in dealing with complex matters as a result of her significant healthcare practice.

### **In the Matter of BH (Liverpool Coroner's Court)**

Article 2 Inquest relating to a death in custody on behalf of the healthcare provider.

### **In the Matter of KH (Manchester Coroner's Court)**

Acted on behalf of the family following a death in hospital, where issues were raised about the standard of care delivered by clinicians.

### **In the Matter of TT (Stockport Coroner's Court)**

Acted on behalf of the care home following the death of resident of sepsis.



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## INQUESTS

### **In the Matter of JK (Newcastle Coroner's Court)**

Acted on behalf of the care home following the death of a resident after suffering a fall whilst unsupervised.

### **In the Matter of CT (Preston Coroner's Court)**

Article 2 inquest. Acted on behalf of an individual nurse following a death in custody of a prisoner with significant mental health issues who had engaged in previous acts of self harm.

### **In the Matter of NL (Wakefield Coroner's Court)**

Article 2 inquest. Acted on behalf of an individual nurse following a death in custody where a prisoner was found deceased in her cell. Questions arose about the administration of various drugs and their interactions with one another.

### **In the Matter of SH (Hull Coroner's Court)**

Acted on behalf of a nurse following the death of a decorated serving police officer, with a history of interaction with mental health services, who was found hanged at her home address following various mental health assessments in the community. The case was reported in the Daily Mail.

### **In the Matter of JH (Doncaster Coroner's Court)**

Acting on behalf of a nurse in a forthcoming Article 2 inquest relating to a death in custody.

### **Care Quality Commission**

As a result of her significant coronial and healthcare practice, particularly in the area of deaths within a care home setting, Neair can advise on appropriate responses to CQC referrals.

## PERSONAL INJURY

**Neair undertakes all aspects of Personal Injury Litigation for both Claimant and Defendant, including;**

- RTAs (Low Velocity Collisions and Credit Hire)
- Employers' Liability and Public Liability
- Civil Fraud
- Interlocutory Hearings
- Costs Case Management Hearings

**Neair has also prosecuted, defended or advised in the following;**

- Section 33 of the Environmental Protection Act 1990
- Noise Abatement
- Council Tax Fraud
- Section 72 of the Housing Act 2004 for operating an unlicensed house in multiple occupation



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## PERSONAL INJURY

- Suspension/revocation of licences issued by the Security Industry Authority
- Appeals against the refusal/revocation of a Hackney Carriage Licence
- Environmental Health/Food Safety
- Unlicensed Street Trading

## RECOMMENDATIONS:

**Ranked: Tier 2 (Legal 500 2024)**

**Chambers and Partners 2024**

**Professional Discipline – The Regions Bar Band 2**

Neair Maqboul regularly defends professionals particularly in the healthcare sector, where she acts for doctors and nurses. She has further strength in defending solicitors facing SRA investigations.

“Neair is well prepared and has an excellent relationship with her clients. Her advocacy is passionate and effective.”

“Very knowledgeable in regulatory practice and provides pragmatic advice to ensure the best outcomes.”

**Ranked: Tier 2 (Legal 500 2023)**

‘Neair is very knowledgeable in the processes, can convey difficult information in a clear and professional manner and is able to carefully probe a client’s response to elicit information required to best represent them. Despite being busy, she is organised and well prepared, even with short notice. She advocates strongly for the client and achieves good outcomes.’

**Ranked: Tier 2 (Legal 500 2022) (Leading Junior Professional Disciplinary Law)**

‘A specialist in healthcare sector disciplinary work.’

**Ranked: Tier 2**

(Legal 500 2021) (Leading Junior Professional Disciplinary Law)