

NEAIR MAQBOUL

CALL 2004



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 Nationwide

AREAS OF EXPERTISE

- Neair has experience in a range of disciplinary settings, including but not limited to the Medical Practitioners Tribunal Service, the Nursing and Midwifery Council, the General Dental Council, the Solicitors Disciplinary Tribunal and the Royal College of Veterinary Surgeons.
- Her instructions involve cases relating to health and misconduct, clinical incompetence, fraud, neglect, sexual impropriety and appellate experience.

PROFILE OVERVIEW

Education and Qualifications:

- Law LLB (Hons)
- BVC

Memberships:

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

- Neair is consistently ranked in the directories as a leading junior in Professional Discipline. She has a busy practice, principally representing regulated professionals, with a particular focus on the healthcare sector. She is often instructed in paper heavy cases of the utmost complexity.
- Neair has a busy coronial practice representing medical professionals, healthcare providers and other interested persons. She is versed in tackling cases involving difficult medical issues, which often span her practice areas.
- Neair undertakes work in all areas of personal injury litigation.

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.

NOTABLE CASES

Budzichowska v Nursing and Midwifery Council [2024] EWHC 2835 (Admin)

Professional Standards Authority for Health and Social Care v Nursing and Midwifery Council (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.

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.

INQUESTS

Neair has an extensive inquest practice. She has acted in lengthy Article 2 inquests on behalf of care homes, medical professionals and families in the following circumstances:

- Acting for a healthcare provider in a jury inquest after an imprisoned person died by suicide;
- Representing a medical professional who discharged a patient detained under the Mental Health Act shortly before they were found deceased within close proximity to the hospital;
- Acting for a care home following the fall and subsequent death of a resident;
- Acting for the family following the death of their relative post- surgery and pre discharge from hospital.

PERSONAL INJURY

Neair undertakes all aspects of personal injury litigation for both Claimant and Defendant, including:

- RTAs (LVI and credit hire);
- EL and PL claims;
- Civil fraud;
- Interlocutory hearings;
- CCMC's.

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)

DIRECTORIES

Ranked Tier 1 (Legal 500 2026) (Leading Junior: Professional Disciplinary Law)

'She is fastidious in her attention to detail, having worked on a number of complex, paper heavy cases. Clients adore her and she has achieved very impressive results'.