

Leigh Linton

Partner



Areas of Law: Healthcare, Regulatory/Professional Discipline

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Background

Leigh Linton attained her LLB Honours from Queen's University, Belfast in 1997 and qualified as a Solicitor in 1999. Leigh joined the Healthcare Team at Carson McDowell in 1999 and now specialises in Regulatory and Professional Discipline cases.

Leigh is a Member of the Association of Regulatory and Disciplinary Lawyers (ARDL).

Chambers and Partners 2016 states that Leigh is known for "*absolutely terrific knowledge of the legal aspects of medicine*" and her "*attention to detail which is second to none.*"

Experience

Leigh's breadth of experience includes:

General Medical Council

- Representing a clinician who had an inappropriate relationship with a patient and successfully resisting the erasure of the clinician from the Register.
- Representing a client at the General Medical Council in relation to allegations of inappropriate relationships with patients and successfully making a part-time submission that the case should be discontinued.
- Was part of the Team that successfully appealed a Determination of the Fitness of Practise to Panel to the High Court in Belfast, resulting in a finding of impaired fitness to practise and sanction being overturned.
- Assisting a general practitioner in successfully resisting the removal of his licence to practise.
- Regularly representing clients at all stages of the General Medical Council process, including at Interims Orders Tribunals and in fitness to practise panel hearings before Medical Practitioners Tribunals in relation to misconduct, health and performance cases.

General Dental Council

- Representing a practitioner at a long-running Professional Conduct Committee hearing, involving multiple complainants.
- Successfully appealing a determination of the Professional Conduct Committee to strike off a dental practitioner.
- Regularly representing practitioners at all stages of General Dental Council cases, including Interim Orders Committee and Practice Committee Hearings.

Pharmaceutical Society of Northern Ireland/Department of Health Investigation

- Advising clients at PACE Interviews by the Medicines Regulatory Group of the Department of Health, Social Services and Public Safety, resulting in many cases being disposed of with no prosecution.
- Successfully defending pharmacists in hearings before the Statutory Committee of the Pharmaceutical Society of Northern Ireland.
- Regularly drafting Submissions for consideration by the Scrutiny Committee.

Nursing and Midwifery Council

- Representing a nurse at a fitness to practise hearing and securing the discontinuance of the case following a part time submission.
- Securing the discontinuance of an NMC investigation with no further action at an early stage.

Public Inquiries

- Assisting a clinician with submissions to the Inquiry into the Outbreak of Clostridium Difficile Outbreak in Northern Trust hospitals.
- Representing a client in relation to the Dental Hospital Inquiry.
- Representing several clinicians at the Inquiry into Hyponatraemia Related Deaths.

Regulation and Quality Improvement Authority

- Advising clients in relation to enforcement action taken by the Regulation and Quality Improvement Authority.
- Representing a client in respect of an investigation being conducted by the Regulation and Quality Improvement Authority.

Disciplinary Procedures

- Advising clients on all aspects of Health & Social Care Trust Disciplinary procedures. This includes providing advice on the application of the Maintaining High Professional Standards in the Modern HPSS Framework, assisting clients in preparing for

investigatory meetings, drafting submissions in relation to investigation reports, preparing for disciplinary hearings, drafting grounds of appeal and preparation for appeal hearings.

- Representing a client in relation to injunctive proceedings against a Health & Social Care Trust in relation to disciplinary procedures.
- Regularly advising clients in relation to regulatory investigations by the Health & Social Care Board, including investigations relating to the Primary Medical Services' Performers List (and contingent removal) and proceedings before the Regional Professional Panel ('the RPP'). This includes making submissions to the RPP on behalf of clients and advising on all aspects of the RPP's procedures and potential outcomes.
- Representing a client in connection with proceedings before the Dental Discipline Committee of the Health & Social Care Board, with the ultimate outcome that no punitive measures were taken against the client. This involved making submissions both on points of law and fact on behalf of the involved client.

Probity Investigations

- Assisting practitioners in relation to investigations by the Counter Fraud and Probity Services of the Business Services Organisation.
- Advising on the application of aspects of the GMS and GDS contracts.

Complaints/Commissioner for Complaints Investigations

- Assisting clinicians with responses to complaints at local resolution level and in matters in which Health & Social Care Board Officers are acting as 'honest brokers'.
- Regularly assisting and making submissions on behalf of clients subject to investigation by the Commissioner for Complaints for Northern Ireland. This involves advising on the procedures adopted by the Commissioner for Complaints and drafting submissions on both factual and procedural issues.

Other

- Advising clients on various aspects of the Data Protection Act 1998 and Freedom of Information Act 2000.
- Assisting clinicians involved in inquests.