



Olivia Carroll

Assistant Solicitor



Areas of Law: Healthcare, Health & Safety

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Background

Olivia obtained a degree in Law and Criminology (LLB Honours) from Cardiff University in 2006. In 2007, Olivia completed the Legal Practice Course at Cardiff University, before commencing a training contract in July 2008 with William Graham Law Ltd.

Upon qualification in 2010, Olivia remained with William Graham Law Ltd, acting on a range of cases within the employment, crime and regulatory teams. Olivia largely acted on the instructions of a major legal expenses insurer and predominantly ran criminal and regulatory cases. Her professional discipline work included defending healthcare professionals before various regulatory bodies, including the General Optical Council, the Health & Care Professions Council and the General Osteopathic Council. Olivia also defended companies and individuals against prosecutions by the Environment Agency, the Health and Safety Executive, Local Authorities and the Police. Olivia gained experience in appealing statutory notices, issued by Local Authorities and Ofsted, on behalf of individuals and companies.

At the beginning of 2013, Olivia took up a position in the in-house legal team of a medical defence organisation in London. Olivia specialised in representing doctors facing a range of complaints/allegations before the General Medical Council, at Inquests, before their employers and in the criminal and civil courts.

Olivia returned to Northern Ireland in October 2014 to take up a position as an Assistant Solicitor, within the Healthcare Team, at Carson McDowell. Olivia acts on the instructions of medical defence organisations and insurers, in relation to regulatory matters involving doctors, dentists and pharmacists. Olivia also assists with a range of health and safety matters.

Experience

General Medical Council

- Regularly advises and represents doctors, who have been referred to the General Medical Council for allegations of misconduct, health and performance.
- Assisting doctors with the GMC investigation process and with preparation for hearings before the Interim Orders and Medical Practitioners Tribunals.
- Researching medical law issues, such as revalidation requirements and the requirement for doctors to report criminal and regulatory proceedings to the GMC.

General Dental Council

- Advises and represents dentists, who are referred to the General Dental Council, both in Interim Order Committee Hearings and Practice Committee Hearings, for allegations of misconduct, health and performance.

Pharmaceutical Society of Northern Ireland

- Drafting submissions for consideration by the Scrutiny Committee.
- Assisting with the preparation for defending pharmacists at hearings before the Statutory Committee of the Pharmaceutical Society of Northern Ireland.

Disciplinary

- Assists doctors with internal investigations and disciplinary hearings brought by Hospital Trusts and with various investigations by the Health and Social Care Board. This includes providing advice on the application of Maintaining High Professional Standards in the Modern HPSS.

Other Regulators

- Assisted and represented optical professionals, podiatrists and osteopaths, facing allegations of misconduct, performance and health, before Interim Order and Fitness to Practise hearings of their regulator.
- Represented childcare providers and registered providers of nursing homes appealing suspension and cancellation notices.
- Represented councillors, facing allegations of a breach of the code of conduct before the Standards Committee (in England and Wales) and before the Adjudication Panel for Wales, including a successful judicial review of a decision reached by the Adjudication Panel for Wales.

Health and Safety Law

- Acts for individuals and companies on a wide range of health and safety investigations in the construction, commercial and retail industries.
- Advised and represented individuals and companies attending interviews with the Health and Safety Executive, or a Local Authority, in relation to accidents in the workplace.
- Represents companies and individuals facing prosecutions for alleged breaches of health and safety legislation, including asbestos regulations and work at height regulations.
- Provides corporate support on due diligence projects and compilation of key issues reports for health and safety matters.
- Provides compliance advice on duties imposed by health and safety legislation, including policy reviews and legal audits.

Environmental Law

- Acted for companies in investigations and prosecutions by the Environment Agency in relation to waste and pollution offences.

- Advised individuals and companies in relation to noise issues, following the service of an abatement notice.

Inquests

- Advised and assisted doctors with the preparation of statements and reports for the coroner and with preparation for attendance at an Inquest.

Civil Claims

- Defended doctors facing allegations of clinical negligence before the civil courts, including appearing before the court at preliminary hearings.
- Advised doctors on defending and settling claims, which consisted of a range of allegations including; inappropriate or substandard operations, failure to refer, inadequate consenting processes and failure to provide adequate treatment.

Criminal

- Assisted in the successful defence of a doctor, who faced an allegation of sexual assault, before the criminal courts.
- Acted on behalf of a reputable company charged with breaches of asbestos regulations. The company was sentenced on a restricted and favourable basis and the Health and Safety Executive's costs were significantly reduced.
- Represented a company charged with breaches of work at height regulations, where serious injuries were caused to an employee, following a fall through a fragile roof. Following submissions in mitigation, a relatively low financial penalty was imposed.
- Represented an individual and a company, facing a prosecution for breaches of environmental legislation, due to the pollution of a river. All charges dropped against the individual defendant and a successful appeal of the sentence for the corporate defendant.