

Nicola Carroll

Year of Call: **2016 (Solicitor: 2004)**



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Nicola is an established criminal practitioner with almost 20 years experience working within the Criminal Justice System. She is an extremely capable advocate with excellent client care.

Prior to joining the Independent Bar Nicola spent 14 years as a Prosecutor at the Crown Prosecution Service in the North West where she litigated the most serious and complex cases including Murder, Death by Dangerous Driving, Rape and Serious Sexual Offences, high value Frauds, and lengthy and voluminous Drug conspiracies and operations.

Prior to joining the CPS in 2004 Nicola worked in a paralegal role on the Shipman Inquiry and the well publicised and now controversial MMR group litigation claims. Nicola has vast experience in handling sensitive and multifaceted data streams.

She is instructed by both the Prosecution and the Defence in a vast range of serious cases.

She is appointed as a Level 3 Prosecutor on the Crown Prosecution Service Advocate Panel and has been appointed to the CPS Rape and Serious Sexual Abuse List.

Disclosure

In January 2018 Nicola assisted the Crown Prosecution Service during a period of Peer Review of all Rape cases charged in the North West region. This project was urgent and incredibly vital following the joint review of the disclosure process in the case of R v Allan and other collapsed rape cases nationally. Nicola thoroughly peer reviewed a vast number of RASSO cases and provided advice in respect of disclosure generally and whether, where there were failures to properly comply with statutory duties, those failings had any impact on the success or otherwise of those cases at court.

Nicola understands first-hand the pressures faced by the Prosecution when dealing with disclosure and is always happy to advise on all matters pertaining to the Criminal Procedure and Investigations Act 1996.

Having that first-hand knowledge of course places her in a robust position when considering disclosure from the Defence perspective. Nicola regularly advises her Instructing Solicitors on how best to streamline their disclosure requests and on what might be considered to be a reasonable line of enquiry.

Nicola has in the past achieved terminating rulings in the Crown Court following legal arguments on abuse. Her in-depth knowledge of the disclosure processes and policies at the CPS have undoubtedly helped her achieve those results.

Family Law

In 2020 Nicola also started to accept instructions in Family Law cases and she has spent time shadowing experienced family practitioners both in Court and in a Solicitors practice. She has conducted a number of hearings in her own right including a 2 day finding of fact hearing. She has acted both for parents and local authorities in child care proceedings and has acted for a number of clients in private law proceedings.

Education

Staffordshire University - LLB (Hons)
Former Solicitor - Admitted 2004
Solicitor Advocate - 2009
Called to the Bar - 2016 (Inner Temple)

Professional Memberships

Crown Prosecution Service Advocate Panel (Level 3)
Crown Prosecution Service Rape and Serious Sexual Offences Panel Advocate

Notable Cases

Nicola has acted as sole counsel in all of her notable cases unless otherwise stated.

Drugs/OCG cases

Nicola has acted as sole counsel on a number of complex and voluminous cases and is adept in understanding the evidential strands of Drugs Conspiracies and OCG cases including cell-site, ANPR, telemetry data, telephone traffic and more and has skilfully dealt with expert witnesses in such cases.

Operation Arctic. R v O and others. Conspiracy to supply Class A. Defending. 2023

Trial pending. Multi-handed conspiracy to supply Class A drugs in Salford.

Operation Mitcham. R v C and others. Kidnap, False Imp, Blackmail. Defending. 2022

Trial. Multi-handed OCG "turf war" where the victim was kidnapped and tortured in a "drugs house". Trial ran for 8 weeks. Issues included voire dire hearsay arguments, PII, cell site and telephone data.

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/twisted-torturers-poured-boiling-water-24745059>

Operation Comanche. R v A and others. Undercover drugs operation. Defending. 2022.

Trial. Represented 2 separate defendants in an undercover drugs operation. Issues involved flawed ID by an undercover officer and anonymity arguments.

Operation Horizon. R v M and others. County-lines drug trafficking. Defending. 2020.

Trial. Drug-trafficking trial involving 33 defendants. "Operation Horizon" was prompted as a result of a nationwide county-lines drug dealing organising which had led to the deaths of 14 people in the Barrow area. Issues involved cell-site, digital data and ANPR.

<https://www.nwemail.co.uk/news/19023388.operation-horizon-34-criminals-brought-justice-major-police-sting/>

Operation Stark. Prosecuting. July 2020

Listed for trial twice due to covid-19 pandemic. In between those dates further offences came to light which prompted a guilty plea. Digital evidence was voluminous and required several days to review.

R v F. Prosecuting. Drug Smuggling. NCA case. Prosecuting

Trial. Defendant attempted to smuggle over 120g of cocaine into Abu Dhabi where it would have held a street value of over £24,000. Jury sworn and case opened. Overnight, Nicola assisted the NCA in creating a sequence of events of the most incriminating phone messages. Thousands of pages of data to consider. Once served, the D was re-arraigned on day 2 of the trial and pleaded guilty.

R v A. Supply of importation quality cocaine and firearms. Prosecuting.

Trial of issue. The Defendant pleaded guilty to possessing 3kilos of importation quality cocaine, with intent to supply it. He also pleaded guilty to possession of a prohibited weapon, namely a stun gun. He denied that he was significantly involved in the operation and claimed to be a warehouseman. After an effective trial of issue, the Judge ruled against him and sentenced him as per the Crown's case. Case preparation involved analysing several thousand pages of phone data which revealed that in fact he was not working alone. His co-conspirators were subsequently arrested and prosecuted for conspiracy to supply drugs, and for possessing firearms. Cumulatively the gang were sentenced to more than 40 years in custody.

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/chorlton-crime-gang-found-assassins-14301389>

Serious Violence

R v A and others. Conspiracy to Rob. Defending 2023

Trial pending. Multi-handed prosecution relating to personal robberies in Manchester City Centre.

R v C. Controlling/Coercive behaviour and assault. Defending. September 2023

Terminating ruling following successful legal argument on abuse of process.

<https://www.18sjs.com/nicola-carroll-secures-stay-in-proceedings/#:~:text=Nicola%20Carroll%20successfully%20argues%20that,between%20April%20and%20September%202020>.

R v F. S18 Wounding. Defending. September 2023.

Stabbing of a stranger in Piccadilly Gardens. Listed for trial. Defendant had pleaded guilty to S20 at PTPH. Crown ultimately offered no evidence on the S18 after 2 trial dates had passed due to lack of court time. Defendant ultimately received a community order to reflect the time he had spent on a qualifying curfew.

R v R and others. Multi-handed Armed Robbery. Prosecuting. April 2023.

Plea after 1st trial date. Organised armed robbery – victim lured to scene then ambushed. All 3 Defendants pleaded not guilty but changed their plea after the digital forensic analysis of the seized devices.

R v H. Serious Assault (S20). Prosecuting. February 2023

Trial. Single count "one-punch" GBH on a football pitch resulting in a broken jaw with life-changing injuries. Defendant convicted. Legal argument on the admissibility of the victims good character.

Operation Valiant. R v M & others. Multi-handed Armed Robberies. Prosecuting. March 2023.

Plea before trial. Multi handed armed robberies of students in Manchester. 10 count indictment.

R v D. S18 wounding. Defending. January 2023.

Trial. Defendant accused of shooting a taxi driver in the head three times. Acquitted of S18.

R v B. Aggravated burglary/Robbery/Affray. Prosecuting. January 2023.

Plea at Trial. Defendant attended an address known to him in possession of a meat cleaver. Serious injury avoided by the intervention of others.

R v B. Serious Assault (S20). Prosecuting. November 2020.

Trial. Single count "one-punch" GBH on a Rugby Pitch resulting in a broken jaw with life-changing injuries. Legal argument on the admissibility of some of the evidence.

R v J. Serious Assault (S18). Prosecuting. October 2020.

Listed for voire dire and trial. Prolonged and extremely dangerous machete attack resulting in over 50 wounds. Victim died within 4 weeks of the attack. Issues included consideration of murder charge, admissibility of deceased's account. 2 day successful voire dire resulting in a guilty plea to the indictment.

R v H. Murder. Prosecuting. 2017

Plea before trial. Led junior. The defendant had subjected the deceased to a brutal and sustained attack by kicking, punching and stamping on his head. The deceased suffered numerous facial fractures and several kinds of brain injury, all typical of damage caused by repeated heavy blows.

R v M. Murder. Prosecuting. 2017

Trial. Led Junior. The Defendant was an ex-soldier who stabbed his girlfriend numerous times in a frenzied attack. Issues included liaising with the British Embassy in Harare in order to arrange a live link for one of the witnesses. Defendant Convicted. Nicola had sole conduct of the case when the verdict was returned and outlined the sentencing submissions for the Crown, including dealing with case law and the issue as to whether the knife had been brought to the scene. The defendant was sentenced to 25 years.

Rape and Serious Sexual Offences

R v B. Rape. Prosecuting. 2023

Trial pending. Stranger attack. Intoxicated and vulnerable lone female preyed upon by D in Barrow town

centre.

R v S. Sexual Assault by penetration. Prosecuting. 2023.

Trial pending. Stranger attack. Intoxicated and vulnerable lone female preyed upon by D in Manchester City Centre.

R v F. Rape and Strangulation. Defending. September 2023

Trial. Defendant acquitted after the prosecution offered no evidence on both offences following the cross-examination of the Complainant.

R v B. Historic sexual assaults/Buggery. Defending. August 2023.

Trial. Defendant acquitted of offences alleged to have been committed 30 years ago against his cousin when they were both children.

R v G. Rape of child under 13/multiple child sex offences. Prosecuting. January 2023

Prosecution of a prolific paedophile. Voluminous and graphic digital forensic analysis.

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/paedophile-84-finally-faces-justice-26797355>

R v B. Kidnap, sexual assault, robbery. Prosecuting. November 2022

Trial. Stranger attack. Intoxicated and vulnerable lone female preyed upon by D in Lancaster City Centre. Defendant convicted.

<https://www.manchestereveningnews.co.uk/news/uk-news/dangerous-man-kidnapped-woman-said-26311094>

R v H+W. Child sexual exploitation. Prosecuting. February 2022.

Trial. Both Defendants convicted of the child sexual exploitation of a vulnerable 13 year old girl.

<https://www.gmp.police.uk/news/greater-manchester/news/news/2022/may/pair-jailed-for-sexually-exploiting-teenage-girl-in-tameside/>

R v M. Rape. Defending. November 2022.

Trial. Defendant acquitted of the rape of a female he had met on a night out in Oldham.

<https://www.manchestereveningnews.co.uk/news/greater-manchester-news/man-charged-rape-following-alleged-24023439>

R v J. Child Cruelty/Indecent Assault. Defending. Listed for 5 weeks, Jan 2021.

Trial. Multiple count indictment. 11 complainants. Historic offences of child cruelty and indecent assaults spanning a 30 year period. Oldest allegation over 50 years ago. Issues include legal arguments on admissibility of some of the evidence, and vast disclosure review. 22 prosecution witnesses to give live evidence. Defendant acquitted of all counts.

Fraud/Other

R v A and others. Conspiracy to de-fraud. Defending. 2023.

Trial pending. Multi-handed "parcel fraud" conspiracy. Acting for a vulnerable female Defendant.

Operation Pelham. R v A and others. ICO prosecution. Defending. 2023

Trial pending. Multi-handed computer misuse case involving the use of unlawfully obtained data. Paper bundle over 2,000 pages. Acting for a man of good character.

R v M. £50,000 income tax fraud. Prosecuting. 2021

Plea before trial. 5 years of fraudulent tax returns. Paper heavy case requiring cross-referencing of all the various streams of evidence/data.

R v B. Fraud. Prosecuting. 2018

Trial. 10,000 page VAT fraud involving a female defendant who had a history of being a vexatious litigant. Instructed the day before trial. Defendant convicted.

Notable youth cases

R v C and K. Possession IIOC. Defending 2021.

Terminating ruling following successful legal argument on abuse of process where the "unconscionable" delay in prosecuting these youths was found to have *"undermined the foundation stones of the youth justice system"*

R v A. Rape. Defending. 2019

Trial. Representing a 16 year old boy with both language and communication issues. He was assisted by an intermediary for the trial. Very sensitive stranger rape case involving frame by frame CCTV analysis from a number of city centre venues.

R v A. Rape. Defending. Youth Court

Trial. A 15 year old boy for trial had been charged with the rape of a 14 year old girl, arising out of what he argued was teenage sexual exploration. Issue was consent. The case involved sensitive and careful cross examination of a number of teenage witnesses and examination of phone evidence, some of which was not disclosed until day two of the trial. Defendant acquitted.

R v C. Rape. Prosecuting. Youth Court

Trial. Issue was consent. The Defendant, a 15 year old virgin, claimed that he reasonably believed that the Complainant was consenting. S41 application made and successfully opposed. Defendant convicted.

R v W Prosecuting. Rape. Youth Court

Trial. The Complainant was an adult relative of the youth Defendant. She was asleep at the time the offence was committed. Defendant convicted.

R v C Prosecuting. Biological weapons. Youth Court

Nicola was instructed by the CPS Complex Casework Unit in relation to a case being prosecuted under the Biological Weapons Act 1974. The defendant was a youth and had attempted to purchase abrin from the dark web. This was the 2nd only prosecution of its type in the UK. The case came down to legal arguments on the definition of the term “peaceful purpose”. Nicola successfully argued that the defendant did not have a defence of peaceful purpose pursuant to the Biological Weapons Act 1974. Guilty plea following successful legal argument.