



Olivia McGonigle

Year of Call: 2021

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Education

Olivia McGonigle regularly acts on behalf of children and young people, parents and carers, and local authorities. She has undertaken a variety of cases in both the First-tier Tribunal (Special Educational Needs and Disability) and the Magistrates' Court. She frequently deals with appeals relating to the contents of Education, Health and Care Plans (EHC Plans), focusing on sections B, F and I and Health and Social Care.

Examples include:

- Appealing a Local Authority's decision to cease to maintain an EHC Plan for a young person (24 years old). Amendments to section B and F were made, with the desired changes to section I and social care recommendations.
- Securing a child's placement at an independent school, with amendments to the EHC Plan.
- Negotiating a settlement at the door of court which lead to the Local Authority naming a specialist independent school in section I of the EHC Plan.
- Successful B, F & I appeal, with the Tribunal naming the school despite the Local Authority's opposition.

Olivia is happy to provide training in relation to education law. Recently she provided training on school admissions appeals and school exclusions to local authorities. Olivia was also a speaker at [3PB's Education Conference](#).

Articles

Olivia McGonigle analyses the case of *R (RWU) v The Governing Body of A Academy* [2025] EWCA Civ 147, which provides clarification on the application of Article 4 ECHR for schools and academies when considering the need to protect vulnerable students.

Exploitation should be taken into account when considering permanent exclusion, and educational institutions' policies should reflect that.

[View Article](#)

[Olivia McGonigle](#) looks at the appeal to the Upper Tribunal of *LC and RC v Hampshire County Council* [2023] UKUT 281 (AAC) which concerned, among other things, the test that should be applied when section I of an Educational Health and Care Plan ('EHCP') is in dispute.

[View Article](#)

Recommendations

Olivia “represented the Crown with great skill and fairness.” An “excellent” advocate. **Crown Court Trial Judge**

Olivia has a “very appealing court room manner.” **Crown Court Judge**

“Olivia went above and beyond.” **Solicitor**

“I had the benefit of working with Olivia who I found to be extremely hard-working, diligent, pleasant and someone who was able to help us out at extremely short notice to prepare a very complicated witness statement in response to a fairly complicated judicial review matter. Olivia was able to get to grips with a very urgent court deadline and we were able to meet this deadline with her administrative and client care skills. She was able to take detailed instructions from the litigation friend and put this in a witness statement and not only that, was then able to put together a very detailed court bundle at very short notice.” **Gregg Burrough – Senior Education Solicitor – Coram Children’s Legal Centre**

“Your support gave me great relief. Thank you for fighting so hard.” **Lay client**

Academic qualifications

- Bar Training Course – Distinction (BPP London)
- Graduate Diploma in Law – Distinction (BPP London)
- BA Hons History and Political Science (University of Birmingham)

Scholarships

- Butterfield Scholar (Western Circuit)
- Ann Goddard Scholar (Gray’s Inn)
- Wilfred Watson Scholar (Gray’s Inn)
- Residential Scholar (Gray’s Inn)
- Career Commitment Scholar (BPP)
- Excellence Scholar (BPP)
- BPP Advocacy Scholar (BPP)
- GDL Scholarship (Gray’s Inn)

Professional qualifications & appointments

- Level 1 – CPS Advocate Panel – General Crime

Professional bodies

- Gray’s Inn