



Kirsten Heaven

YEAR OF CALL: 2007, ADMITTED SOLICITOR: 2001



Kirsten is recognised in Chambers and Partners and Legal 500 as a leading junior in Inquests and Public Inquiries, Claims against Public Authorities and Civil Liberties/Human Rights

Kirsten also specialises in public and administrative law and complex civil litigation arising across her practice areas. Kirsten is a member of the Environmental Law and Climate Justice team.

Kirsten is a Fee Paid Judge in the First Tier Tribunal and Assistant Coroner for Swansea and Neath and Port Talbot.

"Kirsten is super clever and thorough: she has an excellent grasp on detail."

CHAMBERS UK, 2024 (INQUESTS & INQUIRIES)

"Formidable with her opponents and excellent with clients. Someone you definitely want on your side."

CHAMBERS UK, 2023 (POLICE LAW)

"She is really committed to improving the law and taking strategic points."

CHAMBERS UK, 2022 (POLICE LAW)

"She is highly intelligent, cuts straight to the core issues and is a formidable and fearless advocate, as well as being a pleasure to work with."

CHAMBERS UK, 2022 (INQUESTS & INQUIRIES)

"Kirsten is able to break down complex factual issues and formulate convincing legal arguments around those facts. Determined and feisty, Kirsten is not one for backing down or giving up."

LEGAL 500, 2022 (CIVIL LIBERTIES & HUMAN RIGHTS)

"She's a fierce cross-examiner who is able to cut through to the key issues and save the waffle."

CHAMBERS UK, 2021 (POLICE LAW)

If you would like to get in touch with Kirsten please contact the clerking team:

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You can also contact Kirsten directly:

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INQUESTS AND INQUIRIES

Kirsten is recognised in Chambers and Partners as a leading barrister in Inquests and Public Inquiries described as *"super clever and thorough: she has an excellent grasp on detail... Formidable with her opponents and excellent with clients. Someone you definitely want on your side."*

Kirsten is currently instructed as leading counsel representing all the non-police, non-state core participants in the Undercover Policing Inquiry. Kirsten represents the Covid 19 Bereaved Families for Justice Cymru in the UK Covid-19 Inquiry and was instructed in the Brooke House Inquiry.

Kirsten has 17-years' experience acting in high profile and complex inquests from the Hillsborough Inquests to the Shoreham Airshow disaster. Kirsten is a specialist in proceedings arising from deaths in custody, from use of force/restraint, police shootings, mental health detained/non-detained, deaths of children in the care of the

state, of foreign nationals, clinical negligence related deaths and controversial and sensitive military deaths and mass disaster fatalities. Kirsten also has extensive experience working on cases involving deaths of women and children in the context of domestic violence and femicide and of children and young people with autism / neurodiversity / an ALN. Kirsten accepts pro bono instructions from bereaved families unable to secure legal aid.

Kirsten frequently advises Coroners and acts as Counsel to the Inquest.

Kirsten advises on public law challenges arising in coronial proceedings and litigates complex civil cases arising post-inquest.

NOTABLE CASES

[Click here for news on recent notable cases.](#)

Undercover Policing Inquiry

Lead counsel for all non-police non state core participants in the Inquiry (2021 – ongoing)

UK Covid-19 Inquiry

Represents Covid-19 Bereaved Families for Justice Cymru

Brooke House Inquiry

Acted for Medical Justice

Inquests (selection)

Hillsborough Inquest

Kirsten was instructed on the Hillsborough inquest by Birnberg Peirce and Partners, as part of a team representing family members of 74 of the 96 victims. Kirsten was led by Patrick Roche on the police planning phase of the inquest and Peter Wilcock QC on the “evidence gathering” phase relating to the alleged cover up.

Inquest into death of Terri Harris and children

Systemic failures in probation service contributed to homicide and the murder of three children

Inquest into death of Zara Allena/Inquest into death of Lisa Skidmore/Inquest into death of Conner Marshall

Inquests into homicide contributed to by multi-agency failure (probation service/police)

Inquest into death of Jackeline Oakes

Domestic violence related murder contributed to by multi-agency failures

Inquest into Shoreham Airshow crash

Instructed on behalf of families bereaved on 22 August 2015, when a Hawker Hunter participating in the Shoreham Air Show crashed onto the A27. The Senior Coroner concluded that the deceased were unlawfully killed. Instructed in the connected High Court proceedings - **HM Senior Coroner for West Sussex v Chief Constable of Sussex Police & Ors** [2022] EWHC 215 (QB)

Inquest into death of Charlie Owen (ongoing)

Self-inflicted death of serving soldier

Inquest into the death of Marine Benjamin McQueen

Sir Ernest Ryder, appointed as Judge Coroner heard the inquest into the death of Marine Benjamin McQueen at the Royal Courts of Justice. The Judge Coroner ruled that Marine McQueen died on 14 November 2018 during arduous military training for operations with an elite unit. Marine McQueen, 26, drowned during a diving training drill at Portland Harbour, Dorset.

Inquest into the death of Alex Tostevin

Self-inflicted death of member of UKSF Special Boat Service

Inquest into the death of Anne-Marie Ellement

Alleged "blue on blue" rape, army bullying in the work place, work-related despair and a relationship breakup contributed to the self-inflicted death of Anne-Marie Ellement, a Royal Military Police (RMP) soldier based at Bulford, on 9 October 2011 leading to coronial prevent future death report on MoD improving policy and training on victims of sexual violence within the military and those at risk of suicide.

Inquest into death of Claire Lilley Inquest

Inadequate communication leading to self-inflicted death of detained mental health patient

Inquests into the death of Dean George and Inquest into the death of Oliver Huxter

Multiple failures contributed to self-inflicted deaths at HMP Swansea

Janet Müller inquest

Failings contributed to death of secure mental health patient

Welsh Ambulance service inquest

Imran Douglas: self-inflicted death of a young person/Harris Review issues

Neglect contributed to death of 19-year-old Nicholas Wheller at HMYOI Aylesbury

HMP Leeds bullying related self-inflicted death could have been prevented

System failure in prison healthcare at HMP Moorland results in death of seriously ill prisoner

Anti-gun campaigner stabbed to death by mentally ill grandson: death could have been prevented

Suicide of Chinese national suspected of overstaying: narrative verdict critical of Metropolitan Police Service

Death of patient detained under Mental Health Act 1983 contributed to by neglect

Death in Oakington immigration detention centre

Positional asphyxia and restraint death at HMP Belmarsh

Clinical negligence related death of cancer patient: critical narrative

Suicide of old person in hospital setting: critical narrative

Death of person detained under Mental Health Act 1983: critical narrative and neglect verdict

Prison suicide: neglect verdict (suicide of vulnerable female prison HMP Foston Hall contributed to by neglect)

Suicide recalled prisoner: critical narrative of Prison, the Probation Service and Mental Health Inreach Team

Inquest into the death of Paul Coker

Police death in Plumstead Police Station London, "excited delirium" related death: critical

narrative

Inquest into death of Nadeen Khan

Police / “excited delirium” restraint death

Inquest into the death of Kurt Howard

Restraint death in psychiatric hospital: Kurt Howard - “excited delirium”

Self-inflicted death of Darfuri asylum seeker in custody contributed to by serious failings

CLAIMS AGAINST THE POLICE AND PUBLIC AUTHORITIES AND COMPLEX CIVIL LITIGATION

Kirsten has extensive experience in acting in complex civil litigation across a range of her practice areas from claims against public authorities on behalf of: children and vulnerable adults, including with mental health and learning difficulties and autism/ALN, victims of domestic violence and femicide, including failure to protect cases involving the police and national probation service. Kirsten also specialises in protester-related civil actions and high value claims arising from unlawful immigration detention.

Kirsten is recognised in Chambers and Partners as a leading junior barrister in Police Law, Claimant (Band 2). Kirsten has expertise in high value civil claims arising out of police contact involving death or serious harm. Kirsten has a particular interest in misfeasance claims against the police after being led by Peter Wilcock KC representing 76 bereaved families in the phase of the Hillsborough Inquest looking at “evidence gathering” by the police during the aftermath of the tragedy – commonly called the cover – up.

Kirsten frequently litigates complex post inquest civil claims.

“Recognised for providing skilful advocacy in civil claims involving deaths in police custody. She is also experienced in sensitive cases including false imprisonment claims, which often have a mental health aspect. “She’s a fierce cross-examiner who is able to cut through to the key issues and save the waffle.” “She is hard-working, dedicated, intelligent and enthusiastic. Instructed in Marcia James v Chief Constable of South Wales, a claim concerning failure to protect and investigate allegations against a man who subsequently raped and assaulted a young girl” -Chambers and Partners 2021

NOTABLE CASES

Past notable cases can be viewed below. [Click here to see a list of recent notable cases.](#)

Andrew Gwynne v Chief Constable of South Wales Police

Seymour Young v. Chief Constable of Warwickshire and Director of Public Prosecutions
[2020] EWHC 308 (QB)

Marcia James v Chief Constable of South Wales Police

Jaqueline Oakes inquest and subsequent civil claim against West Midlands Police

ADMINISTRATIVE AND PUBLIC LAW

Kirsten specialises in human rights and equality law-related judicial review challenges across her practice areas. Kirsten is recognised as a leading junior in Legal 500 under Civil Liberties and Human Rights.

'Excellent with clients. Understands the strengths and weaknesses of a case quickly and has an excellent understanding of the law.' **(Legal 500 2021)**

NOTABLE CASES

HM Senior Coroner for West Sussex v Chief Constable of Sussex Police & Ors [2022] EWHC 215 (QB)

R (on the application of Lisa Vincent & Ors) v Secretary of State for Work & Pensions: R (on the application of JD, a protected party, by his father and litigation friend JM) v Secretary of State for Work & Pensions (2020)

R (on the application of Equality & Human Rights Commission) v SS for Justice & SSHD [2010] EWHC 147 (Admin) - NOMS failure to conduct equality impact assessment

IMMIGRATION: ASYLUM AND HUMAN RIGHTS

Kirsten has experience of advising and representing applicants in the Tribunal and the Administrative Court in a wide range of immigration, asylum and deportation cases involving victims of trafficking, unaccompanied children, spouses and other family members and of advising on appeals to the Court of Appeal.

Kirsten also acts for clients in civil claims for unlawful detention in the Administrative Court and claims

arising from assaults during the course of removal from the UK. She also specialises in inquests into deaths of foreign nationals both detained and non-detained. Kirsten focused on UK asylum law and practice in her LLM. Kirsten is a Fee-Paid Judge in the First – Tier Tribunal (Asylum and Immigration).

ENVIRONMENTAL LAW, CLIMATE JUSTICE AND CONSERVATION

Kirsten is a member of the Garden Court Environmental Law and Climate Justice Group. Kirsten provides *pro bono* legal advice to a leading environmental conservation charity.

PRO BONO WORK

Kirsten undertakes *pro bono* work for the Bar Pro Bono unit, FRU, INQUEST and the College of Law and has helped set up a [school for street children](#) in Guatemala City.

BACKGROUND

Kirsten qualified as a solicitor at Slaughter and May in 2001 having trained in commercial, employment, EU law in London and Brussels and gained significant experience in complex civil litigation.

She has an interest in domestic and international refugee protection and international human rights law. After leaving private practice, Kirsten spent a year running a refugee legal aid practice in Cairo, providing legal representation to refugees, working specifically with former child soldiers from Liberia and Sierra Leone, survivors of the Rwandan Genocide and victims of torture and developing strategic litigation before UCHCR.

In 2003/4 Kirsten was seconded to the OSCE Mission to Serbia and Montenegro rule of law/human rights department working on war crime trials, minority rights, legal reform, the Serbian draft law on asylum, training Serbian lawyers on ECHR litigation.

Kirsten subsequently worked as a government legal adviser for three years in public and administrative law, international law (including public international law), war crimes, extradition law and EU law. This included frequently advising / briefing cabinet ministers, drafting and taking legislation through Parliament and advising on Court of Appeal and House of Lords litigation.

Prior to coming to the bar Kirsten completed an LLM in International Human Rights Law at Essex University with a particular research focus on the extra-territorialisation of asylum procedures in international, European and UK law. Kirsten was awarded the SNELS Human Rights Prize by Anne Owers for the highest distinction.

PUBLICATIONS

'Neglect and multiple failures contributed to death of a 19-year-old in HMYOI Aylesbury', *Inquest Law*, September 2013

'HMP Leeds bullying related self-inflicted death could have been prevented', *Inquest Law*, September 2013

'Heathrow death preventable?', *Institute of Race Relations News*, 28 April 2011

'Darfuri asylum seeker failed by the system', *Institute of Race Relations*, June 2010

'Inadequate inquiry into natural causes death in Oakington immigration detention centre', *Inquest Law*, October 2010

'Death of patient detained under mental health act from postural asphyxia, airway obstruction and acute alcohol intoxication contributed to by neglect', *Inquest Law*, October 2010

'Jury highlight failings by East Midlands ambulance service and Derbyshire constabulary that contributed to the death of a vulnerable male in their custody', *Inquest Law*, October 2010

'Suicide of recalled prisoner in HMP Leeds', *Inquest Law*, June 2010

'Suicide of care leaver', *Inquest Law*, June 2010

'"Excited delirium" related death in police custody: failures by MET Police and a FME', *Inquest Law*, June 2010

'Part 6 of the Counter-terrorism Bill: Inquests', Leslie Thomas, Adam Straw, Kirsten Heaven, *Legal Action Group Magazine*, May 2008

'PPO fails to adequately investigate natural causes death', *Inquest Law*, June 2008

'Restraint death in mental health hospital', Kirsten Heaven and Leslie Thomas, *Inquest Law*, November 2008

'Suicide at HMP Foston Hall: contributed to by neglect', *Inquest Law*, December 2009

TRAINING AND SEMINARS

Kirsten is well versed in international refugee law and practice, after having taught international refugee law in Cairo and run a refugee legal aid project and advised on EU asylum law in Serbia.

WHAT OTHERS SAY

"Really experienced and astute inquest barrister; she's got very good judgement and identifies key issues quickly." "Kirsten is a very formidable advocate, who is very strong when questioning witnesses. I would instruct her in those particularly difficult cases where you know you have to go the extra mile to make your point." "She is a powerhouse - she has encyclopaedic knowledge of the law and is very tenacious and a formidable presence in court, particularly in cross-examination"

Chambers UK 2021 (Inquests and Public Inquiries)

"Recognised for providing skilful advocacy in civil claims involving deaths in police custody. She is also experienced in sensitive cases including false imprisonment claims, which often have a mental health aspect. "She's a fierce cross-examiner who is able to cut through to the key issues and save the waffle." "She is hard-working, dedicated, intelligent and enthusiastic."

Chambers UK 2021 (Police Claimant)

"Excellent with clients. Understands the strengths and weaknesses of a case quickly and has an excellent understanding of the law."

Legal 500 2021 Civil Liberties and human rights (including actions against the police)

"She is an incredibly experienced specialist in inquest work for families." "She's a very persuasive advocate, who is quick at getting on top of the facts and is very easy to work with." "She has lots of experience and is really good with clients as well."

Chambers UK 2020 (Inquests and Public Inquiries)

"Very good at cutting through to the key issues of a case and identifying the most appropriate way forward."

Legal 500 2020 (Civil Liberties and Human Rights)

"She's very thorough, committed and always well prepared." "She fights fantastically hard for her clients."

Chambers UK 2019 (Inquests and Public Inquiries)

“She is very knowledgeable and able to cut through to the key points very quickly.”

Chambers UK 2018 (Inquests and Public Inquiries)

“She combines robust advocacy with compassionate client skills”

Legal 500 2017 (Civil Liberties and Human Rights)

“An incredible jury advocate. She has a really good style which gets the jury on board.” “Really creative in her approach and a thoughtful tactician.”

Chambers UK 2017 (Inquests and Public Inquiries)

“A phenomenal lawyer with expertise in cases concerning deaths in state care.”

Legal 500 2016 (Civil Liberties and Human Rights)

“She fights harder than anyone else.” “She is incredibly good with clients, very down-to-earth and good at explaining points in context.”

Chambers UK 2016 (Inquests and Public Inquiries)

“Impressive.”

Legal 500 2015 (Civil Liberties and Human Rights)

“She is relentless and completely comprehensive in her approach to matters. A fantastic and fearless advocate, she is appreciated by the bereaved families for whom she acts.” “A brilliant inquest advocate who is exceptionally good with clients and at advancing the concerns of the family.”

Chambers UK 2015 (Inquests and Public Inquiries, and Police Law)

“She is very fast on her feet and is on top of the detail. Her drafting is great and her analysis is impressive.”

“She is very friendly and approachable and this is why the clients like and trust her.”

Chambers UK 2014 (Police Law)

“An exceptional jury advocate, who has perfect judgement in terms of presenting a case to a jury.”

Legal 500 2014 (Civil liberties and Human Rights)

EDUCATION

MA (Oxon)

LLM International Human Rights Law (University of Essex)

PROFESSIONAL MEMBERSHIP

INQUEST Lawyers Group

Police Action Lawyers Group

Liberty

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