



## Practice

Kirsten became a tenant at Garden Court in November 2008 after successfully completing pupillage under the supervision of Leslie Thomas and Bethan Harris. During this time she gained experience in crime (Magistrates' and Crown Court), confiscation, extradition, housing, inquests, civil actions, asylum and immigration and prison law. She now specializes in inquests and civil actions and is keen to develop a practice in asylum, mental health and prison law.

## Inquests

As a pupil Kirsten gained extensive experience working on death in custody inquests, including, Martin Green, Petra Blanksby, Michael Bailey, Linda Butt, Emanuel Buyoya, Azrar Ayub and Kurt Howard - an art. 2 restraint related death in a mental health facility in Wales. Kirsten was led in this 5 week inquest by Leslie Thomas.

Kirsten is currently instructed on a number of inquests involving deaths in custody (police stations and prisons), hospital deaths (Albert Banks case & Myron Hall case), and the death of young person formerly in the care of the state and frequently advises on public law challenges to coronial proceedings. Kirsten is particularly interested in "restraint" related deaths.

## Inquest Verdicts

Jury find failings of East Midlands Ambulance Service and Derbyshire Constabulary contributed to the death of a seriously unwell man in their custody

Jury highlight serious failings in inquest verdict on the death of vulnerable 18-year-old asylum seeker from Darfur at HMP Chelmsford

Female mental health patient dies of postural asphyxia contributed to by hospital's neglect

Hospital's failures cause the death of cancer patient

Inquest into restraint-related death of psychiatric patient

Inquest touching on the death of Albert Banks

Suicide at HMP Foston Hall: Jury finds death contributed to by neglect

Failures at HMP Leeds, the Probation Service and Mental Health Inreach Team Contribute to the Death of a Recalled Prisoner.

Inquest into the death of Paul Coker in Plumstead Police Station ("excited delirium" related death)

Inquest into the death of Nadeen Khan (Restraint related police death involving "excited delirium")

## Claims Against the Police and Public Authorities

Kirsten gained extensive experience of police actions during her pupillage which included advising and drafting. Kirsten was involved in the case of *Sonia and Mohammed Raissi v The Commissioner of the Police of the Metropolis [2007]*

### Year of Call

2007 (Solicitor 2001 - 2006)

### Email Address

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### Telephone

020 7993 7687

### Education

MA (Oxon), LLM  
International Human Rights  
Law (University of Essex)

### Practice Areas:

Kirsten Heaven is a member of the following Practice Areas:

- Civil Law
- Claims Against The Police & Public Authorities
- Extradition Law
- Immigration
- Inquests
- International Advice and Litigation
- Mental Health
- Prison Law
- Public & Administrative Law

### Garden Court Chambers

57 - 60 Lincoln's Inn Fields  
London WC2A 3LJ  
Tel 020 7993 7600  
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EWHC 2842 and advised on a number of protestor related civil actions against the police.

Kirsten frequently advises on causes of action against the police and police-related litigation, including, claims for false imprisonment, malicious prosecution, trespass to property/person, misfeasance in public office, claims under the Human Right Act and judicial review challenges to the IPCC. Kirsten also advises on post-inquest civil actions and has experience of drafting pleadings in such actions, including in a restraint related post-inquest civil action.

R (on the application of Equality & Human Rights Commission) (Claimant) v Secretary of State for Justice (Defendant) & Secretary of State for the Home Department (Interested Party) [2010] EWHC 147 (Admin) - NOMS failure to have due regard to the requirements in section 71 of The Race Relations Act 1976 and section 49A of the Disability Discrimination Act 2005 prior to a change in policy affecting certain foreign national prisoners.

## Asylum and Immigration

Kirsten represents asylum applicants in bail and interim hearings and acts for BID. She is well-versed in international and UK refugee and asylum law and practice, after having taught international refugee law in Cairo and run a refugee legal aid project, advised on EU asylum law in Serbia and focused on UK asylum law and practice in her LL.M. Kirsten is keen to develop a practice in asylum and immigration.

## Background

Kirsten qualified as a solicitor in Slaughter and May having trained in commercial, employment and EU law.

Kirsten 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 programme in Cairo, providing legal assistance to refugees seeking protection from UNHCR, working specifically with former child soldiers from Liberia and Sierra Leone, survivors of the Rwandan Genocide and victims of torture.

Kirsten was seconded to the OSCE Mission to Serbia and Montenegro rule of law / human rights department for one year and worked on war and organised crime trials, minority rights, legal reform, the Serbian draft law on asylum and training Serbian lawyers on ECHR litigation. Kirsten had previously worked as a government legal adviser and has extensive experience of public and administrative law.

Kirsten undertakes pro bono work for the Bar Pro Bono unit, FRU and the College of Law and has helped set up a school for street children in Guatemala City ([www.studyguatemala.com](http://www.studyguatemala.com)).

## Publications

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



## Barrister profile

# Kirsten Heaven



"*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.

### Professional Memberships

- INQUEST Lawyers Group
- Police Action Lawyers Group

Profile updated August 2010