

Charlotte Ventham KC

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Charlotte Ventham KC is recognised as a specialist in police law, public law, human rights, discrimination, inquests and inquiries, and malfeasance claims.

She is regularly instructed by police forces and government departments / agencies in a range of courts and tribunals. Her practice includes a number of high profile cases and those involving national security and public interest immunity issues.

Clients find Charlotte "very easy to deal with" and "Her effort on cases is tireless" (Chambers UK). She is commended for having "a keen analytical mind with a persuasive advocacy" (Legal 500) and considered to be "A great choice for claims which are complex, sensitive or difficult".

Notable examples of her work include the **Daniel Morgan litigation** and **Kamoka litigation** (claims of alleged complicity in rendition and torture by HM Government).

Charlotte was appointed to the Attorney General's A Panel of Counsel between 2019 and 2024 when she took silk.

Charlotte was editor of the 5 Essex Chambers Police Law Update for many years and regularly provides lectures to solicitors on all aspects of her practice.

Expertise

Police Law

Charlotte's practice embraces all areas of civil and public law relevant to policing. She has extensive experience as a trial advocate, defending civil actions for false imprisonment, assault, human rights breaches, malicious prosecution, negligence, discrimination and misfeasance in both jury and non-jury actions. She also has particular expertise in handling judicial review claims for the police and the IOPC.

Charlotte's cases have included challenges to the retention and/or disclosure of police information; promotion policies; police cautions; disciplinary outcomes; and the handling of complaints against the police. Charlotte has acted for the police in a number of sensitive inquests including firearms incidents, unlawful killing following domestic violence and deaths in custody. She is experienced in dealing with cases involving public interest immunity and national security issues. Charlotte is regularly asked to advise on non-contentious matters including policy, procedure, police powers and operational issues. Charlotte has also represented the police in numerous employment law claims (particularly in relation to discrimination) and disciplinary matters (including related judicial review claims).

Notable Police Law cases

R (Commissioner of Police of the Metropolis) v Kingston Crown Court [2023] EWHC 1938 (Admin)

availability of closed hearings where sensitive material is relied upon in firearms appeal

DE v Chief Constable of West Midlands Police [2023] EWHC 146 (KB)

appeal concerning necessity of arrest where sole justification is the imposition of bail conditions

Breeze & Wilson v Chief Constable of Norfolk Constabulary [2022] EWHC 942 (QB)

Strike out of shareholder loss claims valued at £30m; “reflective loss” principle

Rees & others v Commissioner of Police of the Metropolis [2018] EWCA Civ 1587; [2019] EWHC 2120 (Admin); [2021] EWCA Civ 49

substantial damages claims for malicious prosecution and misfeasance in public office arising out of the murder of Daniel Morgan in 1987.

MR v Commissioner of Police of the Metropolis [2019] EWHC 888 (QB) and [2019] EWHC 1970 (QB)

appeals concerning necessity of arrest and the effect of competing Part 36 offers.

R (CL) v Chief Constable of Greater Manchester Police [2018] EWHC 3333 (Admin)

challenge to the retention of crime reports relating to “sexting” by a 14 year old child.

Brown v Chief Constable of Greater Manchester Police [2018] EWHC 2046 (Admin):

appeal concerning the interpretation of the CPR44.16(2)(b) exception to QOCS.

R (Pitts) v Commissioner of Police of the Metropolis [2017] EWHC 646 (Admin)

judicial review challenging the interpretation and application of the Home Office Counting Rules on Recorded Crimes in relation to an allegation of rape.

McPherson v Chief Constable of Nottinghamshire Police [2016] EWCA Civ 6

appeal concerning the admissibility of the Claimant’s previous offending history in a jury action for false imprisonment, assault and malicious prosecution; and when the reasonableness of force used by a police officer may be decided by the judge as a question of law without recourse to the jury.

R (XX) v Chief Constable of South Yorkshire Police [2014] EWHC 4106 (Admin)

judicial review brought by a convicted sex offender challenging the legality of a scheme providing for the collection, retention and disclosure of information relating to his offending history.

R (Simpson & ors) v Chief Constable of Greater Manchester Police [2013] EWHC 1858 (Admin)

judicial review concerning the claimants’ legitimate expectation as to the application of a promotion selection policy in light of an ongoing promotion freeze.

Inquests

Charlotte has acted in a number of sensitive and document-heavy inquests engaging public interest immunity issues and necessitating the careful handling of allegations of failings/Article 2 breaches on the part of state agencies.

Notable Inquests cases

Firearms incidents eg the shooting of Anthony Grainger – acted for IPCC; Chandler’s Ford inquest (interception of armed robbery on a cash in transit vehicle by members of the MPS “flying squad”) – acted for Hampshire police.

Unlawful killings eg Lucinda Port (fatal stabbing of the deceased following history of domestic violence) – acted for MPS.

Various prison deaths (including suicides) involving inmates with substance misuse issues, self-harming behaviours and physical and psychiatric ill-health.

Deaths in police custody eg Martine Brandon (deceased choked to death in a police cell as a result of consuming her own underwear) – acted for Hampshire police.

Deaths following emergency services’ response eg Daniel McMahon (deceased hit by train following 999 call) – acted for MPS.

Deaths involving psychiatric patients eg Preuss (deceased absconded from psychiatric hospital whilst suffering from psychotic delusions and jumped in the River Thames where she drowned) – acted for MPS.

Charlotte was junior Counsel for City of London Police in the inquest into the London Bombings of 7 July 2005.

Public & Administrative

Charlotte acts for government departments and other public bodies in a range of public law claims and policy matters. She is particularly well-placed, by virtue of her extensive police law practice, to deal with cases involving overlap between the functions of the police and government agencies.

Notable Public & Administrative cases

R (Commissioner of Police of the Metropolis) v Kingston Crown Court [2023] EWHC 1938 (Admin)

availability of closed hearings where sensitive material is relied upon in firearms appeal

R (V and others (service personnel)) v Secretary of State for Defence (High Court, ongoing):

challenge concerning the jurisdiction of the service justice system in relation to offences of rape.

R (Henry) v National Probation Service [2020] EWHC 1246 (Admin)

challenge to the enforcement of the residence condition on the Claimant’s licence having regard to the risk of COVID-19 transmission in communal premises.

R (CL) v Chief Constable of Greater Manchester Police [2018] EWHC 3333 (Admin)

challenge to the retention of a crime report relating to “sexting” by a 14 year old child.

R (Pitts) v Commissioner of Police of the Metropolis [2017] EWHC 646 (Admin)

challenge to the interpretation and application of the Home Office Counting Rules on Recorded Crimes in relation to an allegation of rape.

R (O’Brien) v Ministry of Justice

challenge to the lawfulness of the claimant prisoner’s removal to a segregation unit.

R (Simpson & ors) v Chief Constable of Greater Manchester Police [2013] EWHC 1858 (Admin)

claimants’ legitimate expectation as to the application of a promotion selection policy in light of an ongoing promotion freeze.

Personal Injury

Charlotte has acted for the police, Ministry of Defence and other public bodies in a range of high value personal injury claims.

Charlotte’s recent caseload includes claims for work-related stress; mesothelioma; accidental shooting (MoD); catastrophic brain injury in a custodial setting; and psychiatric trauma sustained as a result of arrest/detention/prosecution.

Human Rights

Charlotte’s government and police practice routinely engages myriad human rights issues, arising in a variety of operational/policy contexts. Charlotte has a particular interest in cases involving a national security element and those requiring the application of closed material procedures.

Notable Human Rights cases

Al Nashiri v Security Service & others [2023] UKIPTrib 6

Extra territorial application of HRA/ECHR (where alleged violations of the Convention committed outside the UK).

Kamoka & others v Security Service & others

claims for unlawful detention and misfeasance in public office based on the alleged complicity of the British government in detention and torture abroad.

Motasim v (1) Crown Prosecution Service, (2) Commissioner of Police of the Metropolis, (3) Security Service, (4) Secret Intelligence Service

damages claim for alleged breach of Article 5 following the discontinuance of the prosecution of the claimant for terrorist offences (acting for CPS).

Schedule 7, Terrorism Act 2000

general advisory work regarding powers under Schedule 7, and various public/private law claims challenging the exercise of such powers in individual cases.

B v Crown Prosecution Service

claim for damages for breach of the Article 3 investigative duty arising out of a withdrawn rape prosecution.

Plane v (1) Ministry of Justice, (2) Parole Board:

damages claim for unlawful detention, breach of Article 5 and discrimination in relation to the claimant prisoner's parole review.

R (O'Brien) v Ministry of Justice

judicial review claim challenging the lawfulness of the claimant prisoner's removal to a segregation unit on various human rights grounds.

Professional Discipline & Regulatory

Charlotte accepts instructions from regulators in relation to enforcement proceedings, in particular in the context of warrant applications.

Notable Professional Discipline & Regulatory cases

Concordia warrant litigation

represented the Competition and Markets Authority (led by Jason Beer QC) in a long running challenge to a search warrant issued under the Competition Act 1998:

- [2018] EWCA Civ 1881: determination of a preliminary issue concerning the reliance on PII material when defending an application to vary a warrant;
- [2018] EWHC 3158 (Ch): the use of special advocates in such a challenge;
- [2018] EWHC 3448 (Ch): determination of PII application;
- [2019] EWHC 47 (Ch): determination of substantive challenge to the warrant.

Competition and Markets Authority v Unnamed (Chancery Division)

various ex parte applications for warrants under s28 Competition Act 1998.

Information Law

Charlotte has dealt with numerous public and private law claims involving the alleged misuse of private information, challenges to the disclosure of information by public bodies and breaches of the Data Protection Act. Charlotte has particular expertise in cases where human rights (most notably the Article 8 right to privacy) intersect with data protection issues.

Notable Information Law cases

Crook v (1) Information Commissioner, (2) The Home Office (EA/2019/0073) (First-Tier Tribunal)

Appeal against the decision of the IC to uphold the refusal by the Home Office to disclose information sought relating to MI5 on the basis that such information was not "held" by the Home Office within the meaning of the Freedom of Information Act 2000

R (CL) v Chief Constable of Greater Manchester Police [2018] EWHC 3333 (Admin)

challenge to the retention by the police of a crime reports relating to "sexting" by a 14 year old child.

Brown v (1) Chief Constable of Greater Manchester Police (2) Commissioner of Police of the Metropolis (Central London County Court, 2016)

claim for misuse of private information, breach of the Data Protection Act and misfeasance in public office arising out of disclosures made between two policing bodies of private travel information relating to the Claimant.

R (XX) v Chief Constable of South Yorkshire Police [2014] EWHC 4106 (Admin)

judicial review brought by a convicted sex offender challenging the legality of a scheme providing for the collection, retention and disclosure of information relating to his offending history

Healthcare

Charlotte is recognised as a leading barrister and specialises in public law, human rights, discrimination, inquests and inquiries, and malfeasance claims. She is regularly instructed by government departments/agencies in a range of courts and tribunals. Her practice includes a number of high profile cases and those involving national security and public interest immunity issues.

Notable Healthcare cases

Tamosiunas v 1) Plymouth NHS Trust, 2) Chief Constable of Devon & Cornwall Police (High Court, QBD, 2020)

very high value personal injury claim for severe brain injury allegedly exacerbated by delay in treating the Claimant in hospital. Complex issues of factual and legal causation involving the expert evidence of neurosurgeons and neurologists.

C v (1) Commissioner of Police of the Metropolis, (2) Dr A, (3) Dr G (Central London County Court)

Civil claim for damages against the police and two doctors who examined the Claimant whilst in custody. Claimant suffered from a rare genetic disorder known as Fibrodysplasia Ossificans Progressiva (“FOP”) which causes sheets of bone to form in muscles and associated soft tissues resulting in rigid splinting of the trunk and fixation of the large limb joints.

Inquest touching the death of Daniel McMahon (Barnet Coroner’s Court)

Article 2 jury inquest into the death of a psychiatric patient who was hit by a train. Detailed enquiry into the care/treatment plan provided to the deceased, in particular whether he should have been granted day release from hospital (Acted for police)

S v Chief Constable of Greater Manchester Police (Manchester County Court)

Civil claim arising out of the arrest and forcible restraint of an adult with severe learning difficulties including very limited verbal communication abilities.

Inquest touching the death of Mohammed Malik

Article 2 jury inquest concerning the sudden death of an inmate from an undetected heart condition. The enquiry involved a detailed examination of the care provided to the inmate by prison healthcare staff and whether the same amounted to neglect. (Acted for the prison).

Inquest touching the death of Laurence Preuss

Deceased was a psychiatric patient who managed to abscond from a psychiatric hospital whilst suffering from psychotic delusions and jumped in the River Thames where she drowned.

Various prison inquests – Various prison deaths (including suicides) involving inmates with substance misuse issues, self-harming behaviours and physical and psychiatric ill-health.

Zarrabi v Commissioner of Police of the Metropolis

Personal injury claim involving disputed medical issues re diagnosis and causation in relation to Claimant's alleged major depressive disorder with post traumatic symptoms. Involved lengthy cross-examination of Claimant's medical expert (Consultant Psychiatrist) resulting in the Court preferring the Defendant expert's opinion.

Education & Qualifications

- 2024 – Appointed as King's Counsel
- 2001 – Called to the Bar by Lincoln's Inn
- 2001 – Bar Vocational Course, ICSL
- 2000 – City University, CPE/Diploma in Law
- 1995 – University of Edinburgh, MA Hons in French and Spanish

Memberships

- ALBA

Appointments

- 2014 – Appointed to the Attorney General's B Panel of Counsel
- 2019 – Appointed to the Attorney General's A Panel of Counsel
- 2020 – Appointed Recorder of the Crown Court
- 2024 – Appointed King's Counsel

Awards

