



Victoria Butler-Cole KC

Year of call: 2005 | Silk: 2019

Email: vb@39essex.com

Phone: +44 (0)20 7832 1111

"A truly outstanding advocate." Chambers and Partners 2022

Victoria specialises in health and social care. Her work includes public law, community care, Court of Protection, medical treatment disputes involving babies and children, inquests, human rights claims, and regulatory appeals. She is the co-founder with Alex Ruck Keene of the 39 Essex Mental Capacity Report, and is recognised as one of the leading barristers in this field, having appearing in many of the leading cases. She is presently Vice-Chair of the Court of Protection Bar Association. Victoria has a particular interest in ethics and is a member of the Nuffield Council on Bioethics and a member of the advisory group to the UK Pandemic Ethics Accelerator. She sits as a recorder on the Western Circuit.

Areas of expertise

Court of Protection - Welfare

Court of Protection – Property and Financial Affairs

Medical Treatment Cases

Administrative and Public

Community care and mental health

Inquests

Regulatory and disciplinary

Mediators

Administrative and Public

Victoria has extensive experience of administrative and public law with a focus on health and social care, people with mental and physical disabilities and autism and other vulnerable groups such as prisoners. She has a creative approach to legal challenges and a breadth of knowledge and experience, which is invaluable. She recently acted pro bono with Ian Brownhill in a successful challenge to the rules on transfer to open conditions for female prisoners, and has acted in a number of Human Rights Act damages claims arising from the use of physical restraint and seclusion for children and adults with mental disorders, from Winterbourne View onwards. She is a member of the Equality and Human Rights Commission (HMRC) A panel of counsel.

Cases of note:

- **Re C [2021] EWCA Civ 1527** - Appeal concerning access to sex workers by people with mental disorders and interpretation of the SOA 2003.
- **In re T (A Child) (Association of Lawyers for Children and others intervening) [2021] 3 WLR 643** - Supreme Court decision about the deprivation of liberty of children and young people.
- **R (Maguire) v Blackpool and Fylde Senior Coroner and others [2020] 3 WLR 1268, [2020] EWCA Civ 738** - Application of article 2 in relation to the death of a learning disabled adult resident in a care home
- **R (O) v Peterborough City Council [2016] EWHC 2717 (Admin); (2016) 19 C.C.L. Rep. 548** - Unlawful imposition of child protection plan for autistic child with eating difficulties
- **R (Gordon-Jones) v SS for Justice [2014] EWHC 3997** - Successful pro bono challenge to the ban on sending books to prisoners

Recommendations

Victoria is recommended for Court of Protection, administrative and public law, community Care, civil liberties and human rights, and disciplinary and regulatory law.

“She is a go-to Court of Protection barrister – she knows the law like the back of her hand.” Chambers and Partners 2022

“Victoria is a completely unflappable barrister; she can cut through the nonsense, and she is brilliant with clients.” Chambers and Partners 2022

“She makes the difficult stuff look easy.” Chambers and Partners 2022

“She strikes the right balance between humanity and academic ability.” Chambers and Partners 2021

“Not only is she an excellent advocate with an excellent knowledge of the law she is also a very worthy opponent who fights for her clients.” The Legal 500 2021

“A fantastic advocate.” The Legal 500 2021

Memberships

- JUSTICE
- Association of Disciplinary and Regulatory Lawyers
- Inquest Lawyers Group
- Court of Protection Bar Association (Vice-Chair)

Qualifications

- MA Medical Law and Ethics, King’s College London
- MA Philosophy, University of Cambridge
- BVC, BPP Law School
- CPE, City University

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

Fax: +44 (0)20 7353 3978

Singapore 069120
Tel: +65 6320 9272

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clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com