



Santosh Carvalho

Year of call: 2023

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Santosh's practice spans Commercial and Construction, Administrative and Public, Property, and Civil Liabilities but he accepts instructions across all of Chambers' practice areas. Santosh has a busy court practice and regularly appears as sole counsel in the County Court, High Court and Upper Tribunal. He has been led in the Court of Appeal.

His recent instructions include:

1. Defending an indemnity claim worth ~£25M. Led by Terry Mawchinson KC and Philippe Kuhn.
2. Acting in a shareholder dispute with claims of unfair prejudice and breach of director's duties under the Companies Act 2006.
3. Intervening in the Court of Appeal in Re J (A Child) on behalf of the Children's Commissioner. Concerning a local authority's power to consent to the deprivation of liberty of a child subject to a care order. Led by Steve Broach KC and Jake Thorold.

He holds degrees from the University of Oxford (BCL, Distinction), University of London (LLB, 1:1), and the University of Auckland (Hons). Santosh was a tutor of Tort Law at Birkbeck College, University of London.

Santosh has a deep interest in, and understanding of technology such as AI, Blockchain and the Internet of Things. Having completed a degree in Computer Science and worked at software companies like Salesforce. He understands how disputes on large commercial projects arise, especially in technology context.

Prior to the coming to the Bar, Santosh had a successful career as a Management and Strategy Consultant, advising FTSE 100 companies like Barclays and Vodafone.

Santosh is multi-lingual. He is a native Hindi speaker. He also has conversational Spanish, Marathi, and Konkani skills.

Areas of expertise

Commercial and Construction Law

Administrative and Public Law

Planning and Environmental Law

Civil Liabilities Law

Administrative and Public Law

Santosh intends on developing a broad public law practice. He has been instructed on a range of complex public law matters including:

- Successfully applying to intervene on behalf of the Secretary of State for the Home Department in High Court family law proceedings. The intervention concerned the impact to the government's policies on unaccompanied children and small boat crossings in a Hague Convention matter.
- Led by Steve Broach KC and Jake Thorold to intervene on behalf of the Children's Commissioner of England in *Re J (A Child)* in the Court of Appeal. The case concerns whether a local authority can consent on behalf of a child to the deprivation of their liberty, where there is no dispute that confinement is in their best interests, to avoid the ambit of Article 5 ECHR.
- Advising the Secretary of State for the Home Department on the appropriate quantum for damages arising from claims for breaches of Article 3, 5, and 8 of the ECHR.

Santosh is currently seconded to the Financial Ombudsman Service as consultant counsel. He advises them on issues arising under the Financial Services and Markets Act 2000.

During pupillage, Santosh gained experience on a range of complex public law matters including:

- Assisted Steve Broach KC on a variety of challenges to local authority's decisions in relation to EHC plans of individuals with SEND needs.
- Advised a Central Government Department regarding its consultation duties in the context of formulating a policy response to fulfil some of its domestic and international environmental law obligations.
- Advised several local authorities as to the lawfulness of their age assessment decisions.
- Advised on the merits on a claim against an NHS Integrated Care Board for a delay in implementing an increased care package following a review of the care plan.
- Advised the Office of the Schools Adjudicator on the appropriate statutory construction of several provisions of the Schools Standards and Framework Act 1998.
- Advised the Foreign, Commonwealth, and Development Office (FCDO) on the lawfulness of its sanction designation of a Russian national.
- Advised on the merits of a disability discrimination challenge against a school's decision to exclude a SEND pupil.
- Advised the General Medical Council on the merits of an appeal made by a doctor against a disciplinary decision made by the Medical Practitioners Tribunal.
- Drafted submissions to the Secretary of State of Health and Social Care for a decision on 'ordinary residence' for the purposes of determining the local authority responsible for the care of a vulnerable individual pursuant to the Mental Health Act 1983.
- Drafted a notice of objection to the Supreme Court in response to a permission to appeal on the grounds of an Article 8 ECHR infringement in an entry clearance case.
- Drafted a jurisdictional challenge to a claim against an international institution.

Prior to pupillage, he volunteered at Lambeth Law Centre as a caseworker dealing with challenges to the local authority's housing provision decisions and the lawfulness of utility companies' pursuing the debts of vulnerable individuals.

Cases of note:

- ***R(TS) v London Borough of Hackney* [2023] EWHC 3063 (Admin)** - Assisted Steve Broach KC in relation to the skeleton argument for a successful judicial review against Hackney LBC's assessment of a 13-year-old child's social care needs and the care package provided for the same.

Memberships

- Administrative Law Bar Association (ALBA)
- Commercial Law Bar Association (COMBAR)
- Chancery Bar Association (ChBA)
- Free Representation Unit (FRU)

Qualifications

Education

- 2021-2023: Bar Training Course, University of Law – Merit.
- 2020-2021: Bachelor of Civil Law, University of Oxford – Distinction. Highest mark in Regent’s Park College.
- 2017-2020: Bachelor of Laws (assessed at the postgraduate level), Birkbeck College – 1:1 overall and in every paper. Top 5% of the class.
- 2007-2010: Bachelor of Science in Computer Science and Information Systems, University of Auckland, Honours.

Scholarships and Prizes

- Queen Mother Scholarship (Major), Middle Temple (2021).
- Winner, OUP & ICCA National Mooting Competition (2018). Final judged by Hallett LJ, Vice-President of the Court of Appeal.
- Winner, Mooting Prize, Birkbeck College (2019).
- Winner, Mock Trial, Birkbeck College (2019).
- Winner, Moot Competition, Birkbeck College (2018).

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