

# 12

King's Bench Walk

## Achas Burin

Call: 2012

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### AREAS OF EXPERTISE

Personal Injury, Clinical Negligence, Civil Procedure, Employment & Discrimination, Inquests, Property, International & Travel

Achas enjoys a varied practice in all of 12KBW's core areas. She is keen to tackle research on complex points, including procedural ones and those involving a crossover between different spheres of law.

She acted as a junior in *Coventry v Lawrence (No. 3) [2015] UKSC 50*, the landmark Supreme Court case concerning whether the costs regime under the Access to Justice Act 1999 complied with human rights law.

She is presently instructed in *X v Kuoni Travel [2019] C-578/19*, which is currently the subject of a preliminary reference before the Court of Justice of the European Union, alongside William Audland QC and Nina Ross.

### Personal Injury

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Achas has a keen interest in all areas of tort law including the torts less commonly cited than negligence, having been awarded the Prize for Torts at university. Prior to her pupillage, Achas worked in solicitors' firms in the areas of personal injury and clinical negligence, where she dealt with complex, high-value cases. She has a particular interest in the intersection between private and public law, and has been instructed for both claimants and defendants in claims against the police. She was awarded the prize for Comparative Human Rights upon graduation from the BCL. She was privileged to assist her supervisor, Harry Steinberg, in preparing for two cases in the Court of Appeal and Supreme Court. She was instructed as a junior in *Coventry v Lawrence (No. 3) [2015] UKSC 50*, the landmark Supreme Court case concerning whether the costs regime under the Access to Justice Act 1999 complied with human rights law. She acted on behalf of the intervener, the Asbestos Victims Support Group Forum. Her practice in asbestos litigation extends to drafting grounds of appeal in the Diffuse Mesothelioma Payment Scheme, introduced in 2014. She has appeared in complex quantum cases, including damages for detention and for psychiatric injury of an autistic child.

### Clinical Negligence

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Achas has advised the charity Breast Cancer Campaign on the regulation of medicinal products and assisted them in drafting a Private Member's Bill. She also assisted her supervisor in advising on the PIP breast implant group litigation. She has a research interest in medical ethics, completing her dissertation on abortion and having been awarded the prize for Medical Law and Ethics on the BCL course at Oxford University. She has published in the *Medical Law Review* on abortion (2014).

### Civil Procedure

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Achas regularly conducts interim and final hearings in the county court. She enjoys researching the details of procedural law, and was instructed as a junior defending a series of vexatious claims brought against the police, all of which were successfully struck out and a civil restraint order obtained against the instigator.

## **Employment & Discrimination**

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Achas maintains a broad interest in all aspects of employment law, including the crossover between tort and employment law. She has been instructed as a junior to draft an application to strike out a high-value claim against an investment bank, has drafted pleadings and appeared in the Tribunal in discrimination/dismissal cases, and advised generally in employment and contractual disputes.

Achas has also appeared in professional regulatory proceedings before the Nursing and Midwifery Council, and is presently instructed on appeal in the High Court.

## **Inquests**

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Achas has been instructed in inquests arising out of road traffic collisions, including the M5 disaster. She is also a member of the AvMA (Action Against Medical Accidents) and has experience of inquests arising out of the clinical context, including representing the son and sole carer of an elderly patient who died as a result of bed sores.

## **Property**

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Achas has acted in a variety of property matters, including boundary/party wall disputes, and claims for loss arising out of theft committed as a result of negligently leaving a door unlocked. Whilst at Oxford University, she assisted in research cutting across medical law and property law: concerning the concept of property in human tissue and body parts. She also enjoyed teaching land law to undergraduates at the University of Leeds.

## **International & Travel**

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Following her supervision by William Audland QC, she has a particular interest in cases with an international element (including accidents abroad). She has an ongoing involvement in the Kenya Emergency Group Litigation (known colloquially as 'the Mau Mau litigation'). She assisted in the preparation of an urgent injunction to restrain conduct in Africa affecting English proceedings.

## **Qualifications & Awards**

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**BCL (with distinction)**, University of Oxford

- Full AHRC scholarship

Prizes for:

- Medical Law and Ethics;
- Comparative Human Rights.

**BPTC (Outstanding)**, BPP Law School

- Lord Denning Scholarship, Lincoln's Inn

**LLB (Hons) Law (first class)**, University of Leeds

Prizes:

- Hughes Scholar Prize for Outstanding Graduate;

- Hughes Extended Essay Prize for best dissertation;
- BPP Prize for Torts;
- Margaret Simpson Harrison Prize in Equity & Trusts;
- OUP Prize in Child Law;
- Ford & Warren Prize for top marks in the first year;
- Routledge-Grant Prize for top marks in the first year

## Publications

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- 'A "right not to be offended" under Article 10(2)? – Concerns in the construction of the "rights of others."' [2012] European Human Rights Law Review 193
- Cited by the High Court of Australia in *Monis v the Queen* [2013] HCA 4
- 'What does it mean to suffer loss?' (2014) 77(6) Modern Law Review 994
- 'Beyond pragmatism: defending the "bright line" of birth' (2014) 22(4) Medical Law Review 494
- 'Case comment: *Reaney v Staffordshire NHS Trust* – clinical negligence – causation' (2014) 130 Personal Injury Law Journal 22
- '*Coventry v Lawrence*: the unbearable burden of one's wrongdoing' (2015) 34(4) Civil Justice Quarterly 303
- 'The Positive Duty of Prevention in the common law and the Convention' (2020) Legal Studies (forthcoming)