

Dr. Achas Burin

Call: 2012

burin@12kbw.co.uk



AREAS OF EXPERTISE

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

Achas enjoys a varied practice in 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 welcomes instructions in matters that cross the boundary between tort and public law. She is currently instructed in the *Public Inquiry into Undercover Policing* and the *Lampard Inquiry* into mental health provision in Essex. She previously had a longstanding involvement in the *Infected Blood Inquiry* and the *Kenya Emergency Group Litigation*.

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 was also instructed in *X v Kuoni Travel* [2019] C-578/19, both in the Supreme Court and before the Court of Justice of the European Union, alongside William Audland KC and Nina Ross.

Achas is a Senior Lecturer in Law at Oxford Brookes University, where she teaches tort law and medical law.

Inquests & Inquiries

Achas is currently instructed as a junior to Steven Snowden KC in the *Lampard Inquiry* into mental health provision in Essex. Since 2018, and ongoing, Achas was instructed in the *Public Inquiry into Undercover Policing*. She previously acted as a junior to Steven Snowden KC in the *Infected Blood Inquiry*, acting for a group of patients who were infected with bloodborne viruses during NHS treatment. She has been instructed in inquests arising out of road traffic collisions, including the M5 disaster. She has further 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.

Personal Injury

Achas has a keen interest in all areas of tort law. 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. Alongside her practice, she lectures in tort law. 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. During pupillage, she assisted her supervisor, Harry Steinberg KC, 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.

International & Travel

Following her supervision by William Audland KC, she has a particular interest in cases with an international element (including accidents abroad). She acted as a junior in *X v Kuoni Travel* [2019] UKSC 37 in the Supreme Court and CJEU alongside William Audland KC and Nina Ross. She had 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 and successfully defended a complicated claim combining shipping law, travel law and disability discrimination law.

Clinical Negligence

Achas is instructed as a junior to Steven Snowden KC in the *Infected Blood Inquiry*, acting for a group of patients who were infected with bloodborne viruses during NHS treatment. She previously 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 Harry Steinberg KC in advising on the PIP breast implant group litigation during pupillage. 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* (see her full list of publications below).

Civil Procedure

Achas regularly conducts applications on interim hearings. 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.

Qualifications & Awards

DPhil in Law, University of Oxford (2022)

BCL (with distinction), University of Oxford (2013)

- Full AHRC scholarship

Prizes for:

- Medical Law and Ethics;
- Comparative Human Rights.

BPTC (Outstanding), BPP Law School (2012)

- Lord Denning Scholarship, Lincoln's Inn

LLB (Hons) Law (first class), University of Leeds (2011)

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

- '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
- 'Book review: *Damages and Human Rights* by Jason Varuhas' (2018) 34(3) Journal of Professional Negligence 159
- 'The positive duty of prevention in the common law and the Convention' (2020) 40(2) Legal Studies 209
- 'Public trust(s)', chapter in Barradas de Freitas and Io Laconi (eds) *Trust Matters* (Hart 2022)
- With Shreya Atrey, 'Unleashing the anticipatory reasonable adjustment duty: _____'
- Achas is the editor of 12KBW's personal injury blog.