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King's Bench Walk

Nina Ross

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AREAS OF EXPERTISE

Personal Injury, Abuse, International & Travel, Criminal Injuries Compensation, Industrial Disease, Human Rights, Public Authority Liability, Insurance, Fraud, Credit Hire

Nina acts for claimants and defendants across all Chambers' practice areas. She specialises in sexual / physical abuse claims; international and group litigation; and human rights aspects of personal injury law.

Nina has appeared in nearly two hundred contested hearings in the last year. She often undertakes work on a CFA basis.

Personal Injury

Nina acts for claimants and defendants in all aspects of personal injury law including abuse claims; international and travel claims; industrial disease; military claims; occupational stress; accidents resulting in chronic pain; road traffic accidents, employer's liability, occupier's liability, public liability, product liability, highways, defective premises and Animals Act claims.

Abuse

Nina specialises in civil claims arising out of sexual and physical abuse.

She is instructed regularly in abuse claims against schools, children's homes, religious institutions, prisons, local authorities, youth groups (such as the scouts) and commercial employers, as well as in claims against individual defendants.

Examples of her recent cases include:

- Claims against the MoD brought by Iraqi civilians who allege that they were assaulted and unlawfully detained by UK military personnel during the invasion of Iraq in 2003;
- Group litigation brought by Kenyan orphans who were sexually abused by a British Airways pilot during stopovers in Kenya;
- A £5 million claim against a local authority where it was alleged that the authority's failure to remove the claimant from her neglectful parents had altered the structure of her brain, causing her to suffer learning disabilities;
- Claims brought by Thai children who were sexually abused by a retired British teacher in Thailand;

- A claim against a local authority for breach of its non-delegable duty of care in relation to a child abused in a private school; and
- A claim arising out of a paedophile ring on a military base in Cyprus in the 1980s.

Nina advises on all aspects of abuse work including limitation; consent; vicarious liability; non-delegable duties; causation; apportionment; quantum; human rights; jurisdiction; and disclosure / evidential issues.

Nina's abuse practice builds on her experience prior to joining the Bar. She spent nearly two years working on complex, high value personal injury litigation in the international and group claims department at Leigh Day & Co solicitors. There she was involved in claims by Iraqi citizens who alleged that they were physically and/or sexually abused by British soldiers in Iraq. She was also involved in claims by Iraqi interpreters who argued that they were abused by militia as a result of inadequate protection by their British forces employers. Similarly, while working at Liberty, Nina often advised members of the public on potential claims for assault / false imprisonment against employers and the police.

International & Travel

Nina frequently acts in claims with an international element.

Examples of recent instructions include:

- Claims against the MoD brought by Iraqi civilians who allege that they were assaulted and unlawfully detained by UK military personnel during the invasion of Iraq in 2003 (*Alseran & Others v Ministry of Defence* [2017] EWHC 3289 (QB) [2018] 3 W.L.R. 95)
- Group litigation brought by Kenyan orphans who were sexually abused by a British Airways pilot during stopovers in Kenya;
- Claims brought by Thai children who were sexually abused by a retired British teacher in Thailand;
- A claim by British naval officer who was sexually assaulted in Bahrain
- Historic abuse claims brought by footballers assaulted by their coach during team trips to Norway and Thailand
- A group action by environmental protestors who were shot, beaten, tortured and detained by security guards at a factory in Peru while attending a peaceful protest.

Nina advises on issues of jurisdiction and applicable law, including the application of Brussels Recast and Rome II. She has particular experience of claims brought under the Package Travel Regulations.

Criminal Injuries Compensation

Nina has extensive experience of CICA claims, including fatal claims; claims for disabling physical and psychiatric injuries; and claims arising out of rape and child sexual abuse.

She appears regularly in the First Tier Tribunal in eligibility and quantum appeals. She has also appeared before the Second Tier Tribunal in judicial review proceedings concerning the withholding of a fatal award due to the alleged bad character of the deceased. Recently Nina represented an applicant who was abused by the late Jimmy Savile.

Industrial Disease

Having been supervised by Harry Steinberg QC as a pupil, Nina acts for both claimants and defendants in industrial disease litigation, including claims for asbestos-related disease and noise-induced hearing loss. She has particular experience of limitation issues, offering training on this subject to those instructing.

Human Rights

Nina advises on human rights aspects of personal injury, not only in the context of claims brought directly under the

Human Rights Act 1998 but also in the context of procedural issues such as the interplay between disclosure obligations and Article 8 ECHR.

Nina has gained experience in human rights at various organisations including at the International Criminal Tribunal for the former Yugoslavia where she was part of the Defence team for Jovica Stanišić (Head of the Serbian State Security Service from 1991 to 1998). She has also worked at JUSTICE; Liberty; the National Centre for Domestic Violence; and the Legal Resources Centre in Durban, South Africa.

Public Authority Liability

Nina has particular experience of defending local authorities at trial in claims brought in negligence and/or under the Occupiers Liability Act 1957, the Highways Act 1980 and the Defective Premises Act 1972. Much of her work in this area derives from repeat instructions.

Nina is also often instructed for claimants and defendants in claims against local authorities arising out of sexual and physical abuse, including failure to remove cases (as to which see further the “abuse” section of her profile).

Insurance

Nina has a particular interest in insurance policy and coverage disputes, having been supervised by Patrick Vincent during pupillage.

Before studying law, Nina worked as an analyst for an asset management firm evaluating investments for a multi-asset class, global portfolio worth over £10 billion. This experience has given her a good understanding of the needs of commercial clients.

Fraud

Nina is frequently instructed by defendants in trials where fraud is alleged or suspected, particularly in the context of staged road traffic accidents and low velocity impacts. She has obtained findings of fundamental dishonesty against claimants on numerous occasions.

Credit Hire

Nina is a highly experienced trial advocate in this area and is well-versed in the issues that commonly arise.

Qualifications & Awards

Bar Vocational Course (Outstanding), BPP College of Professional Studies

Graduate Diploma in Law (Distinction), City University

MA (Distinction), Islamic, Hindu and Buddhist Studies, School of Oriental and African Studies, University of London

BA Hons, English Language and Literature, Balliol College, University of Oxford

Major scholar, Middle Temple Inns of Court

Shakespeare scholar, Balliol College, University of Oxford

Cases

Various claimants v (1) British Airways; (2) Wood: group litigation against British Airways for child sexual

abuse carried out by a pilot during stopovers in Kenya.

AW v Lancashire County Council: claim against a local authority for failure to remove a child with learning disabilities from her parents' care.

MRE & KSU v Ministry of Defence: claims by Iraqi civilians for abuse and false imprisonment by UK military personnel during the invasion of Iraq in 2003

Various claimants v Xstrata: a group action by environmental protestors who were shot, beaten, tortured and detained by security guards at a factory in Peru while attending a peaceful protest.

[redacted] v Ministry of Defence: clinical negligence claim arising out of the medical treatment of a soldier suffering from a rare fever while deployed in Afghanistan