

Nina Ross

Call: 2010
ross@12kbw.co.uk



AREAS OF EXPERTISE

Personal Injury, Abuse, Military Claims, International & Travel, Criminal Injuries Compensation, Industrial Disease, Human Rights, Public Authority Liability, Insurance, Fraud, Group Litigation

Nina is ranked as a leading junior in personal injury in the current editions of Legal 500 and Chambers and Partners, which note that Nina is “*crystal-clear in her thinking and analysis*” (Legal 500) and has “*a commanding presence when on her feet*” (Chambers and Partners).

Nina specialises in claims arising out of sexual and physical assaults; harassment claims; military claims; international and group litigation; and human rights aspects of personal injury law. She has been instructed in high-profile litigation in these fields, including in:

Ella Janneh v Michael Lousada [2024] EWHC 1464 (KB): claim for sexual assault brought against therapist.

Given her areas of specialism, Nina has particular experience of claims for psychiatric injury and the complex issues of causation that arise.

She is an authority on limitation periods and is co-author of *Personal Injury Limitation Law*, Bloomsbury (2020) which has received excellent reviews: <https://www.bloomsburyprofessional.com/uk/personal-injury-limitation-law-9781526508607/>

Before coming to the Bar, Nina worked on torture and abuse cases in the international and group claims department of Leigh Day & Co Solicitors; at the International Criminal Tribunal for the former Yugoslavia in the Netherlands; as well as at JUSTICE; Liberty; and the Legal Resources Centre in Durban, South Africa.

Human Rights

Nina is ranked as a leading junior in human rights in the current edition of Legal 500. She is frequently instructed in high-profile claims for personal injury brought under the *HRA 1998*.

She is an authority on limitation periods in HRA 1998 claims. Nina co-authored *Personal Injury Limitation Law*, Bloomsbury, 2020, drafting the section on the *HRA 1998*.

Examples of Nina’s human rights work include:

- A claim arising out of the torture of a Palestinian civilian in the Occupied Palestinian Territories
- A claim arising out of revenge pornography brought under the *HRA 1998* and at common law
- A claim against the police for false imprisonment / breach of Article 5 ECHR
- A claim against a prison for failing to prevent a sexual assault negligently / contrary to Article 3 ECHR
- Numerous claims for failure to remove children from abusive homes contrary to Article 3/8 and/or for prolonged accommodation of children under s.20 of the CA 1989 contrary to Articles 6/8;
- Claims brought under the *HRA 1998* and in Afghan law by the family of a boy who was shot and killed in Kandahar City by British military personnel following the US invasion of Afghanistan. The boy's family brought claims for psychiatric injury under Afghan law and the *Human Rights Act 1998*. The claims gave rise to difficult issues concerning the application of the *HRA 1998* outside the UK's territorial boundaries; whether it would be equitable to allow the *HRA 1998* claim to proceed outside the primary limitation period and whether the death of the boy constituted unlawful killing and was adequately investigated by the State.
- *Alseran & Others v Ministry of Defence* [2017] EWHC 3289 (QB) [2018] 3 W.L.R. 95 (led by Richard Hermer KC and Harry Steinberg KC): 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. The claims succeeded before Leggatt J who gave a groundbreaking judgment on the assessment of damages for just satisfaction pursuant to s.8 of the *HRA 1998*. The judgment has since been much cited by the English courts. [Iraqis win damages for 'ill-treatment' by British soldiers – BBC News](#)
- A modern-day slavery claim in which the Claimant alleged that she was trafficked from Haiti to the UK, kept in domestic servitude and sexually abused. She brought a claim against the relevant police and local authorities under the *HRA 1998*, claiming that they had failed to remove her from her abusers' care thus breaching her right not to be subjected to inhuman and degrading treatment (Article 3) and her right not to be held in slavery or servitude (Article 4).

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.

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

Ella Janneh v Michael Lousada [2024] EWHC 1464 (KB): claim for sexual assault brought against therapist.

Sayn-Wittgenstein v Juan Carlos 1 [2023] EWHC 2478 (KB) (led by Jonathan Caplan KC and Andrew Green KC): *claim for harassment brought against the former King of Spain.*

X v Kuoni [2021] UKSC 34 (led by William Audland KC): a claim brought under the 1992 *Package Travel Regulations* for sexual assaults committed by a hotel employee in Sri Lanka, which was referred by the Supreme Court to the CJEU for a preliminary ruling on a point of European law.

FXF v Ampleforth Abbey Trustees [2020] EWHC 791 (QB): a claim arising out of the alleged sexual assault of the claimant by a Roman Catholic priest, in which the key issue was limitation.

GXG v S [2019] EWHC 3644 (QB): a claim for psychiatric injuries arising out of serious sexual assaults inflicted upon the claimant by his neighbour when the claimant was a child. The award of damages included an award for wasted expenditure on alcohol.

Alseran & Others v Ministry of Defence [2017] EWHC 3289 (QB) [2018] 3 W.L.R. 95: 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.

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.