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King's Bench Walk

Nina Ross

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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 acts for claimants and defendants across all Chambers' practice areas. She specialises in claims arising out of sexual and physical assaults; 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:

- *X v Kuoni* [2019] UKSC 37 (led by William Audland QC): a claim brought under the 1992 *Package Travel Regulations* for sexual assaults committed by a hotel employee in Sri Lanka. The case has been referred by the Supreme Court to the CJEU for a preliminary ruling on a point of European law.
- *Alseran & Others v Ministry of Defence* [2017] EWHC 3289 (QB) [2018] 3 W.L.R. 95 (led by Richard Hermer QC and Harry Steinberg QC): 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.

Given her areas of specialism, Nina has particular experience of claims for psychiatric injury and cases where limitation is in issue. She is co-author of *Personal Injury Limitation Law*, Bloomsbury (2020).

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.

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, football clubs, religious institutions (including the Catholic Church and Jehovah's witnesses), prisons, local authorities, youth groups (such as the scouts) and commercial employers, as well as in claims against individual defendants.

As co-author of *Personal Injury Limitation Law*, Bloomsbury (2020), she has a particular interest in the limitation issues that commonly arise in sexual abuse claims.

Examples of her recent instructions include:

- *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 the 1960s, 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.
 - *X v Kuoni* [2019] UKSC 37 (led by William Audland QC): a claim brought under the 1992 *Package Travel Regulations* for sexual assaults committed by a hotel employee in Sri Lanka. The case has been referred by the Supreme Court to the CJEU for a preliminary ruling on a point of European law.
 - *Alseran & Others v Ministry of Defence* [2017] EWHC 3289 (QB) [2018] 3 W.L.R. 95 (led by Richard Hermer QC and Harry Steinberg QC): 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.
 - Various cases arising out of abuse suffered in Shirley Oaks Children's Home.
 - 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 by British naval officer who was sexually assaulted by a senior officer in Bahrain.
 - 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.
 - 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; negligence (including failure to remove); 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.

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

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.

X v Kuoni [2019] UKSC 37: a claim brought under the 1992 Package Travel Regulations for sexual assaults committed by a hotel employee in Sri Lanka. The case has been referred by the Supreme Court to the CJEU for a preliminary ruling on a point of EU law.

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.

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