

## 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:

- *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.
- *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.

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.

### Military

---

Nina specialises in Armed Forces claims. She has particular experience of acting for service personnel in claims arising out of sexual and physical assault; harassment; non-freezing cold injuries; and PTSD. She is highly regarded by solicitors specialising in military claims and was invited by the APIL panel to speak at its annual military seminar last

year.

Examples of her work include:

- Claims brought by three female soldiers who allege that they were subjected by their chain of command to a campaign of sexual assaults and harassment during service
- 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 complex issues concerning whether an actionable tort had occurred in Afghan law; the MoD's entitlement to rely upon the doctrine of Crown Act of State to avoid liability under foreign tort law; what heads of loss were recoverable in Afghan law; 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 circumstances in which a foreign limitation period will be disapplied under the *Foreign Limitation Periods Act 1984*, and whether damages for non-pecuniary loss assessed under English law should be reduced to reflect the lower cost of living in a foreign jurisdiction. The judgment has since been much cited by the English courts. [Iraqis win damages for 'ill-treatment' by British soldiers – BBC News](#)
- A group claim arising out of the alleged failure of the MoD to identify and treat psychiatric injuries sustained by military personnel in combat
- A large group action against MoD for non-freezing cold injuries
- A claim brought by a British naval officer who was sexually assaulted by a senior officer in Bahrain
- A claim brought by a soldier who was harassed and assaulted by his peers during initiation ceremonies
- A claim brought by a soldier for NFI, PTSD and NIHL leading to loss of military career

## 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

---

*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.