



1 CROWN OFFICE ROW

Rajkiran Barhey

Call: 2017



Rajkiran (Kiran) accepts instructions in all areas of Chambers' work and is developing a broad practice, particularly in clinical negligence, personal injury, inquests, tax, environmental and planning law, immigration, public law and human rights. Kiran joined Chambers as a tenant in September 2018 following successful completion of a 12-month pupillage.

She has a wide range of advocacy experience, both led and unled, having appeared in the County Court, in the Coroners' Courts, in the First-tier and Upper Tribunals, in a planning inquiry, and in the Employment Tribunal.

Kiran is particularly interested in pro bono work, having appeared in a 4-day planning inquiry for the Environmental Law Foundation, and a 2-day employment case for the United Voices of the World trade union, amongst others.

Prior to commencing pupillage, Kiran interned in Italy and Bangladesh for the UN and a legal charity, respectively. She also volunteered at Southall Black Sisters, assisting BAME survivors of domestic violence. She studied for a Master of Laws at New York University, obtaining scholarships from NYU and through the prestigious Fulbright exchange programme. She was awarded Gray's Inn's highest scholarship, the Bedingfield, to finance the BPTC.

Kiran is Editor-in-Chief for the [1COR Quarterly Medical Law Review \(QMLR\)](#).

Clinical Negligence

Kiran has experience acting for both claimants and defendants in a range of clinical negligence matters. While seconded to a partner at a leading claimant clinical negligence firm for a year, she gained significant experience in high value claims, particularly brain injury.

She has appeared in CCMCs, approval hearings and application hearings. She also regularly prepares pleadings and has particular expertise in quantum in high value cases.

Selected Cases

- Instructed by Claimant as a junior in a quantum-only wrongful birth claim where the Claimant has a range of complex care needs.
- Advised a Defendant in writing on liability and quantum in a case concerning allegations of inadequate consent for surgery where complications led to blindness in one eye.
- Advised a Defendant in writing on the underlying law in a proposed negligence claim by A (C's son) arising out of the murder of C by her daughter, B, who had been discharged by the Trust's mental health services. Advice also provided on a potential Article 2 claim.
- Drafted witness statements for the Ministry of Defence in a claim brought by a soldier deployed in Afghanistan alleging failure to diagnose and treat PTSD.
- Drafted an approval advice for a Claimant in a claim against a care home and represented the Claimant at the subsequent approval hearing.

Personal Injury

Kiran has appeared in a wide range of PI hearings, primarily in the County Court, for both claimants and defendants. She also has experience acting for government bodies, having completed a secondment at HMRC in the personal injury department where she regularly advised on liability and quantum. She also has experience in CICA cases, particularly in a sexual abuse/rape context.

Selected Cases

- Instructed to represent a Claimant in a fast track trial at Central London County Court in a slip and trip at a garden centre, leading to a broken wrist.
- Advised in writing on liability and quantum in a range of claims brought by employees against HMRC, including stress at work, slip and trip, and injuries caused by inadequate equipment.

Public Inquiries

Kiran has been instructed on the Grenfell Tower Inquiry since 2018, working on the investigation into the performance of the lifts on the night of the fire. She is working with the appointed expert and counsel team.

Inquests

Kiran has appeared in a range of PIRs and inquests on behalf of families and Trusts. She is keen to further

develop her coronial practice.

Selected Cases

- Instructed by AvMA pro bono to represent a family in 3-day inquest concerning the death of an 86-year old man in a hospital waiting room. The CQC were added as an Interested Party during the proceedings.
- Instructed by a Trust in a 1-day inquest concerning a death of an elderly patient, in which it was alleged that she had suffered a fall whilst in hospital.
- Instructed by AvMA to represent a family in an upcoming inquest into the death of a 3 year old boy with a rare genetic condition, where there is concern that he may have suffered an anaphylactic reaction in hospital.

Tax

Kiran is particularly interested in tax law. Most recently she has been instructed by HMRC as a junior in an MTIC fraud. She has also been instructed by HMRC on an application for summary judgment in the County Court.

Environmental Law

Kiran was instructed by the Environmental Law Foundation to represent the Appellant, pro bono, in a 4-day planning inquiry. The Appellant sought permission change the use of a small woodland from forestry to a mixed use for field archery, eco-tourism and life-long learning. He was ultimately granted temporary planning permission. The appeal also concerned an Enforcement Notice. More information is [here](#).

She was jointly nominated for Advocate's Young Pro Bono Barrister of the Year Award 2020 for her representation of the Dangstein Conservancy.

Public Law

Kiran accepts instructions on a range of public law matters. She has been instructed a number of times by the Home Office to assist with disclosure matters in large judicial reviews. She has been instructed by the Met to review documents for legal privilege. She has also assisted as a junior in Home Office litigation. She has also been instructed by the Met Police in a number of LPP review exercises.

Immigration

Kiran accepts instructions in immigration law. She has appeared in the First Tier Tribunal in an appeal against

a refusal to grant entry clearance for failure to meet the minimum income rules. She has also appeared in the Upper Tribunal in an asylum appeal.

Child Abuse Compensation Law

Kiran utilizes her personal injury expertise in liability and quantum to represent survivors of abuse. She has appeared a number of times in appeals against decisions by the Criminal Injuries Compensation Authority ("CICA"), particularly on behalf of victims of rape and sexual abuse.

Selected Cases

- Instructed to represent an Appellant in her appeal against a decision by the Criminal Injuries Compensation Authority decision to deny her compensation for being out of time, in circumstances where she had been sexually abused as a child.
- Instructed to represent an Appellant in her appeal against a decision by the CICA to refuse compensation on the basis that there was insufficient evidence that a crime of violence had occurred, and failure to co-operate with the police, in circumstances where A had reported the rape to police who had decided not to proceed with a prosecution.
- Instructed to represent an Appellant in a quantum-only CICA hearing involving claims for lifelong loss of earnings and a permanently disabling mental injury, in the context of rape.

Direct Access

Kiran accepts **direct access** instruction from lay clients in any of the areas set out above. For further information please visit her profile [here](#).

She has represented a client in the Criminal Injuries Compensation Authority on a direct access basis.

Awards

- Bedingfield Scholarship, Gray's Inn (2016)
- BPP Advocacy Scholarship, BPP Law School (2016)
- Fulbright-Leon Jaworski International Law Award, The Fulbright Commission (2015)
- Half-tuition Dean's Graduate Award, New York University (2015)
- BEST Scholarship, BUNAC Educational Trust (2015)
- The Charnley Award, Hertford College (2014)

Education

- Bar Practice Training Course (Outstanding) BPP Law School, London (2016-2017)
- LLM (GPA 3.89/4) New York University (2015-2016)

- BA (Hons) Jurisprudence (First Class Honours) Hertford College, University of Oxford (2011-2014)

Memberships

- HRLA (Committee Member)
- PNBA
- PIBA

Publications

- Editor-in-Chief for the 1COR Quarterly Medical Law Review (QMLR)
- Contributor to the [UK Human Rights Blog](#) and [Law Pod UK Episodes 20, 77 & 109](#).