

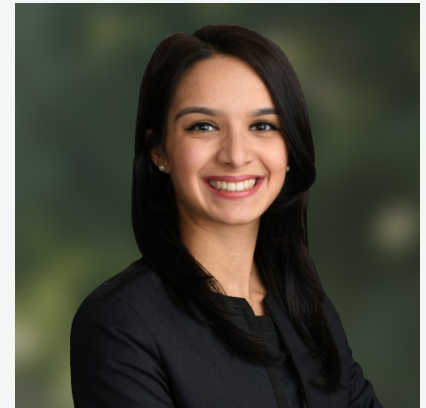
## Turan Hursit

CALL: 2017

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### Overview

Turan accepts instructions in all areas of chambers' work. Her practice spans clinical negligence, personal injury, the Court of Protection, inquests and public inquiries, public law and human rights, and employment law.

Turan has particular expertise in medical cases raising human rights issues and acts in a variety of cases for and against individuals, state bodies, private organisations, and companies. She is regularly praised by solicitors and lay clients for her skilled advocacy, tactical advice, and sensitive conduct of cases.

Turan has acted as junior counsel in cases up to and including Court of Appeal level. Most recently, she was instructed as junior counsel in *Bass v Ministry of Defence* [2020] EWHC 36 (QB), a high-profile test case against the Ministry of Defence, acting on behalf of a soldier who contracted Q Fever whilst serving in Afghanistan; at pre-inquest review stage in the inquest into the Manchester Arena bombings, acting on behalf of two families; and at pre-inquest review stage in the inquest into the Guildford pub bombings, acting on behalf of one of the wrongfully convicted Guildford Four.

Turan has written for a number of legal publications, including Munkman on Employer's Liability.

Before joining the Bar, Turan undertook a traineeship at the European Court of Justice, interned with human rights NGOs REDRESS and ARTICLE 19, and assisted victims of domestic violence as a paralegal at a family law firm. She also conducted research on pre-appointment scrutiny hearings as a research assistant at the UCL Constitution Unit, where she co-authored the Unit's report on 'Improving Parliamentary Scrutiny of Public Appointments' (2017).

As a university student, Turan led one of the first major pro-bono projects undertaken by LSE Pro Bono Matters. She was an avid mooter, winning the Herbert Smith Mooting Competition at the University of Bristol and acting as captain of the LSE team in the international Price Media Moot Competition. She also served as President of the Bristol Bar Society, Managing Editor of the Bristol Law Review, and Senior Editor of the Bristol University legal magazine. She was awarded a major scholarship for her LLM at the LSE, as well as a full scholarship from the Inner Temple for her Bar training.

Turan is passionate about improving access to the Bar and regularly mentors individuals from underprivileged BME communities. She sits on the Equality and Diversity Committees for chambers and for the Court of Protection Bar Association. Turan speaks fluent Turkish and French, intermediate German, and is learning Italian and Spanish. She is a Grade 8 violinist and plays for a London-based orchestra in her spare time.

#### Academics

LLB Law with French Law, University of Bristol (2010 – 2014)

Diplôme d'Études Supérieures en Droit, Université de Bordeaux-Montesquieu IV (2012 – 2013)

LLM Public Law, London School of Economics (2014 – 2015)

BPTC, City Law School (2016 – 2017)

#### Scholarships and awards

Winner, Herbert Smith Mooting Competition (University of Bristol, 2014)

### Expertise

- Administrative & Public Law
- Clinical Negligence
- Court of Protection (CoP)
- Education & Safeguarding
- Employment & Discrimination
- Health
- Inquests & Public Inquiries
- Personal Injury
- Professional Regulatory & Discipline

### Recommendations

"Her written and oral advocacy are both excellent." Chambers & Partners 2024

"Turan is really hands on, she is a capable advocate, who goes an extra mile for clients." Chambers & Partners 2024

"She really effectively pitches the concerns to the court." Chambers & Partners 2024

"She is able to persuade the coroner and other interested parties on matters of the most importance to her clients in order to proceed in their best interests." Chambers & Partners 2024

"Turan is always well prepared." Chambers & Partners 2024

"Turan is extremely reasonable in negotiations and then firm in court. Her strength is her unassuming demeanour which puts opponents off-guard." Legal 500 2024

### Key contacts

#### Joe Kallas

**Team Leader**

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**Email:** [kallas@oldsquare.co.uk](mailto:kallas@oldsquare.co.uk)

#### Evie Cocker

**Junior Team Leader Assistant**

**Phone:** 020 7269 0300

**Email:** [ecocker@oldsquare.co.uk](mailto:ecocker@oldsquare.co.uk)

Scholarship for LLM degree (London School of Economics, 2015)

Ashworth Scholarship, Exhibition Award, and Duke of Edinburgh Award (Inner Temple, 2015)

### **Publications**

Co-author, chapter on 'personal injury and trespass to the person', in 'Police Misconduct: Legal Remedies', Legal Action Group (upcoming, 2021)

Author, chapter in Munkman on Employer's Liability (2019)

'Improving Parliamentary Scrutiny of Public Appointments', by Robert Hazell, Turan Hursit, Harmish Mehta, and Peter Waller, The Constitution Unit, 2017

**Olivia Moliterno**

**Team Leader**

**Phone:** 020 7269 0477

**Email:** moliterno@oldsquare.co.uk

## **Clinical Negligence**

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Turan acts in a variety of clinical negligence cases and related interlocutory applications and CCMCs. She provides a range of drafting services, conducts conferences with lay clients, solicitors, and medical experts in the lead-up to trial, and acts in multi-track trials. She is praised for her sensitive handling of lay clients with traumatic injuries, her tactical approach to litigation, and her clear drafting style. Examples of cases on which Turan has worked include cases concerning negligent conduct of surgery, mistaken prescription of medication, delayed diagnosis of a number of different types of cancer, birth-related injuries, brain injuries, infertility, and haemophilia. Turan has recently assisted with cases arising from the infected blood scandal.

Turan undertook her pupillage at a leading clinical negligence set, gaining in-depth experience of cases from both Claimant and Defendant perspectives. Whilst training, she drafted particulars of claim, defences, advices on liability and quantum, schedules and counter-schedules of loss, mediation notes, and skeleton arguments on cases up to and including Court of Appeal level, as well as preparing conferences, roundtable meetings, mediations, and trials.

She assisted QCs with extensive legal research on issues of causation, quantum, and costs, including in the case of *XX v Whittington Hospital NHS Trust* [2018] EWCA Civ 2832 (at Court of Appeal stage), concerning the recoverability of the costs of commercial surrogacy.

## **Personal Injury**

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Turan acts in fast-track and multi-track trials concerning road traffic accidents, employers' liability, occupiers' liability, public liability, industrial disease, and sexual abuse. She is fast building a practice in high-value and complex cases, acting in cases worth up to £500,000. Turan regularly conducts conferences with experts (often from multiple disciplines) and lay clients. She advises on liability, quantum, procedure, and tactics in all personal injury cases, including those overlapping with her other areas of practice (for example, in personal injury cases concerning claimants who lack capacity where there are simultaneous Court of Protection proceedings). She is praised for her thorough drafting of particulars of claim, attention to detail in schedules of loss, and clarity of advice on liability and quantum.

Turan has appellate experience and was instructed as a junior counsel in *Bass v Ministry of Defence* [2020] EWHC 36 (QB), a high-profile test case against the Ministry of Defence, acting on behalf of a claimant who contracted Q Fever whilst serving as a soldier in Afghanistan.

Having previously worked at the European Court of Justice and being fluent in a number of languages, Turan has a particular interest in cross-jurisdictional issues. She has advised on cases concerning issues of state immunity, service outside of the jurisdiction, and insolvent and deceased foreign defendants.

## **Court of Protection**

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Turan accepts instructions in all fields of health & welfare and property & financial affairs in the Court of Protection. She is instructed by the Official Solicitor, local authorities, CCGs, and individuals in both interim and contested final hearings, as well as in roundtable meetings and counsel-to-counsel negotiations. She has particular experience of applications under sections 16 and 21A of the Mental Capacity Act 2005 concerning capacity and best interests. She also represents clients contesting capacity in section 16 deputyship scenarios and in costs hearings. Turan has appeared as sole counsel in the High Court before the Vice-President of the Court of Protection.

Turan has experience of serious medical treatment cases, having recently acted

in a case concerning an amputee who required urgent life-saving treatment for his leg wound. She has also acted in cases concerning capacity to consent to sexual relations and use of social media. She regularly appears against opponents 15 – 20 years her senior.

Turan acts in related civil claims concerning unlawful deprivations of liberty and violations of the Care Act 2014, the Human Rights Act 1998, and the Equality Act 2010. She also acts in cases in the Court of Protection which follow clinical negligence or personal injury proceedings (for example, for clients who have sustained brain injuries).

Turan was a contributing author to the recent Ministry of Justice consultation on revising the Mental Capacity Act 2005 Code of Practice. Turan sits on the Equality and Diversity Committee of the Court of Protection Bar Association.

## Inquests and Public Inquiries

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Turan represents bereaved families in cases concerning failures by state bodies (including the NHS, the police, and prison services) and private companies, before both coroners and juries. She has particular experience of cases concerning psychiatric and psychological evidence in a healthcare context and is adept at making Article 2 arguments. She is praised by solicitors and lay clients for her skilled legal analysis and cross-examination and for her sensitive handling of clients.

Turan's recent cases as sole counsel include the second pre-inquest review hearing for the inquest into the Manchester Arena bombings, acting on behalf of two bereaved families; the nationally publicised inquest into the death of Dr Alastair Watt, a Consultant in Diabetes and Endocrinology at the Northern Devon Healthcare NHS Trust; and the pre-inquest review hearing for the inquest into the death of a woman who was murdered in 2015. Turan has also acted in many inquests concerning deaths arising from medical treatment for both physical conditions and psychiatric disorders (including eating disorders), suicides, and police restraint. She has assisted senior counsel in a number of high-profile inquests, including the Guildford pub bombings.

Turan advises on the bringing of civil claims in negligence, under the Human Rights Act, and under the Equality Act following inquests, and on judicial reviews of coronial decisions.

## Public Law and Human Rights

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Turan advises and acts in a range of public law and human rights matters.

Turan has experience of community care issues and regularly advises on cases concerning withdrawals of healthcare funding, breaches of the Care Act 2014, and breaches of sections 17 and 20 of the Children Act 1989. She is particularly interested in the rights of vulnerable adults, particularly those suffering from disabilities.

She acts in actions against the police arising from false imprisonment, malicious prosecution, assault, battery, discrimination, and breaches of Articles 3, 5, 8, and 14 of the European Convention on Human Rights. She has experience of related claims concerning breaches of the Data Protection Act and the General Data Protection Regulation and misuse of private information.

Turan advises on claims for damages under the Human Rights Act 1998 in a variety of contexts. Being a fierce advocate of diversity in the workplace, Turan is also interested in cases concerning the public sector equality duty. She has experience of judicial review and is keen to develop her practice in this area.

## Employment and Discrimination Law

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Turan accepts instructions in all aspects of employment and discrimination law (including employment status, unfair dismissal, wrongful dismissal, whistleblowing, victimisation, health and safety, and human rights). She has a particular interest in cases concerning breaches of the public sector equality duty, having worked on cases concerning discrimination challenges whilst a trainee at the European Court of Justice (including the joined cases of *Achbita & Anor v G4S Secure Solutions NV* [2017] CJEU C-157/15 and *Bougnaoui and ADDH v Micropole SA* [2015] CJEU C-188/1, concerning religious discrimination in the workplace).

## Professional Recommendations

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### The Legal 500 2024

#### Client testimonials

"Turan's work was first class. She was extremely well prepared but had also a real grasp of the civil case. Her advocacy was excellent... Not only is Turan very able and hard-working, she was also very good with [the client]. She instilled confidence."

"[The clients] are immensely happy with the result...That was a difficult day for all and [she] did an absolutely fantastic job, keeping [her] cool in tough circumstances."

"We all thought [she was] amazing."

"We were impressed not just by her skill but also her sensitivity."