



Sheryn Omeri

Year of Call: 2010 (Admission, New South Wales: 2005)

Call Clerk on 020 7827 4000

PRACTICE AREAS

Clinical Negligence | Commercial Law | Discrimination & Equality | Employment
| Human Rights | Personal Injury | Professional Discipline | Public &
Administrative Law

HIGHLIGHTS

Sheryn Omeri was admitted as a legal practitioner of the Supreme Court of New South Wales, Australia, in 2005. She was then called to the Australian Bar.

Sheryn remains dual-qualified and currently practices at both the English Bar and the Australian Bar. She is the go-to person for cross-border disputes, including in respect of the cross-border enforcement of restrictive covenants. Sheryn is able to advise upon both English and Australian law and to appear in courts in England and Wales, and Australia.

Sheryn was junior counsel for the Claimant drivers in the Employment Law case

of our time *Aslam & Farrar v Uber BV & Ors* in which the Supreme Court found that Uber drivers are workers. She is presently instructed on behalf of the Applicant Uber drivers in *Weddall & Ors v Rasier Pacific, Uber Pacific Pty Ltd & Ors*, employment status litigation against Uber in the Federal Court of Australia. She is the only barrister in the world to be instructed on two employment status cases against Uber across different jurisdictions.

Sheryn holds a first class honours degree in law and University Medal from the University of Sydney. She has worked at the Paris office of Freshfields, after which she was judicial assistant to the Honourable Justice Margaret Beazley AO, former President of the NSW Court of Appeal and currently 39th Governor of the State of NSW. Sheryn has also spent time working at the International Criminal Court in The Hague.

"She is extremely diligent: she goes beyond the call of duty when working on a case, she has a fantastic eye for detail and is extremely analytical in her approach." **Chambers & Partners 2022**

"Her key strengths are her clarity of opinions and advice, very focused, confident approach when dealing with Tribunal panel, and with a great system for preparing for trial. Sheryn makes sure she knows the case and is very strong on discrimination - you feel Sheryn is on your side and believes in the case being fought." **Legal 500 2022**

OVERVIEW

Sheryn Omeri specialises in all aspects of Employment and Discrimination Law, including employment status, territorial jurisdiction and whistleblowing, as well as Public Law, Human Rights and Public International Law, International Criminal Law, and Clinical Negligence Law. Sheryn is instructed to appear at all levels of the Tribunal and Court structure, including the Employment Tribunal, EAT, County Court, High Court, Court of Appeal and Supreme Court.

EMPLOYMENT LAW

Sheryn was instructed (together with Jason Galbraith-Marten QC) on behalf of the lead Claimant Uber drivers in the employment status case of [**Aslam & Ors v Uber BV and Ors \[2021\] UKSC 5**](#)

, which was before the Supreme Court in July 2020. She has also advised the Independent Workers of Great Britain union on Uber's regulatory obligations. Sheryn is regularly instructed on behalf of respondent-employers on cases concerning employment status. In addition Sheryn is frequently invited to speak at international employment and labour law conferences and to provide media comment in the UK, Australia and France.

Sheryn is also widely published on the subject, including in the [**Cambridge Young Law Journal**](#), the [**ELA Briefing**](#), and the Journal of Personal Injury Law, for which she wrote a piece concerning the implications of the Uber employment litigation for employers' liability in the context of personal injury law.

Sheryn has advised a number of victims of Harvey Weinstein in cases touching on employment law, personal injury and human rights. She has recently acted for bankers, doctors and solicitors who have brought discrimination and victimisation claims. She appeared for Dr Shankar Chappiti in his [**claim of race discrimination against a large NHS Trust**](#).

Sheryn was counsel for the respondent-employer in [**Barton v Royal Borough of Greenwich UKEAT/0041/14/DXA**](#)

, one of the few whistleblowing cases specifically to consider the definition of a 'protected disclosure' in the Employment Rights Act 1996.

Sheryn appeared for the Respondent (led by Jason Galbraith-Marten QC) in the cross-over employment/human rights case of [**Turner v East Midlands Trains \[2013\] ICR 525**](#)

in which the Court of Appeal held, consistently with the Respondent's case, that the range of reasonable responses test applicable to cases of alleged unfair dismissal complies with the UK's obligations pursuant to Article 8 of the European Convention on Human Rights.

PUBLIC LAW

Sheryn is **Head of Cloisters' Public and Administrative Law Group**. She is

instructed (together with Sonali Naik QC and Irena Sabic) on behalf of an asylum seeker who was unlawfully detained pursuant to the Detained Fast Track procedure in a case concerning Public, Immigration and Personal Injury Law. She recently acted for claimants based in Hackney and Lambeth on planning claims brought in the Administrative Court challenging the imposition of Low Traffic Neighbourhoods without consultation with disabled residents. Sheryn was previously instructed (together with Hugh Southey QC) on behalf of a potential intervenor in *R (Dolan) v Secretary of State for Health and Social Care* [2020] EWHC 3857 (Admin) challenging public health orders imposed at the outset of the covid-19 pandemic. Together with Leslie Thomas QC, Sheryn appeared in judicial review proceedings on behalf of the widow of the late Carl Sargeant, Welsh Assembly Member who committed suicide after being suspended from the Labour Party by the then First Minister, in 2017.

She has also been instructed in judicial review proceedings challenging decisions of a Magistrates' and Crown Court to prolong the Claimant's detention without charge pursuant to s.152 of the Criminal Justice Act 1988, in proceedings challenging the age discriminatory aspects of the IVF Policy of a Clinical Commissioning Group and in proceedings challenging decisions of the Home Secretary affecting two Claimants on death row in Arkansas and Pakistan respectively (led by Judith Farbey QC, formerly of Doughty Street Chambers, now Mrs Justice Farbey).

PUBLIC INTERNATIONAL LAW

In early 2015, Sheryn worked in the Prosecution Division of Office of the Prosecutor at the International Criminal Court in The Hague, principally on the case of [**Prosecutor v Al Faqi Al Mahdi**](#)

. This was the first prosecution for the war crime of destruction of cultural property and the first occasion upon which a defendant offered to plead guilty before the ICC in the history of that court.

In 2018 and 2019, Sheryn was invited to speak at the Peace Palace at the Annual Conference of the IBA's War Crimes Committee.

Previously, Sheryn was instructed by the Kurdish Human Rights Project (now the Democratic Progress Institute) to act for one hundred Armenian workers in a case pending before the European Court of Human Rights.

PERSONAL INJURY / CLINICAL NEGLIGENCE

Sheryn is regularly instructed to advise and appear on personal injury and clinical negligence cases on the multi-track and in the High Court. Sheryn is presently instructed on behalf of the Claimant, victim of internal trafficking, in a high value personal injury claim against a brothel owner. In 2016 Sheryn appeared in the High Court case of [**London v Southampton City Council**](#) on behalf of the Claimant widow and executrix of the estate of Geoffrey London who had passed away as a result of the negligence of the Defendant. Sheryn also appeared on behalf of the Claimant in the clinical negligence case of *Wilson v Countess of Chester Hospital* concerning the negligent performance of a cataract operation.

Previously Sheryn acted (led by William Latimer-Sayer QC and Frank Burton QC) in a multi-claimant dispute against Godstone Farm concerning an outbreak of E. Coli affecting over one hundred children.

PRIOR TO CLOISTERS

In Australia, Sheryn was judicial assistant to the Honourable Justice Margaret Beazley AO, President of the New South Wales Court of Appeal and first woman to be appointed to that Court. Following this, Sheryn worked for and advised the Coalition of New South Wales Aboriginal Legal Services, the peak body representing the interests of the six Aboriginal and Torres Strait Islander Legal Services in New South Wales (ATSILS). Sheryn also published extensively, drawing attention to the discriminatory practices of police and courts in relation to Aboriginal Australians.

After the fusion of the six ATSILS, Sheryn worked as a criminal defence solicitor (advocate) and appeared in the Local, Children's, District and Supreme Courts of New South Wales on behalf of Aboriginal clients charged with all manner of criminal offence.

Sheryn was invited to the UK to work at Doughty Street Chambers where she became researcher to Richard Hermer QC in his capacity as head of the International Law Team. Later Sheryn worked for Leigh Day & Co Solicitors, specialising in product liability and was involved in multi-claimant actions with an international dimension.

In addition to her diverse experience in the law, Sheryn is fluent in French and Farsi, having won a scholarship to study at the Fondation Nationale des Sciences Politiques ('Sciences Po') in Paris where she was first in International Relations. Sheryn was subsequently awarded the University of Sydney University Medal for her thesis concerning the history and contemporary manifestations of the nationalist movement in Corsica.

AWARDS

- Pegasus Scholarship, Inner Temple (2015)
- Bar Council International Legal and Professional Development Grants Programme grant (2013) to attend the International Bar Association Annual Conference, Boston, USA
- University of Sydney, University Medal
- Blake Dawson Waldron prize for Environmental Law (2004)
- Prize for best fourth-year student (2002)
- In-country language scholarship (to study at the Fondation Nationale des Sciences Politiques, Paris) (2000)
- Garton Scholarship I (First in French) (1999)

REFERENCES

Chambers & Partners 2022: "She is extremely diligent: she goes beyond the call of duty when working on a case, she has a fantastic eye for detail and is extremely analytical in her approach."

Legal 500 2022: "Her key strengths are her clarity of opinions and advice, very focused, confident approach when dealing with Tribunal panel, and with a great system for preparing for trial. Sheryn makes sure she knows the case and is very strong on discrimination - you feel Sheryn is on your side and believes in the case being fought."

Instructing Solicitor: "I just wanted to thank you for your support to me and [the client] at and before the hearing yesterday. I have been very impressed by the excellent service you have provided in assisting me with dealing with what

has been a very demanding and frustrating [opponent] as well as your expert handling of the advocacy and the witnesses!"

Lay Client: "Sheryn, you have been a pillar of strength. Your sweet and likeable character hides a grizzly bear that you save for the courtroom. The amount of effort and hours you put into preparing for this case is obvious and I will be forever in your debt."

Chambers & Partners: "If she has a legal point she is like a dog with a bone."

APPOINTMENTS AND MEMBERSHIPS

- 7th Floor Wentworth Selborne Chambers - Door Tenant
- Administrative Law Bar Association (ALBA), Committee member
- ALAW, Editorial Board of ALAW Journal
- Anglo-Australasian Lawyers Society, member
- Bar Council, International Committee Executive, past member
- Bar Human Rights Committee, member
- British Institute of International and Comparative Law, member
- Employment Lawyers Association, member
- Industrial Law Society, member
- International Bar Association, member
- New South Wales Bar Association, Human Rights Committee, past member
- Personal Injury Bar Association, member
- Police Action Lawyers' Group, member
- Young Public Lawyers' Group, member

PUBLICATIONS AND TRAINING

In October 2019, Sheryn spoke at the Annual Conference of the Association of Italian Labour Lawyers in Verona.

Sheryn was invited by the IBA's War Crimes Committee to speak at its International Criminal Justice Conference in The Hague in April 2018 on the subject of the ICC's activation of its jurisdiction over the crime of aggression.

She was invited to return in 2019, to speak on the subject of prosecution for the supply of chemical weapons.

In October 2017, Sheryn was invited by the IBA's Human Rights Law Committee to speak at the IBA's Annual Conference in Sydney on the subject of 'Race and refugee issues in Australia: are policies of separation and detention working?'

ARTICLES

- Uber-careful: implications of modern 'gig economy' litigation for the employer's common law duty of care" (2019) (1) JPIL 59
- "Legacy of Empire" Counsel (Nov 2017)
- "High Court Rules Tony Blair cannot be Prosecuted Over Iraq War" Huffington Post, 2 Aug 2017
- "May's Spineless Mediocrity: A sign of progress for women?" Huffington Post (Jan 2017)
- "Guilty Pleas and Plea Bargaining at the ICC: Prosecutor v Ongwen and Beyond" (2016) 16(3) International Criminal Law Review 480
- "Guilty Pleas at the ICC" Counsel (Jun 2016)
- "The Orphaning of Future Generations" Counsel (January 2016) {Concerning Prosecutor v Al Faqi Al Mahdi}
- "Considering the qualifying disclosure" ELA Briefing (Sept 2015)
- "Toward a partial accountability for chemical weapons" Huffington Post (Aug 2015)
- "Illegality in context: Hounaga v Allen" Counsel (Apr 2015)
- "Chemical weapons and the ICC" Counsel (Jan 2015)
- "What Isis must mean for Kurdish Statehood" Huffington Post (Oct 2014)
- Chemical Weapons: Why isn't anyone being held accountable? Huffington Post (May 2014)
- D. Weatherburn. Arresting Incarceration 2014 (contrib)
- Taylor on Criminal Appeals (2nd ed) 2012 (contrib)
- The Law of Habeas Corpus. Sharpe (ed) 2010 (contrib)
- "Search warrants suspended and then resumed" (2008) 46(2) NSW Law Society Journal
- "Considering Aboriginality" (2006) 44(7) NSW Law Society Journal 74
- "The impact on Aboriginal people of the lack of community based sentencing options in rural NSW" (2006) International Journal of Rural Crime
- "Defending a charge of malicious damage" (2006) 30 Crim LJ 84

- "Psychiatric reports may go with clients to the correctional facility" (2005) 43(11) NSW Law Society Journal 43
- "Special Provisions for Vulnerable Persons" (2005) 43(9) NSW Law Society Journal 68
- Guide to Legal Services for Aboriginal people in NSW and the ACT. 2006, Sydney, published by the Aboriginal Legal Service (NSW/ACT) Limited

QUALIFICATIONS

Bachelor of Arts with First Class Honours in French, University of Sydney

Bachelor of Laws with First Class Honours, University of Sydney

Diplôme d'Etudes Internationales, Fondation Nationale des Sciences Politiques ('Sciences Po'), Paris. First in International Relations.

HIGHLIGHT CASES

- R (on the application of Sargeant) v First Minister of Wales & Ors [2019] 4 WLR 64
- [Aslam & Ors v Uber BV and Ors \[2019\] ICR 297](#)
- R (on the application of Jollah) v Secretary of State for the Home Department (No 2) [2017] EWHC 2821 (Admin)
- Green v London Borough of Barking and Dagenham UKEAT/0157/16/DM
- [Barton v Royal Borough of Greenwich UKEAT/0041/14/DXA](#)
- [Turner v East Midlands Trains \[2013\] ICR 525](#)
(led by Jason Galbraith-Marten QC)

- [Community Law Clinic Solicitors v Methuen \[2012\] Eq LR 880](#)

(led by Tom Coughlin QC)

- Furnell & Ors v Jacqueline Flaherty T/A Godstone Farm
- Poghosyan & Ors v Republic of Armenia European Court of Human Rights