

Dharsha Jegatheeswaran

Call: 2023

LinkedIn:

<https://www.linkedin.com/in/dharsha-jegatheeswaran-b2a93661/>

Twitter: https://twitter.com/dharsha_J



Specialist in:

- Criminal Law
- Housing & Community Care
- Inquests & Public Inquiries Team

Experience

Dharsha Jegatheeswaran joined One Pump Court in October 2024 after successfully completing her pupillage. She has a busy practise in crime and public law, and is developing a practise in inquests.

Dharsha is well versed in representing vulnerable lay clients. She is able to earn clients' trust and advise them effectively. She is known as a "capable, zealous and natural advocate".

Dharsha is cross-qualified as a Barrister and Solicitor in the province of Ontario, Canada where she was called to the Bar in 2016. She came to the Bar of England and Wales after almost a decade working in international law.

Crime

Dharsha is experienced at representing clients across the Magistrate's Court and Crown Court. She has experience across general crime including drug-related crime, serious violence and weapons offences.

She has particular expertise in protest cases and has successfully defended protestors from several groups including Palestine Action and Extinction Rebellion. She also has represented clients in cases involving elements of modern slavery.

Dharsha has extensive experience and interest in international criminal and international human rights law.

Public Law

Dharsha is regularly instructed in s204 appeals and judicial reviews in housing and homelessness. She also has experience representing prisoners in Parole Board hearings.

Inquests

Dharsha is developing a practise in inquests and accepts instructions on behalf of families of the bereaved. She has represented the family of the bereaved on an inquest concerning the death of a prisoner involving complex mental health evidence, and recently concluded an inquest concerning the death of an individual following a police pursuit.

Previous Experience

Prior to joining One Pump Court, Dharsha had extensive experience working in international human rights and criminal law. Until commencing pupillage she was the Co-Director of the Adayaalam Centre for Policy Research (ACPR), a human rights think-tank based in Jaffna, Sri Lanka which she co-founded while being based in Jaffna between 2016 and 2018. At ACPR she led documentation of atrocity crimes and explored avenues for accountability in foreign domestic courts. She worked closely with families of victims of enforced disappearances to build participatory models of advocacy, including providing training on international human rights and criminal law across eight districts in Sri Lanka. She continues to assist with ACPR's work as a strategic advisor.

As part of Dharsha's interest in universal jurisdiction, whilst completing her LLM she volunteered for REDRESS where she assisted with developing a novel legal argument on an intervention in an appeal to the UK Supreme Court on a universal jurisdiction case.

Dharsha also previously led Reprieve UK's South Asia Death Penalty team in assisting in the defence of individuals facing the death penalty for a wide range of offences including terrorism, drugs and murder in Pakistan, India and Sri Lanka. Through this work she developed a particular interest in the experience of victims of trafficking in the criminal justice system in the UK and internationally. She organised advocacy on legislative reform to reduce the scope of the death penalty in the region with parliamentarians and policy makers in the EU and the UK.

In Canada, Dharsha completed her articles at a pre-eminent litigation firm in Toronto where



she assisted on matters in a wide range of areas including employment, human rights, and constitutional law. While in law school in Toronto she also developed significant casework and legal research experience in refugee and immigration law.

Education

The London School of Economics and Political Science, LLM, 2019

The University of Toronto, Juris Doctor, 2015

McMaster University, Honours Bachelor of Science in Biochemistry, 2011

Memberships

Honourable Society of Middle Temple Inn

Women in Criminal Law

The Haldane Society

Human Rights Lawyers' Association

Languages

Tamil (basic spoken)

Awards

Canadian Millennium Provincial Scholarship (2007-2011)

McMaster Entrance Scholarship (2007-2011)

Emerging Professional Award from the Canadian Tamil Professionals Association (2018)

Cases

R v CR and KR [2025]

Dharsha represented two co-defendants charged with one count of aggravated trespass, arising from their activities as hunt monitors.

On the day of trial, the Crown made an application for adjournment which Dharsha



successfully resisted, forcing the trial to proceed.

She made legal arguments focused on demonstrating the Crown had not proven its case in respect of two of the elements of Aggravated Trespass – the need for a distinct act beyond mere trespass, and an intention for said act to disrupt/obstruct/intimidate lawful activities.

The District Judge was persuaded the elements had not been made out in line with Dharsha's legal submissions and acquitted both Ds.

Dharsha was instructed by Rosa Potters of Kellys Solicitors.

R v MP and CP [2025] Successful appeal against convictions in football case

Dharsha and Grace represented two of three co-defendants on appeal from various convictions arising out of a scuffle between fans at a football match.

Following a detailed cross-examination of five prosecution eyewitnesses including the complainants, Dharsha made a successful half-time submission under the second limb of Galbraith in respect of two of the convictions for use of abusive words under s4A of the Public Order Act 1986. The Judge and bench agreed with Dharsha's careful assessment of the weaknesses and contradictions in the Prosecution witnesses' evidence and her half-time submission was allowed.

At the close of the case, the appeal of a third conviction for battery was allowed.

A fourth conviction for a s4 POA offence was upheld.

The court allowed the appeal against conviction for one of two charges against Grace's client.

Dharsha and Grace were instructed by Zachary Whyte of Sperrin Law.

Dharsha Jegatheeswaran secures acquittals for Bibby Stockholm protestors charged with obstructing highway in two separate cases

On 2 May 2024, protestors acted to prevent the transfer of asylum-seekers to the Bibby Stockholm barge in Portland Port, Dorset.

The barge was controversially used to hold asylum-seekers from August 2023 until it was shut down in November 2024. Conditions on board the barge were described as a "living



nightmare” and a “human rights disaster”. There was an outbreak of legionella bacteria, overcrowding and tragically, the death by suicide of one asylum-seeker.

The protest on 2 May 2024 included individuals sitting in front of a coach which had been commissioned to take asylum-seekers from a hotel in Peckham to the barge.

In a two-day trial at City of London Magistrate’s Court in March 2024, Dharsha successfully advanced the argument that conviction of her client for their involvement in the protest would be a disproportionate interference with their Article 10/11 rights. Her client had been at the protest since the early hours of the day but could only be said to be on the road in front of the coach for less than a half hour prior to arrest and during a period prior to the road having become fully blocked. The Judge agreed with the submission on Ziegler factors and acquitted Dharsha’s client.

In April 2024, again at City of London Magistrate’s Court, Dharsha represented a different client who had been part of the protest on May 2nd. Again, her client had been present at the protest since the early hours in the day, but Dharsha obtained key admissions from officers that her client was only ever seen walking around, at times on the pavement, at times in the road, but never sat down. Dharsha also effectively cross-examined a senior officer obtaining the admission that at the relevant time her client was arrested, the enforcement action was focused primarily on protestors directly surrounding the coach. At half-time Dharsha made a submission that the Prosecution had not made out the obstruction element of the offence, which the Judge allowed. Her client was acquitted of the charge of obstruction of the highway.

In the first case, Dharsha was instructed by Zachary Whyte of Sperrin Law and co-defended with Audrey Cheryl Mogan of Garden Court Chambers, and Jessica Atkinson of HJA. In the second case she was instructed by Claire Dissington of GT Stewart and co-defended with Tom Wainwright of Garden Court Chambers.

R v BU [2025] Wood Green Crown Court – secured a SSO for Defendant facing over a dozen counts of theft, multiple counts of non-dwelling burglary and possession of a bladed article

Dharsha secured a suspended sentence order for a Defendant sentenced for 1 count of possession of a bladed article, over a dozen counts of theft, 3 counts of non-dwelling burglary and 2 counts of using threatening words (s4 POA).



Despite a number of previous convictions, previous failure to comply with community orders, and one of the offences having been committed whilst on bail for the other offences, Dharsha successfully advanced in mitigation the Defendant's prospects for rehabilitation which persuaded the Judge.

R v IY [2024] Harrow Crown Court – represented first Defendant in armed robbery

Dharsha represented the first defendant in a trial spanning two weeks for armed robbery involving issues of duress and modern slavery.

R v BAJ and ors [2024] Southwark Crown Court – successfully appealed conviction of aggravated trespass

Dharsha defended one of three co-defendants charged with aggravated trespass in relation to a Palestinian Action protest. The three were arrested after entering onto land belonging to a British weapons manufacturer. The three defendants were convicted at trial in the Magistrate's Court and then appealed to the Crown Court. Dharsha, and two other members of chambers represented the defendants at trial, and the appellants on appeal. After making legal and factual arguments about whether the Prosecution had made their case on the elements of aggravated trespass, the appeal was allowed, and all three convictions were overturned.

Dharsha was instructed by Rosa Potter at Kelly's Solicitors.

R v AF [2024] (Highbury Corner Magistrate's Court) – Secured dismissal of stand-alone application for an SHPO at trial

Dharsha successfully defended an application brought by the Metropolitan Police Service for a sexual harm prevention order (SHPO) against her client.

The basis of the application was a historic Schedule 5 non-sexual offence and alleged behaviour based on hearsay evidence. As a civil application, The Magistrates' Courts (Hearsay Evidence in Civil Proceedings) Rules 1999 applied.

At trial Dharsha challenged the credibility and weight to be given to the hearsay evidence and made legal submissions on the lack of necessity of an SHPO.

The Bench was persuaded the allegations of behaviour were not made out on the balance of



probabilities and dismissed the application. The Bench thanked counsel for their assistance in the case noting that a lot of hard work had been put in.

Dharsha was instructed by Depti October of Powell Spencer & Partners.

R v JV [2024] (Highbury Corner Magistrate's Court)

Defended a young man charged with possession of child pornography at trial. In sentencing, secured a community order and successfully opposed an SHPO.

R v NW [2024] (Inner London Crown Court) – Community order for client committed to Crown Court on ABH and child cruelty

Dharsha Jegatheeswaran's client was charged with one count of assault occasioning actual bodily harm (ABH) and one count of cruelty to a child (s1(1) of the Children and Young Persons Act 1933). The Defendant repeatedly hit her son resulting in cuts and bruising, before videotaping the injuries to send to family members.

Her client had a previous conviction for a similar matter involving another child.

Dharsha's client pleaded guilty before the Magistrate's Court and was committed to the Crown Court for sentencing.

Following mitigation, the Judge was persuaded that due to the Defendant's own experiences of trauma, the actions she was taking to address her own mental health, and the impact a custodial sentence may have on her children, a community order was appropriate.

R v AM [2024] (Isleworth Crown Court) – Suspended sentence for client committed to Crown Court for burglary

Dharsha Jegatheeswaran's client was charged with one count of non-domestic burglary. The Defendant was part of a group of individuals who fraudulently obtained out of hours access to a storage unit facility, broke into one of the units by removed the door of the unit using an angle grinder, and stole £100,000 worth of product from the unit.

Dharsha's client pleaded guilty before the Magistrate's Court and was committed to the Crown Court for sentencing. A co-defendant received a sentence of 15 months imprisonment.

Dharsha argued that her client had a lesser role in the organisation of the crime, which was accepted by the Judge. The Judge was also persuaded by points raised in mitigation



regarding the Defendant's personal circumstances and prospect of rehabilitation.

The Judge imposed a sentence of 11 weeks imprisonment suspended for 12 months with one requirement of unpaid work.

R v RB [2024] (Lavender Hill Magistrate's Court) Dharsha Jegatheeswaran makes successful exceptional hardship application

Dharsha Jegatheeswaran's client was charged with a speeding offence to which he intended to plead guilty meaning he would have 12 points on his licence and face driving disqualification.

Dharsha's client appeared in the Magistrate's Court for sentence.

Dharsha made an application for exceptional hardship on the basis of the impact of a driving disqualification to his business, by extension his sub-contractors, and in addition, his family, particularly his wife who suffered from mental health issues. The Bench accepted the application and the client did not receive any disqualification.

R v TS, KC & BAJ [2024] Crown Court at Southwark

Margo Munro Kerr, Dharsha Jegatheeswaran and Meghan Curran successfully overturn convictions of Palestine Action protestors for aggravated trespass on appeal to the Crown Court at Southwark

The three appellants were charged with aggravated trespass. They admitted having trespassed on to the premises of Lockheed Martin, an arms factory, shortly after which security guards found them carrying rucksacks with items typically used in protests.

At the Magistrates' Court in April this year, the three defendants were represented by Margo Munro Kerr, Dharsha Jegatheeswaran and Hannah Webb. The District Judge found that the defendants were hiding when they were found by security and convicted them on the basis that 'hiding' was an act distinct from trespass, sufficient to aggravate the trespass.

The three appealed their convictions to the Crown Court, where they were represented by Margo Munro Kerr, Dharsha Jegatheeswaran and Meghan Curran (Hannah Webb assisting in written submissions).

Counsel for the appellants argued that 'hiding' in this context could not be considered an act



intended to intimidate, disrupt or obstruct, sufficient to aggravate the trespass and in the alternative, that the activities of security guards on a non-working day could not be part of the 'lawful activities' particularised in the charge. Counsel also resisted an attempt by the Crown to significantly alter the basis on which it put its case to include other acts, arguing in alternative that those acts were in any event insufficient to aggravate the trespass.

The Crown Court did not agree that the security guards' activities could not be considered to fall within the lawful activities particularised in the charge, but allowed the appeal on the basis that it was right that the act of 'hiding' on these facts did not amount to a distinct act designed to intimidate, obstruct or disrupt lawful activities, sufficient to aggravate the trespass. The Court did not determine whether the Crown should have been allowed to alter the basis on which its case was put, finding instead that none of the other acts were sufficient to aggravate the trespass.

Margo, Dharsha, Meghan and Hannah, were instructed by Rosa Potter of Kellys Solicitors.

R v TW (2024) Highbury Corner Magistrate's Court – Prosecution offer no evidence in harassment trial

Dharsha Jegatheeswaran made representations to the Prosecutor and a CPS Manager on the morning of trial, describing the case chronology, the weaknesses in the evidence, an issue with disclosure from the CPS, and concerns about the Defendant's mental health. Following these representation the CPS decided to offer no evidence on the basis they did not meet the evidentiary standard and in addition, given the Defendant's mental health issues, it was not in the public interest.

