



Sunyana Sharma

Year of Call: 2006

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Overview

Sunyana Sharma is an inquest and professional discipline barrister with specialist knowledge in maritime and fishing law and health and safety law. She also has experience in regulatory compliance.

Sunyana sits as an Assistant Coroner for Hampshire, Southampton and Portsmouth and as a Deputy District Judge in Civil and Family law. To read more about Sunyana's relevant expertise, please see her specialist inquests profile.

Prior to joining Chambers, Sunyana worked for the Solicitor International Human Right's Group ('SIHRG') with whom she organised the Zimbabwe Fundraising Event called 'Protecting Lawyers in Zimbabwe' in collaboration with the Bar Human Rights Committee. She also worked as part of a team in researching and drafting legal submissions on the rule of law and the importance of an impartial tribunal following the suspension of the Chief Justice of Pakistan in March 2007. In addition, she undertook an internship with the criminal justice department of 'JUSTICE', the all party law reform and human rights organisation. She assisted with the research on policy papers commissioned by JUSTICE, which included changes to the rape in the Sexual Offences Act 2003 and responses to the Home Office paper on 'New powers against organised and financial crime'.

Reported Cases

[2010] EWCA Crim 109; [2011] 1 Cr App R (S) 36: The Court considered whether exceptional circumstances exist justifying the court in not imposing the required minimum sentence for the possession of firearms.

Publications

Sunyana has written for a number of publications on topics such as inquests, public law and life at the Bar. These articles include:

- "Kids, Court and Caffeine...How to survive having a baby at the Bar" (The Barrister, 2023)
- "The influence of Coroners—what impact do prevention of future deaths reports have in practice?" (LexisNexis, 2021)
- "Fisheries Act 2020—snapshot", in collaboration with Dr Tagbo Ilozue (LexisNexis, 2021)
- "Secondments – worth a second thought" (Counsel Magazine, 2020)
- "BarNone: changing the face of justice", in collaboration with Anjali Gohil (Counsel Magazine, 2020)
- "Breaking moulds" (Counsel Magazine, 2020)

Marine and Fisheries Law

As a criminal and regulatory specialist, Sunyana has developed expertise that focuses on the maritime and fisheries sector. She regularly prosecutes, defends and advises in actions brought by the Maritime Coastguard Agency ('MCA'). She has also defended a number of cases prosecuted by the Marine Management Organisation ('MMO'). Her cases have included:

- Collisions at sea
- Health and safety breaches
- Pollution offences
- Illegal fishing
- Registration and technical failures.

Her clients include: masters, owners, charterers, operators, harbour authorities and the MCA.

Recent cases

Inquest touching deaths of M, J & P (2023): Representing HM Coastguard Agency in three joint inquests following drownings that occurred during the relaxation of COVID pandemic lockdown. PFD concerns raised on the management of beach safety prior to the inquest.

Inquest touching the deaths of YMG & PLF (2021): Represented HMCG in 10 day Judge led inquest which inquired into the drowning of two fisherman following the sinking of the French fishing vessel, the Bugaled Breizh in January 2004. The inquest considered the structural safety of the vessel, adequacy of training and equipment, the possible causes of the sinking including the involvement of another vessel or submarine and the adequacy of the search and rescue of the fishermen.

R v. SG (2020): Represented a Maritime Operations Officer ('MOO') for their involvement in a search and rescue operation following a person in the water at New Brighton who subsequently died. Although police investigation into gross negligence manslaughter allegations against MOO, early involvement in case led to client not being arrested or charged.

MCA v. SYA Ltd & RA and MCA v. KD (2020): Represented MCA in two cases for sailing a yacht without having in force a valid small code certificate for the vessel. Technical issues raised relating to the applicability 'Blue Code' and MGN 280.

R v. DW & LB Ltd (2019): Representing the MCA in a double collision on the River Thames causing damage in excess of half a million pounds.

R v. DR (2019): Representing the MCA following a collision of a high speed tour boat with a buoy on the River Thames causing injury to passengers.

Inquest touching the death of NW (2018): Represented HM Coastguard Service for the MCA following a death at sea in which article 2 issues were raised following a complaint by SECAMB.

R v. F & Others (2016)

Represented the owners of a Fishing Company on a high profile three handed fisheries matter in the Falkland Islands for breaches of ss. 167 and 168 of the Fisheries (Conservation and Management) Ordinance 2005 and Regulation 61 of the Fishing Regulations Order 1987 for failing to report £184,038 of hake. Avoided a conviction of the s.168 offence which would have led to the forfeiture of the owner's vessel, which has been valued at £1.5million.

MCA v. Michael Stimson (2015)

Successfully prosecuted a fisherman on behalf of the MCA for harvesting shellfish from a prohibited area of Southampton Waters contrary to Regulation 19(1) of the Food Safety and Hygiene (England) Regulations 2013, failing to display navigation lights at night pursuant to the rule 23 of the COLREGs, displaying the Port of Registry and Fishing Numbers on his vessel despite his vessel being unregistered for a period of 2 years, contrary to s.15(3) and (5) of The Merchant Shipping Act 1995.

MMO v. Westminster Dredging Company Ltd (2015)

Represented a multi national Company for breaching s.65 of the Marine and Coastal Access Act 2009 in that it deposited

dredging material in an area outside the area designated within the licence at HMNB Devonport on 31 occasions.

MCA v. Geradus Chapel (2014)

Instructed to advise the Master of a dredger for offences under the Merchant Shipping Act 1995 following a collision that led to a fatality.

MCA v. Richard Pease (2014)

Successfully prosecuted a hovercraft driver who was almost 3 x over the legal limit in alcohol whilst under passage between Southsea, Hampshire & Ryde, Isle of Wight under the Railways and Transport Safety Act 2003.

MCA v. NJ (2014)

Successfully defended the driver of a rib for breaches of The Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996, following a collision on the Cardiff Bay.

MCA v. The Beauchamp Lodge Settlement (2014)

Prosecuted on behalf of the MCA a charity company which had failed to operate a passenger vessel with a valid passenger certificate as required under The Merchant Shipping (Survey and Certification) Regulations 1995.

MMO v. Saltire Seafoods Ltd (2013)

Represented a Fishing Company for dredging £12,500 worth of undersized scallops, a regulatory offence pursuant to The Scallop Fishing (England) Order 2012 and The Sea Fish (Conservation) Act 1967.

MCA v. Generic Enterprises Ltd (2012)

Represented Owners of a Spanish Vessel for breaches under the Merchant Shipping Act 1995 and Health and Safety at Work Regulations 1997 for Merchant Shipping and Fishing Vessels.

MCA v. Captain Koningstein (2012)

Represented the Master of a vessel who was involved in a collision with another vessel on the Thames Barrier for offences contrary to The Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996.

Recommendations

Sunyana Sharma is ranked in the **Legal 500 2024**/Professional Discipline and Regulatory Law/Leading Juniors/London Bar

Sunyana Sharma is ranked in the **Legal 500 2024**/Inquests and Inquiries/Leading Juniors/London Bar

[Sunyana Sharma is] 'Able to assimilate large volumes of information quickly and focus on the key issues, with questioning that is succinct but focused – a highly competent barrister.'

Legal 500 2023/Inquests and Inquiries/Leading Juniors/London Bar

'Strengths include a wealth of knowledge, strategic acumen and impeccable client care. In addition to being incredibly talented, Sunyana is also efficient, approachable, and always easy to reach and happy to advise. Instructing solicitors cannot rate the service provided by Sunyana highly enough.'

Legal 500 2022/Inquests and Inquiries/Leading Juniors/London Bar

'She understands both sides of nursing and midwifery cases.'

Legal 500 2016/Professional Discipline and Regulatory Law (including police law)/Leading Juniors

"Sunyana has conducted numerous prosecutions for us as a regulator over several years. Sunyana is a diligent hard-working barrister who provides clear advice with absolute clarity on a consistent basis.

A barrister who always appears to be pro-active, on the front foot and seemingly always one step ahead of the game. Sunyana serves us as a client timely and measured response in all instructions and is keen to work with us the regulator at an early stage in all matters.

In the court room is where you see the real deal with Sunyana, strong and robust advocacy, fast thinking and good on her feet, clearly respected by the bench and peers alike and consistently builds strong working relationships with all parties in every case we have worked on together.

In all Sunyana is hugely knowledgeable, highly effective whilst still being a delightful person to work with."

Head of UK Maritime Investigations Team, Maritime & Coastguard Agency

"I just wanted to say a big thank you for your hard work on our recent case. Considering you only received the papers at very late notice, your knowledge and understanding of the case was outstanding. I was so impressed by your meticulous preparation and would have no hesitation in instructing you again or recommending you to any of my colleagues. Thank you again".

Partner, Law firm

"Hardworking, intelligent, very approachable and a pleasure to work with. She is always available to speak to and bounce ideas off and is very good both at advising clients and managing their expectations".

Senior Associate, Law firm

Academic qualifications

- LLB Law (Hons), London School of Economics
- LLM Public International Law (Merit), London School of Economics
- Bar Vocational Course, BPP Law School, London (2006, very competent).
- Jessup International Mooting Competition, (UK rounds) - Finalist, 2004 and Semi-Finalist, 2006

Professional qualifications & appointments

- Assistant Coroner for Hampshire, Portsmouth and Southampton
- DDJ (Civil and Family)
- Steering Committee member of BarNone, Western Circuit

Professional bodies

- Coroners' Society of England and Wales
- ARDL (Association of Regulatory and Disciplinary Lawyers)
- HSLA (Health and Safety Lawyers Association)
- HRLA (Human Rights Lawyers Association)
- Western Circuit