Daisy van den Berg

CALL: 2017



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Overview

Daisy specialises in employment and discrimination. She is recognised as an “Up and Coming” leading practitioner in Employment Law in Chambers and Partners 2026.

Daisy has extensive experience as sole counsel in lengthy trials, including against barristers many years her senior. She has appeared in the EAT and the Court of Appeal, and recently appeared in the Supreme Court in *Wicked Vision v Rice*, on the scope of whistleblowing claims that may be made on dismissal.

In 2018-2019, before coming to the Bar, Daisy was the Judicial Assistant to the Vice-President of the Court of Appeal, Lord Justice Underhill. During this time, she worked on prominent employment cases including *Asda Stores Ltd v Brierley* and *Uber BV v Aslam*.

Daisy also worked as a Research Assistant in the Commercial and Common Law Team at the Law Commission in 2019-2020. She assisted with drafting a paper on the rights of investors under contract and trusts law.

2026 25+ HOURS PRO BONO RECOGNITION LIST ENGLAND & WALES

Employment & Discrimination

Daisy is an employment and discrimination specialist who is regularly instructed in complex and high value cases in both the employment tribunal and the civil courts. Daisy works with a wide range of clients including unions and union members, sports clubs, higher education institutions, companies, public bodies, and professionals.

She is regularly instructed in sensitive matters, including by senior executives, and can advise on merits, strategy and negotiations at an early stage, and assist with pre-action and without prejudice correspondence.

Daisy’s knowledge of civil litigation means she is well placed to advise clients on jurisdictional matters, employment disputes, breach of contract claims, and discrimination claims in the civil courts. She is also experienced in advising clients and acting in disputes over international jurisdiction and the territorial scope of legislation.

Appellate work

- Represented Wicked Vision in **the Court of Appeal and the Supreme Court** in ***Rice v Wicked Vision***, led by **Nadia Motraghi KC** and **Rad Kohanzad**. The appeal concerned the scope of dismissal claims brought by employees under ss.103A and 47B of the Employment Rights Act 1996. The Court of Appeal held that it was bound by the decision in ***Timis v Osipov***, but had it been free to depart from that decision, it would have done so. The decision of the Supreme Court is awaited.
- Instructed in an **appeal to the EAT** (led by Jane Russell KC) relating to discrimination on the grounds of gender critical beliefs, listed in late 2026.

Expertise

- Data Protection & Information Law
- Employment & Discrimination
- Personal Injury

Recommendations

"Daisy has a real talent for cutting through the noise and distilling the key issues that require attention." Chambers & Partners 2027

"Daisy is a pleasure to work with for clients and instructing solicitors alike; she is assertive and quick on her feet, whilst remaining measured and calm." Chambers & Partners 2027

"Daisy is a true rising star, and we look forward to seeing what the future holds for her." Chambers & Partners 2027

"Daisy van den Berg is a great advocate who is able to adapt in difficult situations." Chambers & Partners 2026

Key contacts

Lee Jennings

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- Instructed in an **appeal from the County Court to the High Court** (led by Hugh Southey KC) relating to s.195 of the Equality Act 2010, on discrimination in sport, listed in late 2026.
- Instructed in an **appeal to the EAT** (unled) in a whistleblowing case, due to be heard in early 2027.
- Successfully **represented a corporate respondent in the EAT** (unled). The appeal concerned the distinction between continuing acts and one-off acts with continuing consequences for the purposes of the time limit provisions under the Equality Act 2010.
- Drafted grounds of appeal and a skeleton argument for an **application for permission to appeal to the Court of Appeal**, concerning the exercise of suspension clauses in employment contracts.
- Drafted an **application for an extension of time** within which to lodge an appeal to the EAT.
- **Drafted grounds of appeal** in an appeal concerning the test for whether a fair trial is still possible under the tribunal's strike out rules.
- Successfully **resisted an appeal against a Registrar's Order** in the EAT (unled).

Employment Tribunal hearings

- Succeeded in a contested **application for anonymity** for a claimant in a claim for discrimination based on gender reassignment.
- Successfully represented a **claimant doctor in a five-day victimisation hearing**. The claimant had raised allegations that the respondent's pay system may disadvantage overseas-qualified doctors. The respondent argued that it had not terminated the doctor's locum contract because of the protected act, but because of the **manner in which he made the protected act**, namely that he had approached pay negotiations inappropriately.
- Successfully represented the respondent in a **two-week whistleblowing trial: *Cox v Adecco***. This was a case in which the claimant had, twice, appealed to the EAT on preliminary matters before the case reached a final hearing in the tribunal.
- Successfully represented a foreign government in a dispute over whether the Employment Tribunal had **international jurisdiction under post-Brexit legislation (section 15C of the Civil Jurisdiction and Judgments Act 1982) to hear a claim brought by a consultant working remotely in London**. The Tribunal determined that the claimant did not have an "individual contract of employment" with the respondent and, accordingly, the tribunal did not have international jurisdiction to hear the claim.
- Successfully represented a **respondent GP Practice** in an **eight-day hearing**. An ex-Partner of the Practice brought a claim (with a pleaded value of over £150,000) for **sex and maternity/pregnancy discrimination and constructive expulsion under ss.44 and 46 Equality Act 2010**. The claimant alleged that the partners had unlawfully made significant financial decisions about how to run the practice during Covid without her input, and that this had forced her to resign from the partnership.
- Succeeded in a **costs application** against a claimant who had been legally represented up until the costs hearing. The **respondent was awarded 100% of its claimed costs** on the basis that the claimant had unreasonably pursued claims which had no merit.
- Successfully represented the respondent in a **five-day religious discrimination** hearing. The claimant, **a social worker, made allegations that she had been instructed by her employer, a Council, to wear a rainbow-coloured lanyard** at work. She claimed she had refused to do so on the basis of her faith.
- Successfully represented the claimant, a **minister of religion**, in a **three-day hearing to establish worker-status**, cross examining multiple witnesses with the assistance of a Punjabi translator.

Civil Litigation

Daisy has a varied civil law practice, including a busy court practice encompassing trials and interim hearings. She is regularly instructed to draft pleadings and advices in fast-track and multi-track cases involving discrimination claims under the Equality Act 2010, breach of contract, breach of statutory duty, employers' liability, public liability, and occupiers' liability.

Daisy has particular expertise in discrimination claims in the civil courts. Recent examples include:

- Instructed in an **appeal from the County Court to the High Court** (led by Hugh Southey KC) relating to s.195 of the Equality Act 2010 on discrimination in sport. Permission to appeal on all grounds has been granted and the appeal is listed for late 2026.
- Successfully **resisted an injunction application** on behalf of a University. The Claimant, a former student, applied for an interlocutory

injunction to be re-admitted onto a degree course.
- Instructed in a discrimination in services claim concerning a transgender claimant who has been **excluded from competing in a darts competition**.
- Achieved settlement (to the full pleaded value of the claim) for a **transgender man in a claim against a US law firm**.
- Instructed to defend various discrimination claims brought by **Irish Travellers against pub landlords** in the civil courts.
- Attended a **strike injunction in the High Court** with Rebecca Tuck KC, acting for the union in defending the application by the employer. The matter in issue concerned whether the ballot paper complied with s.229(2D) TULR(C)A 1992: that the voting paper must indicate the period of time within which the industrial action is expected to take place.

Education

Daisy is regularly instructed by academics, teachers, unions, and higher education institutions in employment and discrimination claims in both the employment tribunal and the civil courts.

Most recently, Daisy successfully resisted an injunction application on behalf of a University. The Claimant, a student who had been de-registered from the University, applied for an interlocutory injunction to be re-admitted onto her degree course, and for the University to make various provisions so that she could successfully complete her course. Her substantive underlying claim concerned breaches of the Equality Act 2010 and Human Rights Act 1998, breach of contract and negligence. The Judge, in refusing to grant the injunction, accepted the University's submissions that the order would be onerous and unworkable, and that damages would in any event be an adequate remedy.

Data Protection

Daisy has advised on liability and quantum in claims involving GDPR breaches, misuse of private information and breach of confidence. Specifically, Daisy is experienced in advising on data breaches concerning transgender individuals and sensitive data. She has also advised employers on dealing with data subject access requests.

Further information

Appointments and Memberships

- Daisy is a member of the Law Reform Committee of the Bar Council.
- Daisy is a trustee of Hackney Shed, an inclusive theatre company for children and young people.
- Daisy is a mentor on the Judicial Reverse Mentoring Scheme 2026.

Academics

- LLM in Public International Law (Leiden University, 2018)
- BPTC, Very Competent (BPP University London, 2017)
- GDL, Distinction, 2nd in year (Oxford Brookes University, 2016)
- BA Hons in English Literature and Politics (The University of York, 2013)

Awards

- Winner of a Kalshoven Advocacy Prize and finalist in the Kalshoven International Humanitarian Law Moot (Leiden University, 2018)
- Runner-up in the national round of Telders International Law Moot Court Competition (Inner Temple, 2017)
- 2nd place in the Inner Temple Lawson Moot (2017)
- BPTC Exhibition Award and Duke of Edinburgh Entrance Award (Inner Temple, 2016)
- Academic BPTC Scholarship (BPP University, 2016)
- The School of Law Diploma Prize (Oxford Brookes University, 2016)

Languages

- Dutch

Voluntary work

While on the BPTC, Daisy was a Mentor for the Gray's Inn programme Vocalise, teaching prisoners to debate.

During the GDL, Daisy volunteered as a qualified Adviser at the Citizens Advice

Bureau in Oxford.

Articles:

- Court of Appeal provides guidance on the Tribunal's duty to identify claims which have not been set out in the agreed list of issues – ELA Briefing (April 2025)
- Court of Appeal provides guidance on the list of issues: *Moustache v Chelsea and Westminster Hospital NHS Foundation Trust* – LexisNexis (April 2025)
- *Flexible Working – Topic Overview* (Westlaw, August 2024)
- *Who to sue? Non-delegable duties of care to patients and vicarious liability for self-employed dentists (Hughes v Rattan)* (Lexis PSL, 30 July 2021)

Professional Recommendations



Daisy van den Berg

"Daisy is an exceptional barrister: be it client care; written or oral advocacy; or strategy. She is quick on her feet and has strong knowledge of the latest case law, deploying it effectively to achieve the desired result. She is also highly engaged and responsive, and always makes herself available for instructing solicitors and the client. Her style of advocacy is measured and calm as well as assertive when required. We would recommend her without hesitation."

Feedback from a recent instructing solicitor

"Daisy van den Berg is a great advocate who is able to adapt in difficult situations"

Chambers & Partners 2026

"Daisy van den Berg is a patient, thorough and effective advocate"

Chambers & Partners 2026