

Aileen McColgan KC

Silk: 2020 Call: 2001

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Aileen is recommended by the directories as a leading silk in administrative & public law, education law, civil liberties & human rights, employment law and independent investigations. She has particular interests in discrimination/equality and human rights law, including the law relating to information/ freedom of expression, and extensive experience in conducting independent investigations for a variety of bodies including FTSE 100 and multinational companies, local authorities and national charities, law firms, political parties, religious organisations and universities.

Aileen's interests in human rights and discrimination law have been reflected in litigation and investigations concerning the boundaries between free speech and alleged antisemitism and transphobia as well as between religious freedom and anti-discrimination rights. She has extensive experience on advising in relation to trans-related issues in the context of education, employment and policing. Recent cases include *XTX v Mazars* (successful defence against allegations of race discrimination in the context of sanctions) and *Newman v Metropolitan Police* (successful defence against allegations of discrimination based on gender critical beliefs). Aileen has also advised many organisations on the investigation and management of complaints of sexual harassment/ assault and harassment/ bullying, including at the highest levels.



'a top-class practitioner', 'an excellent KC and a pleasure to work with' and 'a leading lawyer [whose] understanding of the key issues and fundamental principles really sets her apart'

(LEGAL 500, 2023)

Aileen is recommended by Chambers & Partners (2026) as 'incredibly approachable and client-focused', combining 'great communication skills with pre-eminent expertise of her specialism', 'absolutely top class'; 'very articulate and unshowy' and 'brilliant academically'. Legal 500 (2026) praises her 'razor sharp intellect' and 'brilliant' 'ability to assimilate vast amounts of information'. Previous editions have praised her as 'very responsive and very good with clients... tactically astute and able to cut through large quantities of information and provide clear, strategic and commercial advice quickly'; 'really able to think outside of the box'; 'exceptional in every aspect of advice and client relationships... a true expert' (Chambers and Partners 2024); 'an expert on discrimination law' whose 'no-nonsense approach gives confidence to the client' (Legal 500, 2024), 'a top-class practitioner', 'an excellent KC and a pleasure to work with' and 'a leading lawyer [whose] understanding of the key issues and fundamental principles really sets her apart' (Legal 500 2023); 'a fierce advocate' who 'distils complicated issues into manageable areas ... has a phenomenal ability to cut through swathes of information to get to the heart of the matter and has a genuine partnership approach' (Legal 500, 2022), and as having a 'stellar academic background [which] means that she is totally on top of the law, and [who] draws on that fountain of knowledge to provide comprehensive but commercial advice' (Chambers & Partners 2022).

Aileen has a distinguished history as an academic and is internationally recognised as a leading academic in discrimination, equality and human rights law. Her academic work has been cited in the ECHR and the domestic courts. She is the former Chair of the Human Rights Lawyers Association (2019-2021); a current or former member of the editorial committees of Public Law, European Human Rights Law Review, International Journal of Discrimination and the Law and Education Law Reports and former Executive Committee Member of the Industrial Law Society. She has been trustee of the British Institute of Human Rights and was until 2016 the UK's National Expert on the European Networks of Legal Experts in the Field of Gender Equality and of Experts in the Non-discrimination Field. She has published very widely on human rights, discrimination and employment law.

Expertise

Public

Aileen's public law practice encompasses (in addition to education-related cases) every kind of public law from challenges by commercial bodies against public authority decision-making through social care challenges to PSED/ Article 14/ HRA discrimination claims and judicial reviews by and against police forces as well as election law. Aileen is regularly instructed by Arts Council England in connection with a range of matters including challenges to grant-related decision-making.

Until 2022 Aileen was on the editorial committee of Public Law.



She is able to quickly get to grips with the issues in the case and what is key for her client. Aileen has a real measured and proportionate approach to her work.

CHAMBERS & PARTNERS

R (AI) v Wandsworth LBC

[2023] EWHC 2088 (ADMIN)

Aileen successfully defended the local authority on a PSED challenge to its delivery of SEND education to trans children and young people.

R (AB) v A County Council & Anor

[2022] EWHC 2707

Aileen represented the local authority in a successful defence to a challenge by a teacher to its treatment of a trans child.

Achievements

Books

Labour Law, with Hugh Collins and Keith Ewing (multiple editions currently CUP, 2025)

Discrimination Law: Text, Cases and Materials (multiple editions, currently Bloomsbury, 2024)

Special Educational Needs and Disability Discrimination in Schools (LAG, 2017) with Sarah Hannett and Elizabeth Prochaska

Discrimination, Equality and the Law (Hart: 2014)

Discrimination Law Handbook(ed.), (LAG, 2005 and 2002)

Women under the Law; the False Promise of Human Rights (Essex: Longman, 1999)

Equal Pay: Just Wages For Women (Clarendon Press, 1997)

The Case For Taking the 'Date' out of Rape (London: Pandora, 1996)

Selected Articles / Chapters in Books

Labour Law, with Hugh Collins and Keith Ewing (multiple editions currently CUP, 2025)

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LEGAL 500 (2026)



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CHAMBERS & PARTNERS (2026)



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LEGAL 500 2026



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CHAMBERS & PARTNERS 2026