

# 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.



***Aileen is exceptional in every aspect of advice and client relationships. She is a true expert***

CHAMBERS & PARTNERS 2024

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

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## Information and Data Protection

Aileen has been instructed in a number of freedom of information and data protection claims including claims involving the Cabinet Office and the Ministry of Defence. She has acted in a significant number of protection from harassment claims which concerned the balance between freedom of expression and harassment. Aileen has provided extensive advice on data protection and privacy matters arising in connection with the publication of reports dealing with child sexual exploitation/abuse, on questions of data protection arising in connection with disclosure within the context of litigation and on data protection and related issues arising in connection with gender reassignment.

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### Ward & Ors v McGovern

HQ18M0026 (2019, HIGH COURT)

Aileen secured injunctive relief for the claimant under the Protection from Harassment Act in which freedom of expression was in issue

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### Big Brother Watch & Ors v UK

[2018] ECHR 58170/13 (ECTHR)

Aileen represented the EHRC in a challenge to state surveillance

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### Cabinet Office v Information Commissioner & Ashton

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Aileen represented the claimant in a successful defence of a FTT's disclosure order

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## 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