



## Rachel Crasnow KC

<b>CEDR Accreditation:</b>	2024
<b>CEDR Panel:</b>	2025
<b>Languages:</b>	English
<b>Location:</b>	London, United Kingdom

*“I found Rachel to be incredibly efficiently focused on coming to an agreed mediated outcome, carefully exploring with both parties where they could give and take and where their red lines were. Without her, this particular mediation is unlikely to have worked.”*

### Overview

Rachel Crasnow KC is in full-time practice as a Mediator, KC and Judge and her multi-disciplined approach brings excellence to each of these roles. She has been practicing from Cloisters Chambers since 1996 and mediating since 2010. In 2024 she enhanced her skills via CEDR's prestigious international mediation course and joined the CEDR mediation panel in 2025.

As a barrister Rachel specialises in employment, discrimination and human rights work and was appointed as King's Counsel in 2015. She sits as a Recorder (part-time judge) in the Employment Appeal Tribunal and the Family Courts. Her position as Joint Head of Chambers combines her listening and leadership skills. All her experience had led her to develop considerable insights into where and how mediation provides an optimal solution for warring parties.



## Professional Background

Rachel's background in workplace and discrimination disputes along with her dedicated preparation skills helps her to understand the key issues in any mediation with precision. Rachel is able to adeptly reality-test the cases of those who mediate before her whom she assists in identifying and evaluating the various aspects of their arguments. Rachel prefers a facilitative approach in order to enable the parties to 'own' the solutions they reach.

## Expertise

- Workplace clashes
- Discrimination
- Trade union
- Social media
- Pay conflicts
- Retail goods and services
- Financial services litigation
- Bullying and harassment
- Higher education
- Healthcare conflicts

## Dispute Experience

Rachel has extensive experience in mediation, having trained with the London School of Mediation in 2010. She is further accredited with CEDR having undertaken the prestigious 5 day CEDR International Accreditation Programme in 2024. She has conducted and attended numerous mediations. Her other legal roles of KC, judge and investigator complement her mediation role and enhance her mediation skills.

### Higher education

From early days in practice Rachel has represented both schools and high education institutions and well as academics and other employees in complex disputes ranging from equal pay, bullying and discrimination complaints to social media grievances and privacy issues, holiday entitlements and safeguarding concerns. Her experience has given her a particular understanding of how entrenched such disputes can become and her creative thinking and open minded approach helps parties reach solutions they might not have previously considered.

- Mediating between an academic and her employer where the former's behaviour led the university to threaten her with dismissal. Rachel had to take time to explain to the university the academic's perspective which they had been unwilling to take on board previously. Through patience and active listening skills Rachel was able to bring the parties together to discuss their interests and options in a honest way for the first time. She facilitated joint sessions where the employee understood through simple explanations the reasons why her employment was at risk and how there were genuine difficulties with her behaviour. The safe space created allowed the parties to lower their defences and plan a way forward to resolve their differences and seek to continue the working relationship.

- Mediating over a seemingly intractable scenario in higher education where it became clear that pride was the obstacle preventing a breakthrough. Rachel worked on the issue of status, value and worth and explored what steps could be put in place for remedial steps to be devised. In this case without Rachel's mediation skills facilitating self-reflection and direct communication, the parties would have remained far apart and have ended up in court.

### **Workplace bullying**

Rachel's expertise in bullying and harassment complaints originates in legal practice but her leadership work at the Bar Council on the Harman Review 2025 and its consequences have made her into a leading specialist in this ever troublesome area. She has been instructed in many cases looking at what is workplace behaviour in contrast to private conduct. Her keen listening skills, adept question style and problem-solving approach make her a highly popular choice for such disputes.

- Mediating where a vulnerable employee had suffered horrific bullying but the employer had been unable to unearth the culprit. Rachel had to gain the trust of the employee and explore with the institution what they were prepared to do to win back the faith of the victim. Rachel encouraged creative solutions and brought the parties together to bring about a positive outcome which could not have been achieved via litigation.

### **Discrimination**

Rachel is Joint Head of Chambers at Cloisters Chambers, the UK's predominant discrimination law barristers chambers which specialises in discrimination law. Equality and discrimination law have been a mainstay of her practice since the 1990s and form a key part of her judicial work, investigative role and barrister practice. As well as being a legal specialist she brings a sensitivity to the painful breakdown in relationships which allegedly discriminatory behaviour causes and is equipped with a wealth of methods for building bridges or moving on.

- Mediating in the banking arena where a challenging disability had led to a breakdown in working relations. Through use of probing questions, promoting self-reflection and active listening Rachel was able to help the parties focus on realistic outcomes if the mediation did not resolve itself and to bring the lawyers together to focus on a costs-benefit analysis away from the highly charged emotions of the lay clients.
- Rachel was the mediator in a case about homophobic bullying in the police. The case involved issues of 'saving face' and Rachel worked with the parties on how to approach contentious legal issues in the context of a mediation process. Rachel was able to engage the parties to focus on alternatives to reaching a mediated solution and conciliation became achievable.
- In another mediation involving alleged disability discrimination Rachel sought to gain the trust of both parties to move beyond their initial standpoints to their deeper interests to

understand what their actual objectives were and what mattered to them in the long run. Rachel was able to keep the parties' faith in her as a neutral figure who was able to question and probe and with her guidance the parties moved forward to seek to develop areas of common ground.

## Personal Style

Many of Rachel's mediations involve parties where trust has broken down – frequently in workplace settings. Rachel is adept at building trust and looking for creative solutions which met the parties' objectives amid the time pressure of the mediation meeting. Rachel's experience allows her to swiftly familiarise herself with complex factual backgrounds and identify sticking points in the relationships before her bringing confidence to lay and professional clients alike. Parties comment on her ability to build relationships swiftly and her warm relatable manner.

## Professional Skills

Rachel has extensive experience as a barrister, investigator and a mediator, in the following sectors: finance, media, healthcare, charities, education, arts, public sector and local government, political parties, trade union and pensions. She appears in complex and high-value cases, which frequently challenge the scope and limits of discrimination and human rights law.

She specialises in all aspects of discrimination work as well as equal pay and whistleblowing cases. Her work often overlaps with regulatory and medical law, education and public law issues.

Examples of recent experience includes

- Leading a legal team in a test case involving a dismissal of a gay headmaster which focuses upon the clash between religious rights and sexual orientation.
- Obtaining pension rights for judges - *O'Brien judicial pensions litigation*, where Rachel has been instructed since 2009. She has appeared six times in the Supreme Court and twice in the CJEU in this case and continues to be counsel of choice for judicial office holders seeking to resolve the nuanced implications of the *O'Brien* judgment for their pay disputes in the case of *Dodds v MoJ* in 2024.
- Rachel's "other status" casework includes representing foster carers at Court of Appeal level in their fight to be declared "workers" (see *NUPFC v CO* [2020] ICR 607) as well as the test case of *Oni* which is currently on appeal. Rachel also has experience in bringing gig-economy cases for couriers.
- Her specialism in whistleblowing includes challenging the Bar against such protection for judges using human rights law in the landmark decisions including *Gilham v MoJ*: focusing on judges' employment status and Article 14. She also has significant experience in NHS whistleblowing cases.

- Her disability discrimination expertise led to her appearing in the first Supreme Court hearing concerning s.15 Equality Act 2010 and disability-related discrimination (*Williams v Swansea University* [2018]).
- Rachel's equal pay work covers a wide range of sectors. She has been instructed in public sector cases in local government and education involving thousands of carers, school-based workers and female professors. Her private sector equal pay cases have involved the BBC, financial services LLPs, care homes, trade unions and drama schools. She is currently involved in several of the long-running multi claimant supermarket equal pay cases.
- Outside the employment sphere, Rachel appears and advises in equality cases on a diverse range of matters including from trans-discrimination in Girlguiding, single-sex choir membership, discriminatory dress-codes in London hotels as well as benefits discrimination against tenants.
- Rachel's other non-employment work often focuses on the interface of charity and discrimination law such as in a case examining discriminatory scholarships
- Analysing the implications of the Cass Review for school employees
- Advising on human rights implications of the 2024 Michaela school High Court judgment.
- Rachel's High Court practice has included resisting injunctions on behalf of political parties brought by a variety of individuals, confidential information cases and successful applications for civil restraint orders.
- Rachel has long-standing experience in defending and presenting cases of professional misconduct for regulatory bodies including the British Psychological Society, the Labour Party and the GMC. In 2015 she was appointed a Police Appeals Tribunal Chair where she works as an appeal judge and adjudicates over high profile misconduct hearings for senior police officers.
- Rachel sits as a Recorder in the Employment Appeal Tribunal and in the family courts where many of the issues she hears and determines overlap with her employment practice, including sexual harassment.
- Rachel is sought after to carry out complex investigations where there are significant reputational issues at stake and is ranked as an expert in this field by Chambers and Partners who call her "one of the best independent investigators, showing huge tact and highly useful lateral thinking to find solutions to difficult procedural issues with great sensitivity." She had significant experience on how to navigate data protection, confidentiality and privilege issues during investigations.
- Rachel is a long-term supporter of greater inclusion at the Bar and campaigns for diversity and well-being in the legal profession via pro bono work with the Bar Council and beyond, being awarded a Diversity Law Champion award in 2018. Her commitment to equality and

diversity are further evidenced her nomination for a D&I Inclusion Outstanding Contribution award in 2022. She chairs the Bar Council's EDSM Committee.

- Rachel was reappointed to the Equality and Human Rights Commission's Panel of Preferred Counsel in 2024 and also advises bodies in relation to EHRC enforcement powers.
- Outside of the above roles, Rachel has held several trustee positions and volunteers for the Schools Consent Programme, carrying out workshops in secondary schools about sexual consent.

## Feedback

- "Rachel Crasnow has marvellous client-handling skills."
- "Rachel's witness-handling skills are amazing."
- "Rachel is a real client favourite."
- "Rachel is very effective, has brilliant legal judgement and reaches investigative conclusions with absolute clarity."
- "Rachel is ... passionate and committed, and understanding the issues."
- "Rachel has a very cool head. She is an excellent advocate who is great under pressure as a very good strategic thinker."
- "Rachel is great to work with and excellent with clients. She is super responsive and really gets stuck into the detail of the case."
- "Calm under pressure, quick on the uptake, client friendly, and engaging."
- "She's very calm, very insightful and has a huge amount of experience." "She is really bright, tactical and good with clients; she's the all-round package."
- "Excellent with clients; they really engage with her...She can disseminate facts quickly and make instant decisions, and makes complex facts simple."
- "She's absolutely fantastic: she has a really impressive manner and the gravitas to make her point very effectively."
- "very constructive and commercial in her approach."
- "Creative and fantastically hard-working." "Client-friendly and pragmatic."
- "She is 100% committed to getting the right outcome for the client."
- "Always 150% committed to the case; clients warm to her caring manner."