



1 CROWN OFFICE ROW

Rachel Baker

Call: 2000



Rachel accepts instructions across a range of Civil, Court of Protection and Public Law matters.

Ranked as a “Leading Junior” in the Legal 500 2024 for property litigation and Court of Protection and Community Care work, Rachel has a deserved reputation for her professional and thorough approach which she combines with excellent client care and approachability.

With her extensive experience in a range of courts and tribunals and having previously practised at the criminal bar, Rachel has strong advocacy skills as well as the attention to detail and analytical skills required in her paperwork practice.

Rachel returned to the self-employed Bar in 2016 after a long absence, during which time she held various paid and voluntary positions and also had a career break with her family. Rachel’s experiences away from the Bar include appointment as an Associate Law Lecturer, charitable Trustee and also as a school Governor.

Her broad range of experience informs and complements Rachel’s legal practice and approach and is highly valued by solicitors and clients alike.

In her spare time Rachel enjoys running, sea swimming, live music and theatre.

1. “Rachel is clear and concise. She always ensures that she understands the client’s needs from the outset. She is very efficient and forthright whilst fully aware of the commercial and financial realities of the corresponding matter”

Legal 500 2024

2. “Rachel is very communicative and responsive. She thinks deeply about the facts of the case and the possible options available to the parties to seek a suitable resolution for all involved. Her advocacy is strong and clear”

Legal 500 2024

3. "Thank you for doing such an excellent job yesterday...and of course your expert handling of all the last minute twists and turns in the case."

Solicitor Client

Court of Protection

Rachel is ranked as a "Leading Junior" in the Legal 500 2024 for her Court of Protection work. In 2023 she appeared in Mr Justice Hayden's last reported case as Vice President.

She appears regularly before the Court in a range of proceedings within its jurisdiction and can also assist with both pre- and post-hearing conferences, Round Table Meetings and the drafting of applications.

Rachel's knowledge of property litigation and personal injury law complements her Court of Protection work, as does her sensitivity and experience of dealing with vulnerable individuals. Rachel has also been commended by clients for taking a robust yet collaborative approach in hearings and RTMs.

Rachel has a particular interest and expertise in how the Court of Protection can protect and promote the best interests of neurodivergent individuals.

Rachel accepts instructions to represent litigation friends (including ALRs and the Official Solicitor), public bodies and family members.

Published Articles

- "*Capacity, decision making, and the interplay with alcohol and substance abuse*" (co-authored with Anogika Souresh) October [2023] Fam Law 1202

Selected Cases

- **A Local Authority v H [2023] EWCOP 4:** Acted for the local authority in a case concerning fluctuating capacity and deprivation of liberty regarding a trans individual deemed to pose a real risk of sexual harm to children
- **Re SDS:** Acted for the local authority in a s16 application concerning parental objection to a residential placement involving multiple hearings and a contested final hearing
- **Re Tony Hickmott:** Instructed by the NHS Foundation Trust in a case concerning an autistic man discharged from hospital 21 years after being sectioned under the Mental Health Act 1983
- **Re CG:** Instructed by the local authority in an urgent hearing before the High Court regarding withdrawal of life-saving medical treatment
- **Re RM:** Instructed by the Official Solicitor in a case concerning the best interests of a 66-year-old individual placed in a psychiatric hospital by his parents aged 9

Local Government & Public Law

Rachel's practice includes education, local government, mental health law and community care.

She has experience in a range of tribunals and acts both for and against local authorities and the state (including the Police) which gives her practical, and invaluable, insight into the likely approaches and priorities of both sides in a dispute.

With regards to education law, Rachel accepts instructions to represent parties in civil claims and regulatory hearings as well as in the SENDIST and Upper Tribunals. Rachel has a particular interest in special educational needs and the provision for neurodivergent individuals within the education system.

Rachel can also assist with general advice and document reviews.

Inquests

Rachel accepts instructions to represent all interested persons at inquests. Her compassionate approach towards vulnerable individuals, coupled with her thoroughness and professionalism is well suited to the coronial process and greatly appreciated by instructing solicitors.

Property, Landlord & Tenant

Ranked as a "Leading Junior" in Property & Construction in the Legal 500 2024, Rachel is instructed in a wide range of property law disputes.

Her robust yet sensitive approach is of particular value in such cases, where the individuals involved are often under an immense amount of stress.

Rachel acts for both landlords and tenants and also has extensive experience in matters concerning leasehold properties and service charges as well as cases involving Orders for Sale, boundary and right of way disputes.

In addition, Rachel's experience in the Court of Protection is highly valued by solicitors dealing with cases involving incapacitous individuals.

Commercial

Rachel's practice includes fast- and multi-track commercial and contractual matters. She is able to advise at the pre-issue stage; to draft pleadings and to then assist the client through to trial.

At all stages her pragmatic approach aims to encourage clients to take a commercial approach to proceedings and to avoid, if possible, the costs and stress involved in litigation.

She is able to act for clients both in formal mediation as well as in “door of the court” negotiations aimed at securing a favourable outcome for her clients.

Personal Injury

Rachel accepts instructions on behalf of insurance companies and local authorities as well as individuals.

Her experience in the criminal courts means not only that she is particularly adept at cross-examining those suspected of fabricating claims but also that she has ample experience of dealing with vulnerable and sometimes traumatised clients and witnesses who often need a particularly sensitive approach during the litigation process.

Direct Access

Rachel accepts work from lay clients via [Direct Access](#). You can view her profile [here](#).

Awards

- Duke of Edinburgh Entrance Scholarship (1999)
- Inner Temple BVC Award (1999)
- Inner Temple CPE Award (1998)

Education

- The College of Law, Bar Vocational Course, (Very Competent) (2000)
- City University London, Common Professional Examination (1999)
- The University of Manchester, BA (Econ) (First Class Joint Honours) (1998)

Memberships

- COPPA
- CPBA
- PIBA
- PBA
- South Eastern Circuit

Publications

- “Capacity, decision making, and the interplay with alcohol and substance abuse” Family Law Journal (October 2023)