

Crown Prosecution Service withdraws schools LGBT Hate Crime Guidance following schoolgirl's legal action.

Guidance threatened to criminalise children for asserting their rights to dignity, privacy and safety

Thursday 30th April: Police LGBT+ guidance for schools has been withdrawn after a 14-year-old girl brought a legal action against its authors.

In January, [Safe Schools Alliance](#) and [Fair Cop](#) brought attention to the [LGBT+ Bullying and Hate Crime Schools Pack](#), which was developed by the Crown Prosecution Service, the National Police Chiefs' Council, and trans lobby groups Stonewall and Gendered Intelligence with the aim of encouraging teachers and pupils to report 'identity based bullying'.

The guidance directed staff and pupils to be aware of hate crimes and 'hate incidents', suggesting that a child can be guilty of criminal behaviour because of her thoughts, reactions, or whom she chooses to be friends with.

Following Monday's [announcement](#) that the teenager had applied for judicial review, which was supported by both Safe Schools Alliance and Fair Cop, the CPS today withdrew their guidance.

The news follows Fair Cop's High Court victory in February against Humberside Police over its recording of 'non crime hate incidents'.

Tanya Carter from Safe Schools Alliance UK said: "We are proud to have supported this inspiring teenage girl on her quest for justice. Her determination to see fair play for girls will make a huge difference to the wellbeing of hundreds of thousands of children and young people.

"We are grateful to the CPS for withdrawing their schools guidance. However well-intentioned the idea that this guidance would educate students on hate crime and reduce bullying was, it did quite the opposite. It reinforced sexist and homophobic stereotypes, curtailed free speech and made female students feel unsafe in schools

"We hope any other similar guidance will also now be withdrawn. Safe Schools Alliance would welcome the opportunity to be involved in creating nationwide guidance that challenges homophobic and sexist bullying in schools, upholds the Equality Act 2010 and safeguards all children so that they are able to feel safe throughout their whole time in education and achieve their full potential."

Sarah Phillimore from Fair Cop said: “Trans lobby groups have grown accustomed to shaping public policy and guidance free from public scrutiny. Following swiftly on the heels of Fair Cop’s High Court victory, this news again calls time on the dangerous monopoly of Stonewall, Gendered Intelligence and other ideologically motivated pressure groups.

“The police and the CPS have no business exerting influence in a political arena. Gender is legitimately up for discussion and cannot be dismissed as Hate. We are delighted that they have so quickly seen sense and decided to review their guidance.”

The anonymous teenager in the case, said: “I’m happy that I’ve been able to have helped girls all over the country keep their right to say no and not get accused of bullying.”

Paul Conrathe, solicitor at SinclairsLaw, who is representing the 14 year old girl in the proposed Judicial Review said: “My client is delighted at the decision of the CPS today to withdraw its LGBT+ Bullying and Hate Crime Guidance. The advice it offered to schools was deeply flawed, giving the clear impression that if girls objected to biological boys accessing their toilets, they risked breaking the law. Furthermore, that if students got a pronoun wrong or didn’t want to socialise with someone, it could amount to a hate incident for which they could be prosecuted.

“Teachers were charged with challenging pupil’s negative thoughts about transgenderism, which encompassed an array of gender identities. Rather than promoting the welfare of students the Guidance exposed many of them, especially girls to a greater risk of harm. By failing to recognise their need for safe and private spaces it violated their need for privacy and dignity. It is deeply concerning that the prosecuting arm of the state should be enforcing a partisan and controversial ideology in schools.”

- ENDS -

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About Safe Schools Alliance:

The Safe Schools Alliance is a group of concerned parents, grandparents, teachers, governors, health professionals, education professionals, and carers from more than 30 local education authority areas in the UK.

The SSA campaign is focused on working with schools and educators to ensure that school policies meet the safeguarding needs of all students whilst taking into account the protected characteristics of the Equality Act 2010. It endeavours to provide clarity on the law and offer unbiased, evidence-based guidance and support where conflict between protected characteristics arises.

About Fair Cop:

Fair Cop is a group of individuals who have come together over shared concerns about police attempts to criminalise people for expressing opinions that don't contravene any laws.

Fair Cop is committed to working with the College of Policing, police forces, police & crime commissioners and other relevant authorities to improve the existing guidelines, ensuring they recognise citizens' freedom of expression while continuing to provide robust protection against real crimes that are truly motivated by hatred