

Press Release: 16<sup>th</sup> May 2020

## **Teenage girl threatens Judicial Review if the Crown Prosecution Service (CPS) do not withdraw from the *Stonewall Champions Programme***

*Following the CPS decision to withdraw the LGBT+ Guidance the girl says she has no confidence their review can be impartial whilst they are aligned to Stonewall*

Last month the CPS agreed to withdraw and review the *Lesbian, Gay, Bisexual, Trans+ Bullying and Hate Crime Guidance* after a teenage girl sent a letter threatening legal action.

Now the teenager is taking the case one step further as she believes that as a ‘Stonewall Champion’, the CPS is not impartial, and she therefore has no confidence they will be able to adequately address her concerns without significant bias.

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 their thoughts, reactions, or whom they choose to be friends with.

The core legal issues of the case are

- 1. Proposed transgender rights and their conflict with women’s existing sex-based rights are a matter of significant national political and public controversy*
- 2. The CPS, as an organ of the state and in particular as its prosecuting authority, should be independent and impartial.*
- 3. Stonewall is a charity that campaigns for changes to the law on transgender matters. It seeks societal reform through influencing the culture and values of its partner organisations through its ‘Stonewall Champions Programme’. Stonewall is an unelected and democratically unaccountable body.*
- 4. The CPS is a Stonewall Champion and its independence and impartiality is thereby compromised. The term “champion” conveys the impression of aligning with and advancing a particular cause.*
- 5. The CPS’ membership of the Stonewall Champion Program undermines public confidence in its independence and impartiality on matters of significant controversy.*

**Tanya Carter from Safe Schools Alliance UK said:** *“We share the concerns of Miss A with regards to the CPS’s ability to remain impartial in their review of the LGBT+ Bullying and Hate Crime Guidance. Any guidance, document or policy to be used by Schools, or any other organisation that deals with under 18’s must have Child Safeguarding at its heart. It must be written by people who were recruited using robust Safer Recruitment processes and have undergone safeguarding training. All policies must be legally compliant and free of political ideology. This regulatory capture, where Stonewall’s erroneous interpretation of the law is taken as gospel, cannot be allowed to continue. We look forward to continuing to support Miss A and once again commend her bravery.”*

**Harry Miller, co-founder of Fair Cop said:** *“Stonewall is a political lobby group whose interests coincide with the guidance as it stands. This being the case, the collaboration between the CPS and Stonewall must cease, and be seen to cease, in order to fulfil the public duty of impartiality and to uphold the long-standing independence of law. The partnership between the CPS and Stonewall has a chilling effect upon free speech and damages public confidence in the State’s prosecuting authority.”*

**The teenager in the case said:** *“I do not believe the CPS can be fair as they are listening to Stonewall who are misrepresenting what the law says about my rights to female only spaces. I do not trust them to focus on the safety, privacy and dignity of girls, or to balance the rights of all young people in schools.”*

- ENDS -



**Note to editors:**

For further editorial information or to request a briefing with Safe Schools Alliance, Fair Cop or our legal team, please contact the press office:

Email: [info@safeschoolsallianceuk.org](mailto:info@safeschoolsallianceuk.org) or [press@faircop.org.uk](mailto:press@faircop.org.uk)

There is a Crowdfunder page set up to help with legal costs:

<https://www.crowdfunder.com/case/challenge-cps-schools-guidance/>

**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