



Safe Schools Alliance UK

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Safe Schools Alliance UK (SSA UK) supports application for Judicial Review against Oxfordshire County Council (OCC)

Safe Schools Alliance UK is supporting a landmark legal case against Oxfordshire County Council on the grounds that its use of the [Trans Inclusion Toolkit for Schools 2019](#) is seriously flawed and poses a risk to children.

In an announcement made today, the group said they are supporting a 13-year-old girl as she files a request for a Judicial Review against OCC on the basis the toolkit puts her at risk.

SSA UK, a parent and teacher group, first pointed out a number of safeguarding flaws with the Trans Inclusion Toolkit, the official guidance recommended to all Oxfordshire schools and education settings, in February 2019.

Although OCC committed to a 'review' of the guidance, they did not address any of the points raised, nor respond to the safeguarding issues the group put to the Oxfordshire Safeguarding Children's Board (OSCB), which was managing the review on behalf of OCC.

Tanya Carter, spokeswoman for SSA UK, said: *"This guidance fails to take into account all protected characteristics of the Equality Act 2010, and will see schools and other educational settings being compelled to allow male pupils to share changing rooms, toilets and dorm rooms on residential trips with female pupils - without parents' knowledge or permission.*

"It also allows males to take part in sports alongside females. This is in direct opposition to all safeguarding protocols which recommend that single sex provision should be made for

children over the age of eight when sleeping, using toilets and changing, and that contact sports should be segregated after puberty for safety reasons."

"The physical, mental and emotional wellbeing of children is absolutely paramount. A collaborative approach with schools is essential to ensure a safe and supportive environment for children, and we do not believe this guidance went through the correct consultation process."

"We are concerned at the impact this guidance could have on all children, but particularly on the ability of lesbian, gay and bisexual teenagers to understand and embrace their sexual orientation. In addition, the guidance does not effectively safeguard the trans-identified students it purports to help. The misrepresentation of article 16 of the United Nations Rights of the Child removes trans-identified children from the protective processes of schools and parents working together in the child's best interests."

The claimant, a 13-year-old Oxfordshire girl who cannot be named for legal reasons said:

"The toolkit has a very significant impact on me as a girl. I am very surprised that the council never asked the opinion of girls in Oxfordshire about what we thought before they published the toolkit. Under these guidelines I have no right to privacy from the opposite sex in changing rooms, loos or on residential trips. Sports could end up being unsafe as I am a really small teenage girl and boys are bigger than girls. This guidance could be used in any educational establishment in Oxfordshire, which possible includes sports clubs."

"The guidance makes me feel that my desire for privacy, dignity, safety and respect is wrong. It makes me feel sad, powerless and confused. I recently did my level 1 safeguarding course for guider training and I don't understand how allowing boys and girls to share private spaces is okay".

Paul Conrathe, Human Rights Solicitor from SinclairsLaw said: *"This toolkit significantly mistakes the law whilst purporting to offer best practice guidance to educational settings. Boys who identify as girls are not legally able to access safe and private spaces used by girls. Gender identity is not protected under the Equality Act. This toolkit raises significant*

safeguarding concerns for children. We will now commence proceedings in the High Court for an order setting aside the toolkit and declaring it unlawful.”

The legal action was originally instigated by the teenage claimant Miss B; an unnamed teacher, Miss C; and by Victoria Edwards, a parent in Oxfordshire. Miss C and Victoria Edwards have now decided to withdraw their legal claims in order to prioritise the action being taken by Miss B. Victoria Edwards, now a spokeswoman for SSA UK, said:

“The teacher and I have decided to withdraw our claim in order to fully support the teenage girl claimant. It is she whose dignity and privacy are being violated by this guidance, it is she who is at risk of emotional and physical harm and it is she who is representing the interests of all children and young people, not only in Oxfordshire but throughout the entire country. We give her our full support and will help in every way we can to ensure we win this case and protect her and all her peers.”

The Crowdfunder campaign supporting the action can be found at:

<https://www.crowdjustice.com/case/challenging-occ-transgender-guidance/>

Notes to editors:

1) About Safe Schools Alliance UK

Safe Schools Alliance UK 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. Individuals are from a wide range of backgrounds and the group has no religious nor political affiliation.

The SSA UK 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.

SSA UK endeavours to provide clarity on the law and offer unbiased, evidence-based guidance and support where conflict between protected characteristics arises.

2) Links:

- <https://safeschoolsallianceuk.net/about/>

- https://twitter.com/SafeSchools_UK
- <http://facebook.com/safeschoolsallianceuk>
- info@safeschoolsallianceuk.org

3) Media contact: Tracy Shaw, email info@safeschoolsallianceuk.org

4) Tanya Carter and Victoria Edwards may be available for interview. Bids should be made by contacting Tracy Shaw.