

The Crown Prosecution Service
102 Petty France
Westminster
London
SW1H 9EA

Our ref: PC/CPS

Office: London

Date: 03 April 2020

Dear Sirs

Re: Pre-Action Protocol Letter for Judicial Review

1. Proposed Claim for Judicial Review

To: The Crown Prosecution Service
102 Petty France
Westminster
London
SW1H 9EA

2. Claimant

Miss A, a minor, by her mother and litigation friend Mrs B. Miss A seeks anonymity as she is a minor and the issue she seeks to challenge is high profile and it would be distressing to her to have the intrusion of the media.

3. Defendant's Reference Details

N/A

4. Details of Claimant's Legal Advisors

Paul Conrathe
Sinclairslaw
20 Dock Street
London
E1 8JP

5. Details of Matter Being Challenged

The Lesbian, Gay, Bisexual, Trans+ Bullying and Hate Crime Guidance issued by the Crown Prosecution Service on the 21 January 2020

6. Details of any Interested Parties

Secretary of State for Education
Great Smith Street
London
SW1P 3PT

7. The Issue

We are instructed by Miss A (dob July 2005) through her mother and litigation friend Mrs B in connection with the Lesbian, Gay, Bisexual, Trans+ Bullying and Hate Crime Guidance issued by the Crown Prosecution Service on the 21 January 2020 (The Guidance). Miss A attends a mixed sex secondary Academy School. At her previous school she was bullied. She has a very respectful attitude to teachers and would easily be intimidated by an authority figure warning her of the possibility of criminal liability if she spoke or acted inappropriately. She greatly values her privacy and finds the thought of biological boys accessing the girl's toilets as very distressing.

As regards the guidance our client is particularly concerned if she:

- excluded a trans-girl (biological male) from the girls only friendship group
- sought to exclude a trans-girl (biological male) from the girls toilets
- expressed her disagreement with trans-gender ideology. She believes that a person is the sex that is observed at birth and that this cannot be changed. It is a matter of biological fact. Gender is a social construct.
- makes contact with groups who advise and campaign for women's sex-based rights and if she shares their information within the school setting (for example A Women's Place, Transgender Trend and Safe Schools Alliance UK).

Our client fears that under the Guidance she could be prosecuted for any of the aforementioned speech/actions.

Factual Background

The Guidance is promulgated by the Crown Prosecution Service (CPS). It is issued in conjunction with the National Police Chiefs Council, Gendered Intelligence, Stonewall and The Teachers Union. The Guidance defines the role of the CPS as follows:

“We are at the heart of the criminal justice system in England and Wales, working with our partners to protect the public and create a safe society.

We prosecute independently, without bias and work to deliver justice in every Case. We must always be fair, objective and impartial to secure justice for victims, witnesses, defendants and the public.

...

We provide expert legal advice early in investigations to help build strong cases...”
(P14)

The objective of the Guidance is to educate young people on the damaging effects of LGBT+ prejudice and bullying, to understand hate crimes and how they relate to the school environment, to prevent escalation and to warn of potential consequences of breaking the law. (P16).

The role of teachers is described in the Foreword thus:

“Teachers have a particularly important role in challenging bullying and guiding young people to a greater understanding of the impact of homophobic, bi-phobic or trans-phobic behaviour.”

The Glossary for Teachers (p172 et seq) defines Transgender/trans inter alia as:

“a term that identifies the spectrum of those who feel that their assigned sex at birth does not match or sit easily with their sense of self.....There is a wide range of identities which may involve being both male and female, or neither male nor female, or which take other approaches to gender but do not align with traditional binary ideas.....There are also people who don’t have a fixed gender identity and may move between different genders. They may use Terms such as gender fluid or bi-gender. And there are people who don’t experience a sense of gender, or very little sense of gender. They may use terms such as agender. Some people from all these groups will use the term trans to describe themselves (and others from those groups won’t).”

The Teachers Glossary defines Transphobia:

“Discrimination against and/or dislike of trans people (including those perceived to be trans). This also includes the perpetuation of negative myths and stereotypes through jokes and/or through personal negative thoughts about trans-people. This can take the form of persistently and consciously misnaming a person, as well as attacking them verbally or physically.”

The Guidance has been produced by the CPS and its Partners and Contributors. These are The Proud Trust, Stonewall, Gendered Intelligence, Diversity Role Models, and Schools Out UK. These groups have a specific ideological and/or political agenda. Gendered Intelligence and Stonewall lobby to end sex-based exemptions in the Equality Act. The Proud Trust’s work centres on queering sex education and children’s literature. Queer Theory views biological sex as a social construct and gender identity as innate.

Teachers are advised to inform themselves by visiting the websites of the above-mentioned groups which have ‘helpful’ information.

The guidance provides for three core lessons which explain LGBT+ hate crime and incidents and how these can be tackled. There are additional enhancement activities and a resource section for students and teachers.

Legal Errors

.1 Breach of s149 Equality Act 2010

Section 149 EqA is as follows:

“149 Public sector equality duty

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

...

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) tackle prejudice, and

(b) promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

(7) The relevant protected characteristics are:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation. ...”

A sufficient summary of the requirements of section 149 for present purposes is that set out in R (Bracking) v Secretary of State for Work and Pensions [2013] EWCA Civ 1345 [2014] Eq. L.R. 60 at [25]:

“(1) As stated by Arden LJ in R (Elias) v Secretary of State for Defence [2006] 1 WLR 3213; [2006] EWCA Civ 1293 at [274], equality duties are an integral and important part of the mechanisms for ensuring the fulfilment of the aims of anti-discrimination legislation.

(2) An important evidential element in the demonstration of the discharge of the duty is the recording of the steps taken by the decision maker in seeking to meet the statutory requirements: R (BAPIO Action Ltd) v Secretary of State for the Home Department [2007] EWHC 199 (QB) (Stanley Burnton J (as he then was)).

(3) The relevant duty is upon the Minister or other decision maker personally. What matters is what he or she took into account and what he or she knew. Thus, the Minister or decision maker cannot be taken to know what his or her officials know or what may have been in the minds of officials in proffering their advice: R (National Association of Health Stores) v Department of Health [2005] EWCA Civ 154 at [26 – 27] per Sedley LJ.

(4) A Minister must assess the risk and extent of any adverse impact and the ways in which such risk may be eliminated before the adoption of a proposed policy and not merely as a “rearguard action”, following a concluded decision: per Moses LJ, sitting as a Judge of the Administrative Court, in Kaur & Shah v LB Ealing [2008] EWHC 2062 (Admin) at [23 – 24].

(5) These and other points were reviewed by Aikens LJ, giving the judgment of the Divisional Court, in R (Brown) v Secretary of State for Work and Pensions [2008] EWHC 3158 (Admin), as follows:

- i) The public authority decision maker must be aware of the duty to have “due regard” to the relevant matters;
- ii) The duty must be fulfilled before and at the time when a particular policy is being considered;
- iii) The duty must be “exercised in substance, with rigour, and with an open mind”. It is not a question of “ticking boxes”; while there is no duty to make express reference to the regard paid to the relevant duty, reference to it and to the relevant criteria reduces the scope for argument;
- iv) The duty is non-delegable; and
- v) Is a continuing one.
- vi) It is good practice for a decision maker to keep records demonstrating consideration of the duty.

(6) “General regard to issues of equality is not the same as having specific regard, by way of conscious approach to the statutory criteria.” (per Davis J (as he then was) in *R (Meany) v Harlow DC* [2009] EWHC 559 (Admin) at [84], approved in this court in *R (Bailey) v Brent LBC* [2011] EWCA Civ 1586 at [74–75].)

(7) Officials reporting to or advising Ministers/other public authority decision makers, on matters material to the discharge of the duty, must not merely tell the Minister/decision maker what he/she wants to hear but they have to be “rigorous in both enquiring and reporting to them”: *R (Domb) v Hammersmith & Fulham LBC* [2009] EWCA Civ 941 at [79] per Sedley LJ.

(8) Finally, and with respect, it is I think, helpful to recall passages from the judgment of my Lord, Elias LJ, in *R (Hurley & Moore) v Secretary of State for Business, Innovation and Skills* [2012] EWHC 201 (Admin) (Divisional Court) as follows:

(i) At paragraphs [77–78]

“[77] Contrary to a submission advanced by Ms Mountfield, I do not accept that this means that it is for the court to determine whether appropriate weight has been given to the duty. Provided the court is satisfied that there has been a rigorous consideration of the duty, so that there is a proper appreciation of the potential impact of the decision on equality objectives and the desirability of promoting them, then as Dyson LJ in *Baker* (para [34]) made clear, it is for the decision maker to decide how much weight should be given to the various factors informing the decision.

[78] The concept of ‘due regard’ requires the court to ensure that there has been a proper and conscientious focus on the statutory criteria, but if that is done, the court cannot interfere with the decision simply because it would have given greater weight

to the equality implications of the decision than did the decision maker. In short, the decision maker must be clear precisely what the equality implications are when he puts them in the balance, and he must recognise the desirability of achieving them, but ultimately it is for him to decide what weight they should be given in the light of all relevant factors. If Ms Mountfield's submissions on this point were correct, it would allow unelected judges to review on substantive merits grounds almost all aspects of public decision making.”

(ii) At paragraphs [89–90]

“[89] It is also alleged that the PSED in this case involves a duty of inquiry. The submission is that the combination of the principles in *Secretary of State for Education and Science v Tameside Metropolitan Borough Council* [1977] AC 1014 and the duty of due regard under the statute requires public authorities to be properly informed before taking a decision. If the relevant material is not available, there will be a duty to acquire it and this will frequently mean that some further consultation with appropriate groups is required. Ms Mountfield referred to the following passage from the judgment of Aikens LJ in *Brown* (para [85]):

‘...the public authority concerned will, in our view, have to have due regard to the need to take steps to gather relevant information in order that it can properly take steps to take into account disabled persons' disabilities in the context of the particular function under consideration.’

[90] I respectfully agree....”

The CPS, in discharge of their s149 EqA duty should have addressed how the Guidance they have issued would impact children with other protected characteristics. Of obvious and immediate relevance are those children with the protected characteristics of sex (especially girls), sexual orientation, and religion and belief. For example:

- A lesbian who tells her friends she would not consider dating a boy who identifies as a girl could be accused of having transphobic attitudes
- A girl who objects to a biological boy coming into the female toilets might be accused of transphobia
- A Muslim who expresses disagreement with transgender ideology might be accused of transphobia.

It is not clear that the CPS has consulted children and groups with other protected characteristics to see how the Guidance might impact them. The result is a document that advocates for a school environment where gender self-identification is law and trumps all other protected characteristics. This is misleading and unlawful.

.2 Irrational to promulgate Guidance without input from bodies with specialist knowledge of child welfare

The Guidance is directed towards bullying and hate crime for children aged 11-16. Fundamentally it is concerned with the welfare of children. It is extraordinary that no statutory organisation with expertise in safeguarding and the welfare of children has been consulted. We would have expected the DFE to have had input into Guidance that has such a profound impact upon pupils learning and school environment. Notably the Guidance encourages girls to accept the presence of biological males in their safe and private spaces. Rather than being protective in nature this Guidance teaches girls to accept the presence of males which may expose them to greater risk of harm. It also violates their personal dignity to have to engage in personal hygiene in an environment where boys are allowed to be present.

It is notable that the organisations consulted are activist organisations that are advocating for gender self-identification. They do not represent an approach that accords with present legal realities.

The absence of consultation with statutory organisations with safeguarding expertise renders the consultation process irrational.

.3 Misrepresenting the law

The CPS holds itself out as providing expert legal advice on the application of the criminal law. As such a school, teacher and pupil would expect this Guidance to accurately reflect the law. It is trite law that guidance which misstates the law is itself unlawful; see *Gillick v West Norfolk and Wisbech Area Health Authority* [1986] AC 112 HL 193 per Lord Bridge.

The Guidance misrepresents the law in terms of gender identity having legal protection, the use of single sex toilet facilities, and the powers of the Police to prosecute hate incidents.

(a) Gender Identity

At page 14 of the Guidance it states inter alia:

“It is more likely that prosecution is required if the offence was motivated by any form of prejudice against the victims actual or presumed ethnic or national origin, gender, disability, age, religion or belief, sexual orientation or gender identity; or if the suspect targeted or exploited the victim, or demonstrated hostility towards the victim based on any of those characteristics.”

This paragraph is designed to set out the protected characteristics of the Equality Act. However it fails to represent sex and gender reassignment as a protected characteristic. Instead, and misleadingly, gender identity is asserted as a protected characteristic. This is significant because the Guidance seeks to dissuade pupils (and staff) from engaging in gender critical conversation, behaviour and thinking. Mindful that this Guidance is issued by the CPS, the reader will feel warned that inappropriate speech, behaviour or thinking may cause them to fall foul of the criminal law.

However gender identity is not a protected characteristic. The Guidance proceeds on the basis that it is. There is a very significant divergence of opinion within society on what protection, if any, should be afforded to gender identity. In the recent case of *Miller v College of Police and*

Humberside Police 2020 EWHC 225 (Admin) Knowles J acknowledged the societal debate around transgenderism and that there was nothing unlawful with a gender critical viewpoint nor its expression - even if doing so was in language that was profane. The judge noted:

“250. I take the following points from this evidence. First, there is a vigorous ongoing debate about trans rights. Professor Stock’s evidence shows that some involved in the debate are readily willing to label those with different viewpoints as ‘transphobic’ or as displaying ‘hatred’ when they are not. It is clear that there are those on one side of the debate who simply will not tolerate different views, even when they are expressed by legitimate scholars whose views are not grounded in hatred, bigotry, prejudice or hostility, but are based on legitimately different value judgments, reasoning and analysis, and form part of mainstream academic research.

251. The Claimant’s tweets were, for the most part, either opaque, profane, or unsophisticated. That does not rob them of the protection of Article 10(1). I am quite clear that they were expressions of opinion on a topic of current controversy, namely gender recognition. Unsubtle though they were, the Claimant expressed views which are congruent with the views of a number of respected academics who hold gender-critical views and do so for profound socio-philosophical reasons. This conclusion is reinforced by Ms Ginsberg’s evidence, which shows that many other people hold concerns similar to those held by the Claimant.”

(b) Single Sex Toilet Facilities

In the case of maintained schools, the requirements are set out in Regulation 4(2) of the School Premises (England) Regulations (SI 2012/1943). This states that:

“Separate toilet facilities for boys and girls aged 8 years or over must be provided except where the toilet facility is provided in a room that can be secured from the inside and that is intended for use by one pupil at a time”

In the case of independent schools, the requirements are at paragraph 23(1)(b) of the Education (Independent School Standards) Regulations 2014, prescribed under section 94 of the Education and Skills Act 2008. This places an obligation on a proprietor to

“ensure that ... separate toilet facilities for boys and girls aged 8 years or over are provided except where the toilet facility is provided in a room that can be secured from the inside and that is intended for use by one pupil at a time”

The Guidance provides:

“P37 Toilet Choice

Ask the students what happened in the clip. Thinking about how the girl in the clip was treated, can the class understand why she might have felt hesitant about going into the toilets?”

The girl in the clip is actually an adult male. It is not safe for girls to learn to avoid noticing that a person is an adult male.

“P43 Ladies Toilets

Can you say why the person went into the ladies toilets and not the men’s toilets? How did the women behave towards her? How did that make her feel?”

It is suggested here that the fact that the trans-person was harassed in the men’s toilet was the woman’s fault for expressing legitimate discomfort when someone they understood to be male came into the ladies toilet. The guidance completely fails to consider the feelings of women who may feel genuinely threatened.

“P110

You are police officers called to reports of a disturbance in a gent’s toilet. Somebody passing has called the police. Your initial investigation identifies a distressed young trans-woman who, on questioning, tells you that she has been made to feel threatened and unwanted and obliged to use the accessible toilet. On investigation you discover that there has already been an incident in the ladies toilets.”

Girls are taught that expressing discomfort about the male entering the toilet is an ‘incident’ according to the police.

“P105

The students should find that the woman and men can be charged with public order offences, in this case aggravated by hostility based on gender identity.”

The two women spoke quietly to each other; they did not go out of their way to intimidate the trans-person who they did not accept to be a woman. Teenage girls are taught by this guidance that this is a public order offence.

(c) Prosecution of Hate Incidents

The Guidance at p26 provides a student information sheet. This provides:

“What does the CPS mean by LGBT hate incidents?

There is no statutory definition of a homophobic or transphobic incident. However, when prosecuting such cases, and to help us to apply a policy on dealing with cases with a homophobic or transphobic element we adopt the following definition:

“Any incident which is perceived to be homophobic or transphobic by the victim or by any other person.”

Both definitions help the CPS to identify all LGBT incidents on their case files to make sure they take that element into account when they make decisions about prosecuting.”

This extract gives the student the impression that the CPS prosecute hate incidents. They do not as hate incidents are not a criminal offence.

.4 Indoctrination - Breach of Article 2 Protocol 1 and Articles 8,9,10 ECHR

In *Kjeldsen v Denmark* (1976) the ECHR ruled that within the educational context the curriculum had to be delivered in an objective, critical and pluralistic manner. The Guidance fails to do this, requiring instead that teachers teach transgender ideology and practice, mindful that the failure of pupils to speak, act and think accordingly may cause them to break the criminal law. For example:

“P 37 Transition

Ask the students what happened in the clip. Ask the students what they thought about the students’ attitude and behaviour to the boy coming back to school. Did they think that the students had any understanding of the boy’s situation? How do they think the boy felt?

...

This may be a Section 4a Public Order Offence as the people directing the comments are intentionally causing harassment, alarm or distress.

P130 Teacher-led class discussion

Ascertain that the class understands Nathaniel’s situation and that his gender identity is male and he is now living as a boy.

She is ignorant, and asks, “So when did you decide you wanted to be a boy then?” Ask the class why Nathaniel answers “I didn’t decide it. I just am “. Make sure they all understand what this means.”

The above mentioned directions to the teacher relate to the video where a girl returns to school saying that she identifies as a boy compel teachers to call the girl a “boy” and pass on to children as fact that a girl becomes a boy if she says she is a boy. The girl in the video who questions this is described as “ignorant” and the teacher is compelled to “make sure” that everyone understands “what it means” when a girl says “I just am” (a boy) - nobody must question it. This is akin to forcing a child to say an apple is a pear or $2+2=5$.

The role of teachers is to challenge transphobia which is defined inter alia at page 176 of the Guidance as “the perpetuation of negative myths and stereotypes through...personal negative thoughts about trans people”.

The school context is one where teachers are exercising authority and an educational role over young people whose opinions are being shaped by the material they are being taught. Within that context this Guidance invokes the authority of the criminal law as it advances transgender ideology and practice. An alternative viewpoint is deemed as a potential criminal infraction. The Guidance fails to satisfy the requirements of being objective, critical and pluralistic. It violates our client’s sense of personal

integrity, her conscientious held gender critical beliefs and her right to receive information that is balanced and diverse on a matter of considerable controversy. It is indoctrination and unlawful.

.5 Free Speech

Article 10 of the European Convention on Human Rights (“Article 10”) provides as follows, so far as is material:

“(1) Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority...

(2) The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.”

Consistently with the approach taken under English common law, the European Court of Human Rights (“ECtHR”) has often emphasised that the right to freedom of expression is “one of the essential foundations of a democratic society and one of the basic conditions for its progress and each individual’s self fulfilment”: see, e.g., *Vogt v Germany* (1995) 21 EHRR 205 at [52]. Further, and subject to the possibility of limitations on the right pursuant to Article 10(2), “it is applicable not only to ‘information’ or ‘ideas’ that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb; such are the demands of that pluralism, tolerance and broadmindedness without which there is no ‘democratic society’”.

The Guidance completely fails to engage with pupils rights to freedom of expression on a matter of significant public debate. Rather it warns of criminal sanction. At page 25 students are informed of “Categories of anti-LGBT+ hate crime or LGBT+ hate incidents based on sexual orientation or perceived sexual orientation, and gender identity or perceived gender identity, that might take place in or outside of school. “ The following are listed as examples:

“Posting anti-LGBT plus messages on the Internet or mobile phone social media

.....

Wearing anti-LGBT plus symbols (for example badges, T-shirts)

.....

Showing or distributing anti-LGBT plus leaflets, comics or other propaganda”

Our client disagrees with transgender ideology and would like to be able to discuss this with her friends. She is concerned that girl’s sex-based rights are being eroded by trans ideology and that this Guidance exposes girls to greater risk of harm. She is entitled to express her disagreement without fear of the

criminal law. The thought of her falling foul of the criminal law has a significant chilling effect upon her free speech.

In the Miller case Knowles J noted the chilling effect upon free speech of the police attending Mr Miller's place of work. The engagement of the Police and CPS in the school setting around controversial matters such as transgender ideology will inevitably have a chilling effect. The comments of Knowles J in Miller are relevant:

“259. Mr Auburn and Mr Ustych both sought to play down the police's actions. They said that there had been no interference with the Claimant's free expression rights or, if there had, it was at a trivial level. In my judgment these submissions impermissibly minimise what occurred and do not properly reflect the value of free speech in a democracy. There was not a shred of evidence that the Claimant was at risk of committing a criminal offence. The effect of the police turning up at his place of work because of his political opinions must not be underestimated. To do so would be to undervalue a cardinal democratic freedom. In this country we have never had a Cheka, a Gestapo or a Stasi. We have never lived in an Orwellian society.”

The Guidance rightly notes that “Teachers should bear in mind that the most important thing is for students to discuss, think about and understand the issues” (page 9). However the rest of the Guidance ensures that no teenage girl would ever dare discuss the issue of male pupils being called girls and being allowed into their toilets, or discuss female rights, through fear of being seen as transphobic and charged with a hate crime. The Guidance specifically prevents thought or discussion. It tells people what to think and shuts down any discussion. No potential conflict of rights is admitted.

.6 Freedom of Association

Article 11 ECHR provides:

(1) Everyone has the right to freedom of peaceful assembly and freedom of association with others...

In the student's information sheet at page 25, students are warned that they may commit a hate crime by

“Attempting to recruit others to hate organisations promoting anti-LGBT+ behaviour and views”.

Our client appreciates guidance from organisations that do not hold to transgender ideology (A Woman's Place, Transgender Trend and Safe Schools Alliance UK). These organisations are deeply concerned about the activism of groups like those which have contributed to this Guidance. Our client would like to encourage her friends to access their material. She is however concerned that this may be deemed unlawful under the Guidance. The current guidance lacks clarity as to what a hate group is and should be amended to make clear what is covered by the criminal law. It should be clearly expressed that membership of gender critical organisations is perfectly lawful and helpful in young people forming their own views on transgender matters.

For the reasons set out above the Guidance is legally flawed and must be withdrawn within the next 14 days, failing which our client will issue an application for judicial review.

8. Details of Any Action the Defendant is Expected to Take

Withdraw the Guidance by 4pm on Friday 17/4/2020

9. ADR

This matter is not suitable for ADR, however the Claimant is open to any reasonable suggestions the proposed Defendant may offer.

10. Details of Any Information Sought

Information as to who the Proposed Defendant consulted prior to issuing the Guidance.

11. Details of Any Documents Considered Relevant and Necessary

N/A

12. Address for Reply of Court Documents

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Ref PC/CPS

We look forward to hearing from you.

Yours faithfully



Paul Conrathe
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Sinclairslaw