

## PRESS RELEASE – Richmond Inclusive Schools Campaign

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### CATHOLIC SCHOOL - LEGAL UPDATE

Richmond Inclusive Schools Campaign (RISC) is continuing with its legal challenge to the Council's decision to use Twickenham's Clifden Road site for exclusive Voluntary Aided Catholic schools.

RISC first wrote to the Council in February pointing out that the new Education Act requires Councils that need a new school first to seek proposals for a new Academy/Free School. The Council have not done that, so RISC believes they are acting unlawfully by pressing ahead with the Voluntary Aided schools. This is important because new faith-based Academies/Free Schools are limited to a maximum of 50% faith-based places, but Voluntary Aided schools can go up to 100%.

In April RISC announced a formal legal challenge, mounted jointly with the British Humanist Association, which is concerned about the national implications of the Council's approach. The Council replied that the challenge was premature, as no decision had been taken at that stage. So the action was put on hold. But it was resumed after the Council formally decided on 24<sup>th</sup> May to go ahead with the Catholic schools. RISC's lawyers are now taking the next steps towards a Judicial Review of the Council's decision.

*Speaking on behalf of RISC, Jeremy Rodell said "We warned the Council back in February that they were acting unlawfully, but they ploughed on, and then told us any formal challenge had to wait till after their decision on 24<sup>th</sup> May. Unfortunately, this delay may create uncertainty for Catholic parents, who will want to know this coming September whether or not there will be places available at a new Catholic VA school in September 2013. In order to try to reduce the period of uncertainty we have asked the Council - and our lawyers will ask the court - to do whatever they can to speed up the proceedings, though we have to recognise that we're heading into the holiday period, so the timing may not be ideal.*

*We also asked the Council to agree to a reasonable limit on the legal costs that either side can claim from the other if it wins. We had expected them to agree, so both sides would have an incentive to keep costs to a minimum and they could limit the amount of public money at risk. But so far they have refused, and have instead tried to intimidate us on costs, presumably because they have plenty of taxpayer funds available.*

*If a court concludes that the Council is acting unlawfully, they will then need to decide what to do to put it right."*

## Notes for editors

- The government only applies the “50% rule” to new Academies/Free Schools, not to existing faith schools that convert to Academies, which can retain their existing admissions policies. So the reference in para 2 to “new faith-based Academies” is important in understanding the story. (There is evidence that, if the Voluntary Aided schools go ahead, they are likely to convert to Academies at some stage in the future, while retaining their highly selective admissions policies.)
- The Council decided in July 2011 to purchase the Clifden Road site and buildings from Richmond Adult and Community College for an undisclosed sum, but indicated to be of the order to £10 million. The purchase will be completed by the end of September. RACC will continue to use part of the site for a period.
- On 24<sup>th</sup> May 2012 the Council decided to lease the site to the Catholic church and accept proposals for a 150 place/year secondary school and a 30 place/year primary, planned to open in September 2013. Children from Catholic families will be given priority at 20 of the places at the primary. The remaining 10 will be “community” places with selection on the basis of distance. Some of these places are also likely to be taken by local Catholic families. The main issue is the secondary, where children from Catholic families will be given priority for all the places, and demand is such that no children of non-Catholics will be able to get in, even if they live within sight of the school. The only exception will be the children from the “community” places at the primary, who will have a priority. The first batch of these will reach the secondary in 2020, at which point the proportion of children for Catholic families is expected to drop from 100% to a minimum of 93.5%.
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