

PRESS RELEASE – Richmond Inclusive Schools Campaign

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SECRETARY OF STATE INTERVENES IN CATHOLIC SCHOOL CASE

The Secretary of State for Education has intervened in the court case against Richmond Council's decision to use the Clifden Road site for exclusive Catholic Voluntary Aided schools. The case is being brought jointly by Richmond Inclusive Schools Campaign and the British Humanist Association (BHA), which has become involved because of the national implications.

The Government is intervening on the side of the Council, but not on the basis of the arguments that Council has been using. The core of the argument so far has been that a new section (6a) of the Education Act meant that a Council that thinks it needs a new school must first seek proposals for free schools, where there cannot be more than 50% of places prioritised on the basis of religion. Richmond Council has argued that there was not a "need" for a new school and therefore they could accept the proposals for the Voluntary Aided Catholic schools, made under a different section (11) of the Act, without first seeking proposals for free schools. The reason the Church and the Council want Voluntary Aided status, rather than a free school/academy, is that virtually 100% of the places at the Voluntary Aided secondary school will be prioritised for children of Catholics.

But the Department for Education is now interpreting the new rules to mean that Councils can accept proposals for Voluntary Aided schools whenever they like, whether or not they need a new school. If the court agrees with their interpretation, then not only Richmond, but any other council can get together with a religious body to by-pass the 50% rule and set up new religious schools with up to 100% faith-based selection.

Natalie Raja, speaking on behalf of RISC said "We had expected to have been given a date for the hearing in the High Court by now, as the court has agreed to our request to expedite the case. So this is a late intervention, and we don't know who or what prompted it. In practice it may not make much difference to the outcome, as we are arguing on the basis of what the law actually says.

But we are concerned that the introduction of lawyers acting for the Department for Education will add to the costs. And – surprisingly - they have refused to agree that they will not try to recover their costs from us. We don't see why we should bear that risk. We have therefore applied for a court order to limit the total amount for which we and the BHA could be liable, covering both the Council's and the Department's costs. Anyone who would like to help us on costs should contact us through our website www.richmondinclusiveschools.org.uk."

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 24th 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%.
- For more information contact Jeremy Rodell 07798 935569.