

Allison Bailey v (1) Stonewall Equality Ltd (2) Garden Court Service Company Ltd (3) Rajiv Menon QC and Stephanie Harrison QC, sued as representatives of all members of Garden Court Chambers except the claimant

**Important notice for press and public: this summary is not part of the Tribunal's decision. It is to help the press and public understand what the Tribunal decided.**

Public debate on proposed reform of the Gender Recognition Act and the campaign group Stonewall's advocacy of a change to gender self-identity formed the background to the events of this case.

The claimant is a criminal defence barrister at Garden Court chambers in London. She holds the gender critical view that sex is immutable. In December 2018 she complained to her colleagues about Garden Court becoming a Stonewall Diversity Champion, saying that Stonewall advocated "trans extremism" and was complicit in a campaign of intimidation of those who questioned gender self-identity. In October 2019 she was involved in setting up the Lesbian Gay Alliance to resist "gender extremism". Her tweets opposing trans rights campaigns led to tweets and complaints being sent to Garden Court saying that her opinions were transphobic and damaged Garden Court's reputation as a human rights set supporting trans rights.

The tribunal held that her gender critical belief that Stonewall wanted to replace sex with gender identity, that the absolutist tone of its advocacy of gender self identity made them complicit in threats against women, and that it eroded women's rights and lesbian same-sex orientation, was a belief protected under the Equality Act. The tribunal did not have to decide whether that belief was correct.

The tribunal upheld her claim that Garden Court discriminated against her because of her belief, when they tweeted that the complaints would be investigated under a complaints procedure, and when they found in December 2019 that two of her tweets were likely to breach barristers' core duties. She was awarded £22,000 compensation for injury to feelings in this.

The tribunal did not accept that she had lost work and income because of her December 2018 protest, or that she was harmed by delays disclosing documents. Nor did it accept her claim that a complaint made by Stonewall about her tweets was engineered by a colleague who supported trans rights.

The claimant had made an indirect discrimination claim alleging that Garden Court had a practice of holding that gender critical views were bigoted, and that Garden Court allowed Stonewall to direct its complaints process. Both these allegations were rejected.

A separate claim that Stonewall had instructed or induced discrimination by Garden Court, or attempted to do so, was also rejected.