

Press summary: Newman v Commissioner of Police of the Metropolis 2305069/2023

London South Employment Tribunal, Employment Judge Morton, Mr M Marenda and Ms G Mitchell

Decision date 25 June 2025

The claim was brought by Melanie Newman, who is an officer with the Metropolitan Police ('MPS') who holds gender critical beliefs. She complained of harassment related to those beliefs and direct discrimination because of them under the Equality Act 2010 ('Equality Act'). Gender critical beliefs have been recognised as capable of protection under the Equality Act since the decision of the Employment Appeal Tribunal in *Forster v CGD Europe* and *Ors* UKEAT/0105/20. The Tribunal did not uphold the claimant's complaints.

The claimant based her claim on the content of an event organised by an internal staff association at the MPS – the LGBT+ staff support association ('SSA'). The event – called the Trans Day of Visibility ('TDOV'), which took place on 31 March 2023, had the purpose of raising the profile of trans issues in the community policed by the MPS and within the MPS itself. The claimant attended the event online from home whilst off duty. She objected to some of the content of the event, in particular the speech given by an external speaker called Eva Echo, who is a trans woman and had been asked by the event organiser to talk about the subject of misinformation in the media about trans issues. Eva Echo made a number of remarks about holders of gender critical views including describing them as exhibiting 'cult like behaviour' and some of their views as 'twisted' and 'warped'. The speech received a broadly positive response from those present, who included some senior officers. This troubled the claimant, who was also concerned at the adverse reaction in the audience to the mention of a woman called Posie Parker, who is known for her strong critical views on trans issues. The claimant drew a number of conclusions from what she heard, but for the purposes of her claim, she concluded that the positive reception the speech received and the adverse response to the mention of Posie Parker indicated hostility in her workplace towards holders of gender critical beliefs. This formed the basis of her complaint of unlawful harassment.

The claimant was sufficiently concerned about what she heard to consider raising a complaint about it and consulted a former police officer acquaintance for advice about how to do so. She was signposted to the MPS Directorate of Professional Standards ('DPS') and she submitted a complaint explaining her concerns. The DPS informed her that this was not the correct route and that the subject matter of her concerns did not fall within its remit. She was advised to discuss the issues with her line manager, but this was not a step she wished to take. She then sought the help of the Police Federation but was dissatisfied with the support she received and instead decided to raise a grievance. However, she made it clear that her grievance was not directed at any individual officer or employee of the MPS and as a result she was informed that her complaint fell outside the remit of the grievance policy and procedures. She was also told that her complaint would remain open in case she did want to complain about an individual officer or employee, but the claimant remained opposed to doing that. Instead, she pursued the matter via a complaint to the employment tribunal. As well as complaining that the event itself had constituted unlawful harassment under the Equality Act, related to her gender critical beliefs, she claimed that the way in which her complaint had been dealt with was directly discriminatory and that a hypothetical comparator holding different beliefs would have received more favourable treatment.

Eventually the DPS received a complaint about the TDOV via an outside organisation, the Women's Right's Network. There was further internal investigation which resulted in reflection within the MPS about the manner in which events of this nature were organised and the development of a set of guidelines for organisers to ensure that speakers were appropriate and briefed and that events served a policing purpose. The claimants' concerns about the event were validated and the MPS has now put in place a gender critical network.

The Tribunal did not uphold the Equality Act complaints. Prior to beginning her career as a police officer, the claimant had worked as a journalist and had written about the question of trans rights from a gender critical perspective. The tribunal found that she had attended the event voluntarily, because

she was interested in the subject matter and curious about what would be said. There was no requirement for her to attend and no active encouragement to do so. Although she was concerned about what she heard, the Tribunal did not think that in all the circumstances, which included her familiarity with the subject, her active interest in it, the nature and purpose of the event and the small number of people (80) who were in attendance out of a workforce of 55,000, that it was reasonable to treat her experience as amounting to harassment related to her beliefs or to conclude from her experience that her workplace as a whole was hostile to her beliefs. The Tribunal declined to make any findings as to the overall disposition of the MPS towards holders of gender critical beliefs, which it regarded as outside its remit and competence.

The Tribunal was also satisfied with the MPS's explanation for its handling of the claimant's complaint, which related to the nature and purpose of the procedures involved and the claimant's decision not to complain about individual officers or employees. We concluded that a person with a different set of beliefs would have been similarly treated and that there was no basis for a complaint of direct discrimination.