R (United Grand Lodge of England) v Commissioner of Police of the Metropolis

Press Summary: For release at 10.05am, 17 February 2026

This summary is provided by the Court for the assistance of those reporting the Court's judgment (neutral citation [2026] EWHC 330 (Admin)). It does not form part of the judgment. References in bold and square brackets are to numbered paragraphs of the judgment.

1 The claimants challenge the decision of the Metropolitan Police Commissioner to require officers and staff in the Metropolitan Police Service ("MPS") who are or have been Freemasons to disclose that fact to their local professional standards unit.

2 After a hearing on 11 February 2026, Mr Justice Chamberlain this morning handed down a judgment holding that the claim is not arguable. Permission to apply for judicial review and an interim order suspending the disclosure requirement are both refused.

The parties

3 The first claimant is the governing body of Freemasonry in England and some other parts of the British Islands. The second and third claimants are the two women's orders of Freemasons.

4 The fourth and fifth claimants are Freemasons who are officers in the MPS. There is an order anonymising them. For the time being, no report of or in connection with these proceedings may identify them or include material likely to lead to their identification.

5 The defendant is the Commissioner of Police of the Metropolis, who is responsible for the MPS.

The challenged decisions

6 On 18 November 2025, the MPS decided to amend its Declarable Associations Policy to require all MPS officers and staff who are or have been members of "an organisation that has confidential membership, hierarchical structures and requires members to support and protect each other" to declare that fact, confidentially, to their local professional standards unit. Freemasons' organisations were identified as covered by the new policy.

7 This decision was announced on 11 December 2025. The announcement explained that the disclosure requirement had its origin in a recommendation made by the Daniel Morgan Independent Panel in its initial report in 2021. This panel had been established with Baroness O'Loan as chair to inquire into allegations of corruption in the police inquiries into the 1987 murder of Daniel Morgan in south London.

8 On 30 January 2026, the Commissioner decided, having considered representations from the second and third claimants, not to alter or withdraw the disclosure requirement.

The claimants' grounds of challenge

9 The claimants filed a claim for judicial review challenging the decisions of 18 November 2025 and 30 January 2026. By the time of the hearing on 11 February 2026, seven grounds were pursued:

(a) The defendant had no power to impose the disclosure requirement on police officers because it is a restriction on the private life of officers and is not "designed to secure the proper exercise of the functions of a constable", as required by regulation 6(2) of the Police Regulations 2003 (Ground 1).

(b) The decisions unlawfully interfered with the rights of the claimants under Articles 8, 10 and 11 of the European Convention on Human Rights (Grounds 2-4).

(c) The decisions involve or will result in processing of the claimants' data that is unlawful under the UK General Data Protection Regulation and/or the Data Protection Act 1998 (Ground 5).

(d) The decisions give rise to discrimination on the ground of belief contrary to sections 39 and/or 29(6) of the Equality Act 2010 (Ground 6).

(e) The decision of 30 January 2026 was predetermined (Ground 8).

The judgment

10 In his judgment, Mr Justice Chamberlain held as follows:

(a) The disclosure requirement was imposed to maintain and enhance public trust in the MPS. If the MPS knows which officers and staff are Freemasons, it will be better placed to take action to avoid situations of actual or perceived bias, for example by removing them from an investigation or a promotion board or from involvement in a procurement decision which might affect the interests of a fellow Freemason. Assuming that the disclosure requirement is a restriction on the private lives of officers, it is "designed to secure the proper exercise of the functions of a constable" and so is lawful under reg. 6(2) of the Police Regulations. Accordingly, ground 1 is not reasonably arguable: **see [24]-[34]**.

(b) On the assumption that the disclosure requirement interferes with the rights of the claimants under Article 8, 10 and/or 11 ECHR, it serves a legitimate aim (maintaining and enhancing public trust in policing) and is proportionate:

(i) On the one hand, the extent of the interference with the claimants' rights is relatively modest. The challenged decision does not stop Freemasons from continuing to serve as police officers or staff and does not make the fact of their membership (on its own) relevant to promotion. There is no routine disclosure to line managers or colleagues and no reason to suppose that the information would become known generally within the MPS, let alone to the public at large, unless it were relevant to criminal or misconduct proceedings.

(ii) On the other hand, significant weight must be given to the assessment of the Commissioner and other senior officers about what is necessary to maintain and enhance public confidence in the police. Moreover, the disclosure requirement implements a recommendation of the Daniel Morgan Independent Panel. Intelligence reports in a small number of cases showed that there was at least a perception that Masonic connections had influenced decisions. An internal survey provided some further evidence of a perception

among officers and staff that membership of the Freemasons affected public trust in the police.

Accordingly, grounds 2-4 are not reasonably arguable: **see [35]-[47]**.

(c) On the assumption that the information that officers and staff are required to disclose is "special category" data, the MPS has an "appropriate policy document" available on its website. This, taken together with the Declarable Associations Policy itself, provide sufficient clarity as to the legal basis for processing data and the uses to which the disclosed data may be put. Leaving it to individual officers to decide on an ad hoc basis whether to make declarations (e.g. in the context of specific investigations) would not achieve the object of maintaining or enhancing public trust, because it would depend on officers' and staff members' own identification of situations where disclosure was warranted. It would also be very difficult to operate and enforce in practice. Accordingly, ground 5 is not reasonably arguable: **see [48]-[54].**

(d) On the assumption that that the fourth and fifth claimants share the core beliefs and principles said to be shared by all Freemasons (in brotherly love, relief and truth) and that these are "beliefs" protected by the Equality Act 2010, the disclosure requirement does not give rise to direct discrimination because it is framed in facially neutral terms. In any event, the Commissioner can justify it as an occupational requirement pursuant to paragraph 1 of Schedule 9 to the 2010 Act because it is a proportionate means of achieving a legitimate aim. For the same reason, the Commissioner can justify any indirect discrimination for the purposes of s. 19(2)(d) of the 2010 Act. Accordingly, ground 6 is not arguable: **see [55]-[59].**

(e) Although the second and third claimants were not consulted before the original decision to impose the disclosure requirement, they did not say that they were unaware of the proposal and did not identify any new points that had not already been considered. Against that background, it was reasonable for the defendant to decline to suspend the disclosure requirement and to argue before the court that consultation with the second and third claimants was highly unlikely to have made any difference, while offering to consider any new points they subsequently made with an open mind. Accordingly, ground 8 is not arguable: **see [60]-[68].**

11 Mr Justice Chamberlain noted that, since permission to apply for judicial review has been refused, there is no basis for the grant of an interim order suspending the disclosure requirement. Even if permission had been granted, the balance of convenience would have fallen decisively against the grant of an interim order suspending the disclosure requirement. Such an order would deny the Commissioner the benefits of the disclosure requirement for at least several months. On the other hand, the benefits of an interim order to the claimants and other officers and staff would be very slight. Many have already declared their membership. The prospect of anyone facing disciplinary proceedings in the few months before a substantive hearing is remote. If the claim succeeded, the court could order the deletion of any information disclosed by that time: **see [69]-[76]**.

Ends