

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
ADMINISTRATIVE COURT

AC-2026-LON-000781



AC-2025-LON-000781

MRS JUSTICE HEATHER WILLIAMS DBE

B E T W E E N:

THE KING
on the application of

SEX MATTERS

-and-

THE DIRECTOR OF PUBLIC PROSECUTIONS

Claimant

Defendant

ORDER

OF THE COURT'S OWN MOTION IT IS ORDERED THAT:

1. Any request for a direction under s.85A(3)(b) of the Courts Act 2003 ("a transmission direction request") by a person not taking part in the proceedings ("an applicant") for permission to watch or listen the hearing of the above proceedings on 8 and 9 July 2026 **must be made by 10am on Monday 6 July 2026.**

2. Any transmission direction request should be sent by email to the Administrative Court List Office at administrativecourtoffice.listoffice@justice.gov.uk and must include the following:
 - a. The full name of the applicant;
 - b. The email address of the applicant;
 - c. Whether the applicant would be located within the jurisdiction of England and Wales at all times when attending the proceedings remotely (if a transmission direction were to be made); and, if not, details of the applicant's location;

- d. Any information the applicant wishes to provide in support of the request, including in particular any reason(s) why it is contended that making such a direction would be in the interests of justice; and
 - e. A statement made by the applicant in the following terms: “If permitted to attend the hearing remotely, I understand and undertake to the Court that I will not make a recording, capture images, and/or broadcast any part of the proceedings. I understand that to do so would be an offence and may be a contempt of court, and that I may be punished if I were to do so”.
3. Unless exceptionally the Court otherwise directs, a transmission direction request made otherwise than in accordance with this Order will not be granted.

REASONS

This case concerns whether the Crown Prosecution Service’s guidance on “Deception as to Sex” is legally wrong because it tells prosecutors that a person’s gender identity may be relevant in law to the concept of intentional deceit vitiating ostensible consent in sexual offence cases; the claimant argues that only biological sex can matter in law.

This case may attract media attention. This Order is made to ensure that any transmission direction requests are made in a timely manner, to enable them to be considered and determined prior to the hearing and to ensure that any such requests are accompanied by the necessary information.

1 July 2026

BY THE COURT