

**\*\*\* Press Release \*\*\***

**\*\*\* For Immediate Release \*\*\***

**\*\*\* 27 July 2022 \*\*\***

## **JK ROWLING'S FRIEND ALLISON BAILEY WINS HER CASE: *GARDEN COURT CHAMBERS DISCRIMINATED AGAINST GENDER CRITICAL BARRISTER***

Author JK Rowling's friend Allison Bailey has won her discrimination case against Garden Court Chambers. An Employment Tribunal has unanimously found that Miss Bailey, a barrister, lesbian, prominent gender critical campaigner and founding member of LGB Alliance, was discriminated against and victimised by her barristers' chambers on the basis of her gender critical beliefs.

The case, heard over nearly six weeks earlier in the summer, was one of the most keenly watched of the year. Over 30 witnesses were cross examined in a trial conducted entirely over video live-link that attracted hundreds of online observers and many thousands more followed the live tweeting of the case.

The litigation was part of a pushback by gender critical feminists against attempts to replace biological sex with notions of self-identified gender identity.

Miss Bailey's claim centered on allegations that she was singled out for attack by Stonewall and her chambers because of public statements on the subjects of sex, gender, and Stonewall's intolerant and aggressive method of campaigning. In October 2019 Miss Bailey tweeted to announce the launch of LGB Alliance, a charity which she helped set up to defend the rights of people who are same sex – rather and not same-gender - attracted. This elicited an onslaught of abuse against her and the new organisation.

In a detailed and wide-ranging judgment, Miss Bailey was not successful on all counts. But the Tribunal agreed on the central complaint that she raised: that, as a consequence of being a gender critical feminist, she was discriminated against and victimised by her colleagues.

A separate claim against Stonewall was not upheld. Although the Tribunal accepted that Miss Bailey's belief that "gender theory as proselytised by [Stonewall] is severely detrimental to women for numerous reasons" and is a protected philosophical belief, it did not find that Stonewall had satisfied the legal test of "instructing, causing or influencing" the unlawful discrimination which it found Miss Bailey suffered.

Among the findings of the judgment were that:

1. In publishing a statement that Miss Bailey was being investigated for breaches of her regulator's code, Garden Court discriminated against her on the basis of her protected beliefs and victimised her as a consequence of protected acts she had made.
2. In upholding Stonewall's complaint against Miss Bailey, Garden Court discriminated against her on the basis of her protected beliefs and victimised her as a consequence of protected acts she had made.
3. The belief that "Gender theory as proselytized by the First Respondent is severely detrimental" to both women and to lesbians is a protected philosophical belief, attracting the protections of the Equality Act 2010.

4. Such was the oppressiveness of Garden Court's actions against her, the Tribunal awarded aggravated damages, which are only awarded where a discriminator's actions are particularly unnecessary, high handed or oppressive.

Miss Bailey said:

*"This is a vindication for all those who, like me, object to the erasure of biological sex, of women, and of same sex attraction as material realities. It represents judicial recognition of the abuse waged against us.*

*"This case was never about money. I did not win everything, but I won the most important thing: I have brought Stonewall's methods into the public eye, and I have shown them for what they now are.*

*"One of the proudest days of my life was being accepted into Garden Court Chambers. It was in the vanguard of sort of law I set out to practice: socially conscious, enlightened and determined to represent those who most need the law's protection, encapsulated in its motto: "Do right, fear no-one.*

*"But its assumption of moral righteousness led it to classify gender critical feminism as bigotry, and me, by extension, as opposed to their ethos. On both counts it was wrong.*

*"I have spent nearly twenty years at Garden Court. Even among some of those who are named in the judgment there are many whom I respect and admire. Like many organisations that have mistakenly taken Stonewall's proselytising as gospel, Garden Court has taken a wrong turn. But they can turn back. This judgment will help that to happen.*

*"I am disappointed not to have won my claim against Stonewall. But this should not obscure Stonewall's role in creating the environment in which discrimination against gender critical women and lesbians has been allowed to flourish.*

*"It never occurred to me as I was building my career that the organisation which would prove my biggest obstacle would be a charity set up ostensibly to protect people like me.*

*"Stonewall declared there were 'good lesbians' and 'bad lesbians', the latter including any lesbian that dared to hold that sex is real and immutable and the crucial criteria for being same-sex attracted. Although I haven't won my claim against them, it is still my belief that they have declared open season on lesbians like me and on women and men who disagree with its commercial lobbying goals. The Tribunal has recognised that my belief in this regard is a protected belief. I hope this acts as a wake-up call to the government and Charity Commission.*

*"Over the past decade, Stonewall has twisted the definition of same sex attraction, redefining it, commodifying it and trying to sell it back to lesbian, gay and bisexual people. In the process, it has tried to define homosexuality out of existence. But we aren't buying Stonewall's product. It has accidentally and ironically achieved what it was set up to do: it has united and empowered same sex attracted people to fight for our rights once again.*

*"This case was funded by donations from thousands of people who recognised the wrong that was being done to me and others like me. It is testament to the power and resolve of ordinary people: straight, lesbian, gay, bisexual, and transsexual.*

*Women in particular have been slandered as bigoted, harassed and defamed as transphobic and worse, simply for asserting our lawful rights and advocating for proper safeguarding.*

*“–We are none of the things Stonewall and others have called us; we are in the vanguard of a powerful and necessary movement that is turning the tide on gender identity ideology.”*

**ENDS**

**Notes to Editors:**

1. Allison Bailey is not giving interviews or doing any further press.
2. JK Rowling and Allison Bailey high-res photograph:  
[https://i.dailymail.co.uk/1s/2022/05/05/15/57447881-10786161-image-a-24\\_1651760595807.jpg](https://i.dailymail.co.uk/1s/2022/05/05/15/57447881-10786161-image-a-24_1651760595807.jpg)
3. News articles about Allison Bailey & additional high-res photographs are available here:  
[https://nam12.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.google.com%2Fsearch%3Fq%3Dallison%2Bbailey%26client%3Dsafari%26source%3Dinms%26tbn%3Dnws%26sa%3DX%26ved%3D2ahUKEwi2rYWvw4\\_5AhUbHcAKHbZ0BJYQ\\_AUoAXoECAIQAw%26biw%3D640%26bih%3D438%26dpr%3D2&data=05%7C01%7C%7C3e5e4292f8564c089d3a08da6cd02e73%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637941938632656550%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=hP825yppG6qhwhzKUZi4p9C7liG5iRCFPgTZBr6q2jWQ%3D&reserved=0](https://nam12.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.google.com%2Fsearch%3Fq%3Dallison%2Bbailey%26client%3Dsafari%26source%3Dinms%26tbn%3Dnws%26sa%3DX%26ved%3D2ahUKEwi2rYWvw4_5AhUbHcAKHbZ0BJYQ_AUoAXoECAIQAw%26biw%3D640%26bih%3D438%26dpr%3D2&data=05%7C01%7C%7C3e5e4292f8564c089d3a08da6cd02e73%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C637941938632656550%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=hP825yppG6qhwhzKUZi4p9C7liG5iRCFPgTZBr6q2jWQ%3D&reserved=0)
4. Allison Bailey remains a criminal barrister at Garden Court Chambers, which she joined in 2004. Her full biographical history is contained in her witness statement, which is found at <https://allisonbailey.co.uk/wp-content/uploads/2022/05/Witness-Statement-of-Allison-Bailey.pdf>
5. Garden Court has 42 days to apply to the Employment Appeal Tribunal for permission to appeal this judgment.
6. For technical questions on the judgment and its significance for employment law in the UK, email Peter Daly at Doyle Clayton Solicitors [pdaly@doyleclayton.co.uk](mailto:pdaly@doyleclayton.co.uk). No on-record comments will be given.