

Richmond Catholic school fight goes to the High Court



A legal challenge over plans for two new Catholic schools in the London Borough of Richmond is being heard at the High Court.

The British Humanist Association and another group claim Richmond Council broke laws in approving new schools which can prioritise Catholic children.

The schools, one secondary and one primary, are due to open in September.

The council says a democratic decision was taken to approve the schools.

It says it is confident it acted lawfully in approving plans for the schools put forward by the Diocese of Westminster. Families have already applied for places at the schools.

In August, the High Court gave permission for a judicial review of the case, which is now being heard. The judge is looking at whether decisions were taken correctly and in line with the law.

The BHA sought the legal ruling in a joint action with a group called the Richmond Inclusive Schools Campaign, which says any new schools in the area should be open to all children.

It says laws which came in earlier this year [in England] mean that if a new school is needed in an area, councils should first seek proposals from groups wanting to set up free schools or academies and that the council breached this law in backing Church plans to set up a school.

There has been a long-running campaign for a Catholic secondary school in the area, with local Catholics saying their children had to travel out of the borough to attend school.

The council says 67% of parents and residents who responded to a consultation on plans for the secondary school were in favour of them.

The Church says that it has responded to local demand.

'Back door'

Underpinning the case is a dispute about who can go to faith schools.

New laws mean that new free schools and academies, if they are faith-based, have to limit their "faith intake" to 50% of the total if they are oversubscribed, whereas voluntary-aided schools can select pupils on the basis of their faith as long as they follow the Admissions Code, which sets out rules for England's schools.

The BHA accuses faith groups and councils of setting up new faith schools "by the back door".

In the Richmond case, the new primary school will allocate a third of places to people on the basis of closeness to the school, not on religion, and for the remaining places, priority will be given to baptised Catholics.

If the secondary school is oversubscribed, priority will be given to baptised Catholic children living in certain local parishes.

The case is expected to last two days.

Angela Harrison - BBC Education