

Dear Cllr Elwyn Jones

09 August 2022

We, the undersigned, politely request an Extraordinary Meeting of the Full Council within 10 days of receipt of this email to discuss the matters included within this communication: see below.

In light of publicly available information relating to the global 'roll out' of the RSE curriculum into Gwynedd schools, we wish to pursue Gwynedd Council's procedure in calling for an Extraordinary Meeting in pursuance of section 4.12 of the Constitution.

We would hope that you are aware of the Judicial Review currently underway at the High Court. Despite the Welsh Government's media response being that the claims are merely "*sensationalised*" or "*misinformation*" (claims to which the Welsh Government have so far refused publicly to elaborate on), are themselves misleading. Mr Justice Turner, sitting at the Queen's Bench division of the High Court stated in his order dated 27 May 2022 (copy attached) that:

*"The issues raised by the claimants involve the consideration of complex constitutional matters with potentially very significant consequences of both parents and children."*

This case is of huge concern to us and our constituents and is of a nature that cannot be ignored. In a statement made to Parliament on 18 March 2021, the Lord Chancellor stated that "*out of 5,502 Cart judicial reviews brought between 2012 and 2019, only 0.22% were successful.*" [Independent Review of Administrative Law - Hansard - UK Parliament](#). This alone should sound alarm bells, Judicial Reviews are rare, very rare, and are most certainly not granted upon "*sensationalised claims*" and/or "*misinformation*".

In assessing whether or not to call an Extraordinary Meeting in this instance, it must be taken into consideration that we as the Council, come September, might well be teaching (without, for the first time in history, parental right of exclusion), illegal and potentially damaging content to our most vulnerable. It must also be considered that the Council has a legal and lawful duty of care to its school children. The Council are responsible as employers for teacher safety and, more often than not in Court, the Council is found vicariously liable for harm caused to children in schools. Section 1.2.1 of the constitution states:

*"[...] Each Councillor is democratically accountable to the residents of their electoral division as well as all of those who live in Gwynedd. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those that did not vote for them."*

The issues we raise are very real and are the issues of our constituents and *prima facie*, the Courts. The issues we raise have "*potentially very significant consequences of both parents and children,*" as well as to our teachers, our constituents, and the Council itself in the not-too-distant future.

Upon the Council being made aware of the seriousness of the issues raised, we feel that the Council, in pursuance of the constitution, has a duty to examine the facts of the case and should call an Extraordinary Meeting forthwith. We feel it imperative that the Council consider and plan for, at the very least:

The potential consequences to our children (and constituents as a whole) if we follow along with the status quo and implement a potentially illegal curriculum, also

a damage control strategy in the very possible event that the Court rules the implementation of RSE in Wales illegal, and a strategy in regard to the potential, consequential safeguarding issues and potential for future damages.

Yours sincerely

Councillor Louise Hughes

Cllr Eryl Jones-Williams

Cllr Angela Russell

Cllr Gruff Williams

Cllr Rob Triggs