

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

AC-2024-LON-004169



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**THE KING on the application of SEX MATTERS**

**Claimant**

and

**CHIEF CONSTABLE OF THE BRITISH TRANSPORT POLICE**

**Defendant**

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**CONSENT ORDER**

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Before the Honourable Mr / Ms Justice \_\_\_\_\_

UPON the Defendant having withdrawn the Search Policy which gave rise to this claim and having notified officers and staff of the said withdrawal.

AND UPON the Defendant considering that the provisions of Part V Police and Criminal Evidence Act 1984 ("PACE") are provisions in respect of which s.9(3) of the Gender Recognition Act 2004 ("GRA") operates to exclude the effect of s.9(1) GRA.

AND UPON the Defendant confirming that she will be publishing final interim guidance on same sex searches by 30 June 2025 to the effect that any search undertaken using the compulsive powers of Part V PACE will be carried out on the basis of biological sex only.

AND UPON the Defendant considering that the final interim guidance will maintain the possibility of a consensual search outside Part V PACE such that a person who may present in a gender other than their birth gender may explicitly consent to a consensual search by an officer of a sex of their preference.

BY CONSENT

It is hereby ORDERED:

1. This claim be stayed until 30 June 2025.
2. Upon expiration of the stay, if the claim is not withdrawn, the Claimant shall have permission to file Re-amended Statement of Facts and Grounds and an updated Permission Bundle by 21 July 2025.
3. The Defendant may file and serve Amended Summary Grounds within 21 days of service of the Re-amended Statement of Facts and Grounds.

4. Costs reserved.

Dated this 30 day of May 2025

DPG

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Solicitors for the Claimant

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Solicitors for the Defendant

Approved by Paul Gayle, ACO lawyer under delegated powers

BY THE COURT