

# Islamic faith school's gender segregation is sex discrimination, court rules

[last year's finding by a High Court judge](#) that Ofsted inspectors were wrong to penalise the mixed-sex Al-Hijrah school in Birmingham on the basis of an "erroneous" view that segregation amounted to unlawful discrimination.

In a test case ruling on Friday, the Master of the Rolls Sir Terence Etherton, Lady Justice Gloster, and Lord Justice Beatson unanimously allowed a challenge by Ofsted's chief inspector Amanda Spielman against Mr Justice Jay's decision.

The ruling will affect other schools which have a segregation policy. The appeal judges held that the school's policy of complete segregation from year five caused detriment and less favourable treatment for both male and female pupils by reason of their sex, and was contrary to the 2010 Equality Act.

...the voluntary-aided school, which has pupils aged between four and 16, believes that separation of the sexes from year five onwards is obligatory. It has complete segregation of boys and girls from nine to 16 for all lessons, breaks, school clubs and trips.

Lawyers for its chief inspector (of Ofsted) Amanda Spielman argued that the policy is unlawful and segregation leaves girls "unprepared for life in modern Britain".