

Mini-Meghan may get right to inherit title

A challenge to laws that block daughters from hereditary peerages has implications for any female child of the duchess

Nicholas Hellen
Social Affairs Editor

Centuries-old laws that deny hereditary peerages to firstborn daughters are to be challenged in the courts, raising the prospect that a girl born to the Duke and Duchess of Sussex could inherit the title.

A case lodged in the European Court of Human Rights in Strasbourg late last week by five women could remove state-sanctioned gender bias among the nobility by giving girls and boys equal rights to inherit.

It would end the anomaly whereby a baby boy born to the Duke and Duchess of Sussex will inherit the dukedom, even if he has older sisters. The title will die out if the couple have only daughters.

The Establishment moved swiftly before the birth of Prince George in 2013 to amend the royal laws of succession to the throne to give equal rights to a baby girl as to a baby boy, but attempts to extend this to the peerage were stifled.

It meant that when Meghan Markle married into the royal family in May, declaring she was “proud to be a woman and a feminist”, she did so knowing that any daughter would have inferior rights to a son. The same rule applies to Princess Beatrice, the eldest daughter of the Duke of York.

Hereditary peers have 92 seats reserved for them in the House of Lords and royal peers are entitled to stand for election to the house: last month, Lord Snowdon, the son of Princess Margaret, sought to become a crossbench peer. The 92 incumbents include a solitary woman, the Countess of Mar. Baroness Dacre is the only woman on the register of 210 peers wishing to be considered for a seat.

A 13-page application submitted in Strasbourg by a team of lawyers including Lord Pannick QC, Edward Legard and Paul Hardy argues the five women who are part of the action (see panel, right) are unable to stand for election to the Lords. It says the government is discriminating against them on the basis of their gender and the right to free election.

A possible precedent is the case of two men, a Bosnian Jew and a Bosnian Roma, who won in Strasbourg in 2008 after challenging a ban preventing them standing for election to Bosnia and Herzegovina's upper house because of their race.

Charlotte Carew Pole, who heads the Daughters' Rights pressure group, which has lobbied for the legal action, said: “It is 100 years since women got the vote and it is outrageous that women still don't have the right of election to our upper house. This is the last state-sanctioned sexual discrimination and it needs to be eradicated from the statute book.”

Carew Pole's husband, Tremayne, will become the 14th holder of the Pole baronetcy, granted to his family by Charles I in 1628. They have a daughter, Jemima, 3, and a one-year-old son, Lucian.

Carew Pole said Lucian would not object once he grows up, saying: “He will understand that this was a wrong which



Under current laws, a boy born to the Duke and Duchess of Sussex, seen at a Commonwealth event this month, would inherit the title, even if he were to have older sisters

needs righting and will be proud I did so.”

Baronets do not have the right to sit in the House of Lords, so Carew Pole's family will not benefit directly.

Critics argue that families could continue to pass their estates down the male line, splitting stately homes from the title and undermining their appeal to visitors. Carew Pole concedes she is braced for a backlash but said few people would put “tourism above women's rights”.

Indeed, she argues that women may start to inherit a larger share of the nobility's wealth: “Daughters may get estates or businesses, because you don't have to think of the boy being more worthy.”

One day the Duchess of Sussex may see a baby daughter grow up to pursue a charitable or quasi-political career, Carew Pole suggested: “Her daughter would have the chance to speak in the House of Lords.”

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Charlotte Carew Pole and family



THE STRASBOURG FIVE DISENFRANCHISED REBELS WITH A CAUSE

She may be fighting for the right to sit in the House of Lords but the daughter of the 9th Earl of Macclesfield is a social worker who lives in a “bog standard between-the-wars semi” 15 miles from Shirburn Castle, the family's former seat in Oxfordshire.

Lady Tanya Field, who never uses her title, is one of five daughters of peers who have put their name to a test case in Strasbourg and is an advocate of the socially disadvantaged.

Each of the five has a cause they would advance if elected.

The others are:
● Lady Willa Franks, eldest daughter of the Earl of Balfour, descendent of the prime minister who in 1917 declared the government's support for the establishment of a “national home for the Jewish people”. She is married with three teenage children, runs a childminding business and is interested in early years education.
● Hatta Byng, eldest daughter of Viscount Torrington, is editor of House & Garden magazine and is interested in culture and protecting historic

buildings. The heir presumptive to the title, granted in 1721, is a fourth cousin once removed of the present viscount.

● Lady Eliza Dundas, 20, the eldest daughter of the Earl of Ronaldshay, is a student and Conservative activist. Her uncle and a male cousin are first and second in line for her father's title.

● Sarah Long, eldest daughter of the 4th Viscount Long of Wraxall, is the elder sister of the 5th Viscount, James Long, who is living with the effects of the morning-sickness drug thalidomide.

Top state school may close after ‘mock slave auction’

Sian Griffiths
Education Editor

A top state secondary school where children allegedly tied a black pupil to a lamppost and whipped him in a “mock slave auction” may be closed or taken over by an academy trust. The boy was also allegedly called racist names and poked with sticks.

The Sunday Times understands that Beechen Cliff School, one of the highest-ranking state schools in Bath, has been given a “termination warning notice” by the government, threatening to withdraw its funding. Alumni include the Nobel prize winner Sir Richard Roberts and Amy Williams, the first individual British gold medalist in a Winter Olympics for 30 years.

Avon and Somerset constabulary interviewed the pupils involved in the so-called “slave auction”, which took place one lunchtime in January. News of the incident emerged a week after police arrested two students for racist chanting against a Nottingham Trent University student in her halls of residence.

Andrew Davies, headmaster of Beechen Cliff, initially expelled three of the pupils allegedly involved – but governors later ruled that they could return to class. Four other boys were excluded for a fixed period.

An online petition calling

for “something to be done” has gathered more than 2,000 signatures since it was launched in March.

Beechen Cliff, a day school which also offers boys the option of boarding, was described two years ago by the Tatler state schools guide as having “an extensive extracurricular menu [that] includes clay-pigeon shooting, a ski trip to Canada and a combined cadet force”.

However, The Sunday Times has been told of allegations of other disturbing incidents on the premises. A source told the paper that a French boarding pupil had been called a “dirty croissant” by a teacher, an incident thought to be under investigation by civil servants.

The move threatening possible closure of Beechen Cliff follows a damning inspectors' report written after a snap inspection in May which found safeguarding was “not effective”.

Ofsted said the school –



Inspectors say Beechen Cliff's safeguarding is ineffective

“One teacher allegedly called a French pupil a ‘dirty croissant’”

rated outstanding in 2014 – was inadequate in two out of five measures of education standards and required improvement in the other three. Inspectors said the language used by leaders and governors during the inspection to describe the alleged racist incident in January gave “serious cause for concern”.

“They still do not appreciate its true gravity, and little appears to have been learnt from the way that this issue was handled,” says the report. “The school's current plans to improve safeguarding are weak.”

Inspectors also said the school was illegally excluding pupils by sending them on extended study leave.

Some parents, however, came out in support of Beechen Cliff after the report was published, signing an open letter that said their boys were “happy” and felt safe at the school.

In a letter to the local paper, a former headmaster, Roy Ludlow, claimed the inspection report painted an “unrecognisable” picture of the school and had exaggerated its “few faults”.

The Department for Education said it was awaiting a response from the school to its termination warning notice before deciding what to do. It added: “The department is working to ensure there is rapid and sustained improvement in Beechen Cliff School.”

Gardeners using water butts risk spreading legionella germ

Jonathan Leake

Homeowners who follow government advice to use water butts to hose their gardens and wash their cars risk exposing themselves to a dose of deadly legionella bacteria, scientists at Porton Down have warned.

They found that 95% of Britain's 11m water butts were contaminated. Spraying such water from a hose or sprinkler could spread the microbes into the air over a garden, allowing them to be inhaled and to trigger an infection.

“The presence of legionellae in collected rainwater and their aerosolisation through gardening activities like hosepipe use may have important public health consequences,” warned the researchers in a scientific paper.

The findings could prove awkward for Ofwat, the water regulator, which last week said that burgeoning water shortages meant tap water should no longer be used for gardening and washing cars. Rachel Fletcher, head of Ofwat, said water butts must become the norm for every home.

If, however, the scientists at Public Health England's Porton Down laboratories are right, the widespread use of water butts could cause a surge of legionnaires' disease.

Legionnaires' disease is a lung infection caught by inhaling drops of water containing the bacteria and is usually caught in places such as hotels, spas and hospitals, where the bacteria get into the water supply.

Water butts are mostly used to collect rainwater falling from roofs and are often fitted with submerged

electric pumps and a hosepipe so water can be sprayed directly onto plants or used to wash cars. Many homeowners use butts to help cut their water bills.

The Porton Down investigation was prompted by fatalities such as that of Stephen Clements, 63, a



Water butts contain bacteria

grandfather from Cromer, Norfolk, who died in February last year after inhaling droplets while cleaning his patio with a hose and broom.

The scientists collected water samples from 113 water butts and found legionella in 107 of them. They then installed experimental butts at Porton Down, using a submerged pump to produce jets and sprays from the infected water.

They found that watering cans and low-pressure sprays released few bacteria into the air but if turned into a fine spray, the number of microbes floating in the air at head height surged, with up to 23,000 legionella bacteria per cubic metre of air.

This weekend the Royal Horticultural Society told the nation's 27m gardeners to use only clean water to spray or hose their gardens.

Sun goes in – just as the kids get out

Jonathan Leake

A dying Atlantic hurricane will send Britain's temperatures soaring today by sucking warm air from the equator across the UK, with temperatures expected to exceed 30C in some areas.

The warmth will be short-lived, however, with temperatures likely to drop by as much as 10C from

tomorrow, heralding a spell of unsettled wet and windy weather – just in time for many children's school holidays to begin on Friday.

In a blow to those who have been cooped up in hot classrooms, longing for the holidays, the heatwave is expected to end as the summer break starts. The Met Office warned: “Long spells of dry weather are unlikely.

Instead, showers or longer spells of rain are likely across the UK, but interspersed with spells of sunshine.”

Today's temperatures are linked to the remains of Hurricane Chris, whose position northwest of Scotland will generate warm, dry, southerly winds across all but the far northwest.

Yet as it moves eastwards through Monday, the storm

system will drag clouds and rain across most of the country, with only southeast England remaining warm.

“There are likely to be more showers,” said the Met Office. “There may also be bands of more persistent rain and stronger winds, especially in northern and western parts.”

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