

**LGB ALLIANCE**

**LGB Alliance  
Summit House  
4-5 Mitchell Street  
Edinburgh  
EH6 7BD.**

**Ms Shirley- Anne Somerville**

**Cabinet Secretary**

**Holyrood**

**Edinburgh**

**10<sup>th</sup> January 2020**

Dear Ms Somerville,

We are writing to you to make clear our profound concerns about the proposed Gender Recognition Bill you published on behalf of the Scottish government earlier today.

We are an organisation with many Scottish supporters founded in October 2019 to defend the rights of lesbians, gay men and bisexuals. We strongly believe our rights will be undermined by this proposed bill. The very definitions of the words lesbian, gay, and bisexual are rooted in the scientific reality that there are two sexes, male and female.

Your bill seeks to confuse this simple reality of the two 'sexes' with an invented spectrum of 'gender identity' that may be newly fashionable but is in fact ill-defined nonsense unsupported by any evidence.

It's not just lesbians and gays who will be affected by this bill. We also believe it will be hugely damaging to women in general, allowing male-bodied people (men) to access women's spaces essentially at will.

While most Scots probably think that a "trans" person refers only to a transsexual who has gone through some actual physical process to become more like their "chosen" sex, this is no longer the case anymore. Now the powerful gender identity lobby defines "transgender" so broadly and vaguely that almost any man can declare he is a woman and he is supposed to be believed. Neither operation, medical supervision nor psychiatric assessment is required.

Your bill will give legal weight to this "de-medicalisation" and do it through a weakening and curtailing of the official gender recognition process. What has become the cultural phenomenon of men declaring they are women at the drop of a hat you will have embedded in our laws. We urge you to think again.

We believe that your bill would within a few years be responsible for thousands of grown men who look identical to any other men being able to access girls' toilets, women's changing rooms and indeed any space where women prefer not to have men. We cannot believe that this is what you intend.

You may know that the charity Stonewall allows a man who has made no noticeable physical transition (he has a beard and fully intact male genitals) to represent them in schools saying he is a lesbian. Yet what you now propose in changes to the gender recognition process in Scotland would validate this sort of idiocy

You have said repeatedly that the protections in the Equality Act will remain unchanged. Yet many activists who have championed these changes have made clear they believe "transwomen are women- no debate" as the slogan runs and therefore argue wrongly that transwomen cannot be excluded from women's spaces. Your bill is thus bound to empower cantankerous activists like these to misinterpret the law and try to change it on the ground.

This bill will be a charter for all manner of predatory men to gain access to vulnerable women and girls at will. It will lead to fear and anxiety amongst those women and girls who have experienced male sexual or physical violence and harassment and it is bound to increase the risk of such assaults.

Some LGBT lobbyists shout loudly every time the safety of children is mentioned in this debate- claiming it is homophobic to raise the subject. It is not. The safety of children should be a shared responsibility for all sections of society, including the wayward LGBT charities who refuse to discuss it.

The Scottish government's proposed bill is also profoundly dangerous to children in another way. The number of children seeking help at gender identity clinics has skyrocketed in recent years. Much of this, we believe, is driven by social contagion. Your bill will now add fuel to this fire, normalizing and encouraging the notion that children are 'born in the wrong body', something that has absolutely no basis in science.

Even worse, the bill proposes that the age a certificate can be issued will be reduced from 18 to 16. This will mean even fewer young men and women have the chance to grow out of the phase they may believe they're trapped in, setting them on a pathway to lifelong medicalisation and surgery.

We will be responding in more detail early next year after the Scottish government publishes its Guidance. We note that in a recent tweet the Head of Stonewall Scotland set out the schedule of consultation, something of which we and no other group opposed to this bill had been informed. It's only the latest sign that together a small and unrepresentative coterie of LGBT groups and activists appear to have been given privileged access to members of the Scottish government.

We look forward to offering another more rational voice.

Yours

Malcolm Clark, Kate Harris and Bev Jackson for LGB Alliance

Rhona Hotchkiss and Malcolm Clark

Our ref: 202000124463  
12<sup>th</sup> January 2021

Dear Rhona and Malcolm,

Thank you for your correspondence received on 07/12/2020.

While, as you note, the ruling from the High Court on 2 December has no formal status in Scotland we are considering the judgement. The law in Scotland on the capacity of young people to consent to medical treatment is different to that in England and Wales. Under the Age of Legal Capacity (Scotland) Act 1991, a person under 16 can consent to a medical procedure or treatment where the qualified medical practitioner attending them considers they are capable of understanding the nature and possible consequences of that procedure or treatment.

NHS England has announced that Dr Hilary Cass OBE, former President of the Royal College of Paediatrics and Child Health, will lead an independent review into gender identity services for children and young people. The review includes examination of the issues around the prescription of puberty blocking and cross-sex hormone drugs to young people. It is expected that the review will report its findings on those issues in early 2021 with wider findings to follow later in the year. We do not look to duplicate the work of the review in Scotland but will closely consider its findings when they become available.

NHS Scotland and the National Gender Identity Clinical Network Scotland are working with services to best meet the needs of young people in Scotland. Though some of this work was paused as a result of the COVID-19 pandemic, we are now in a position where we can start to progress it once again. This will include work to review current pathways and ensure that trans young people and all young people exploring their gender identity can access appropriate care in a timely manner.

We work closely with our LGBTI intermediary partners – the four national LGBTI organisations in Scotland – to understand what the key priorities are for the people and communities they serve, and to help us to develop effective policies, and make progress towards our goal of equality and inclusion for LGBTI people in Scotland.

To help us deliver on this, funding has been provided to organisations working to promote LGBTI equality in Scotland. This includes funding to Stonewall Scotland and the Scottish Trans Alliance (STA), as well as the Equality Network (within which the STA is based), LGBT Health and Wellbeing, LGBT Youth Scotland, and LEAP Sports. This funding provides support for a range of initiatives, representing interests across LGBTI contexts.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

We welcome applications from eligible organisations to relevant Scottish Government funding streams.

Clare Haughey

**CLARE HAUGHEY**

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)



**From:** [Rhona](#)  
**To:** [Scottish Ministers](#)  
**Subject:** FAO Jeanne Freeman, Cabinet Secretary for Health and Sport re: Bell vs Tavistock and the Continued Use of Puberty Blockers on Children with Gender Dysphoria in Scotland  
**Date:** 07 December 2020 17:20:08

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AO - Robert Eckhart

Dear Ms Freeman

We are writing to you in light of the judgement last week in the High Court of Justice for England & Wales on the case brought by 'Quincy Bell and Mrs A.' against The Tavistock and Portman Trust (hereafter referred to by section number) in respect of Puberty Blockers being given to children and young people. We understand that this court has no jurisdiction in Scotland, however, the judgement does have ethical and moral implications for practice in Scotland and particularly, at the four Gender Identity clinics here.

Our interest in this matter has its roots in the growing body of evidence around young L/G/B people turning to transition in their confusion about same-sex attraction. The relative kudos of having a transgender identity, as opposed to the ongoing homophobia and consequent bullying they may otherwise face may be understandably attractive to children and parents. Clinicians from the Tavistock clinic have attested to this trend: (Times Investigation, April 08, 2019, hereafter)

*"The clinicians have warned that complex histories and adolescent confusion over possible homosexuality are being ignored in the rush to accept and celebrate every young person's new transgender identity", and,*

*"It feels like conversion therapy for gay children.... I frequently had cases where people started identifying as trans after months of horrendous bullying for being gay. Young lesbians at the bottom of the heap suddenly found they were really popular when they said they were trans", and,*

*"We heard a lot of homophobia which we felt no-one was challenging. A lot of the girls would come in and say, 'I'm not a lesbian. I fell in love with my best girl friend but then I went online and realised I'm not a lesbian. I'm a boy. Phew'".*

This evidence becomes of increased concern given that the Court observed that:

- There is "very limited" evidence as to the aims and efficacy", of using puberty blockers in children with gender dysphoria, in contrast with the very rigorous approach we are renowned for in Scotland through the work of, for example, the SIGN process. (section 134)
- The use of Puberty Blockers is "not in itself a neutral process", that in contrast to the claims of e.g., Stonewall who claim that they, "... offer(s) much-needed time to questioning young people to explore their identity", and of even greater concern that, "The evidence shows that the vast majority of children who take Puberty Blockers move on to take cross-sex hormones". (s136)
- The correlation between the use of Puberty Blockers and Cross-Sex Hormones is so strong that the court considered the use of Puberty Blockers could be viewed as part one of a two-stage treatment pathway, the two parts of which being almost inextricably linked, meaning that children and young people would find it very difficult to dis-engage with the process after

completing stage one. Stage two is of course, the use of cross-sex hormones and ultimately surgery, with irreversible effects.

- Although the argument has been proffered that children and young people are involved in decisions around other treatments and interventions (vis. Gillick Competence) and that is correct. However, the court in this instance found that, *“The position in relation to Puberty Blockers would not seem to reflect that description.”* (s135)
- *“There is no age-appropriate way to explain to many of these children what losing their fertility or full sexual function may mean in later years ... it is highly unlikely that a child aged 13 or under would ever be Gillick competent to give consent to being treated with Puberty Blockers... It is doubtful that a child aged 14 or 15 could understand and weigh the long-term risks and consequences of the administration of puberty blockers.”* (s144)
- Even with young people of 16 and 17, the opinion of the court was that it would be appropriate for clinicians to involve the court in decisions about what would be in their best interests.

We would ask that you consider the role and influence that organisations such as *Stonewall Scotland* and *The Scottish Trans Alliance* have had in creating and maintaining a situation whereby the boundaries between sexuality and gender have been blurred, and where gender non-conforming children and young people, which many of us were at that age, are now likely to be seen as and believe themselves to be, ‘transgender’.

- *“They (the Tavistock clinicians) believe that physically healthy children are being medicated in response to pressure from transgender lobby groups and parental anxieties.”* and most worryingly that,
- *“... some people were transitioning their gender to match their sexuality.”* (*Times ibid.*)

We note that the Scottish Government funds both of these lobby-groups but does not provide funding to allow alternative voices to be heard and we would ask that this is remedied.

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We respectfully urge you to act to protect all of Scotland’s children and young people from the belief that there is something wrong with their bodies, and from the use of Puberty Blockers setting them on a path to life-long medicalisation, exposing them to the damaging long-term effects of medications and surgery. Further, that the fact that these effects cannot be reversed no matter how much the young person may regret taking them, be given due weight in any decisions about their use. We also ask that you consider the evidence around the disproportionate impact on young L/G/B people outlined above.

We ask that you suspend the use of Puberty Blockers for children and young people in Scotland presenting with ‘GD’, until a long-term position which takes into account evidence about efficacy, safety, consent and the drivers behind the exponential rise in the numbers of children, particularly those who may be LGB, can be devised.

Sincerely,

Rhona Hotchkiss and Malcolm Clark for LGB Alliance Scotland

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**From:** [LGB Alliance](#)  
**To:** [Scottish Ministers](#)  
**Subject:** LGB\_3903\_LETTER\_2.pdf  
**Date:** 27 November 2019 17:02:55  
**Attachments:** [LGB\\_3903\\_LETTER\\_2.pdf](#)

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Please find attached a letter for Fiona Hyslop MSP.

Would you be kind enough to confirm receipt?

Kind regards Kate Harris  
LGB Alliance

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