

**Witness Statement of Paul David Roberts OBE
On behalf of the Appellant
Date: 7 March 2022
Exhibit: PR1**

Appeal number: CA.2021.0013

**FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER
(CHARITY)**

MERMAIDS

Appellant

and

THE CHARITY COMMISSION FOR ENGLAND AND WALES

First Respondent

THE TRUSTEES OF LGB ALLIANCE

Second Respondents

WITNESS STATEMENT OF PAUL DAVID ROBERTS OBE

I, Paul David Roberts OBE of LGBT Consortium, Zone 5, Wrentham Business Centre, Prospect Park, Exeter, EX4 6NA, shall say as follows:

1. I am the Chief Executive of LGBT Consortium (“Consortium”) (registered charity number 1105502). I have worked in the LGBT+ (lesbian, gay, bisexual, trans, and sexualities other than LGB) sector since 2003, when I joined the regional LGBT+ organisation The Intercom Trust. I worked my way up to be the Deputy Director, before leaving in 2011 to become Chief Executive at Consortium. In 2015 I was awarded an OBE for services to LGBT communities, in recognition of my work regionally and nationally (including my work supporting equal marriage legislation).

2. I make this statement in support of the appeal by Mermaids (the Appellant) against the decision of the Charity Commission (the First Respondent) (“the Commission”) to register LGB Alliance (an organisation run by the Second Respondents) as a charity. The statement was drafted with the assistance of Mermaids’ solicitors based on my discussions with them.
3. In the course of making this statement, I shall refer to a bundle of documents, which is now shown to me marked ‘[PR1]’. References take the form ‘[PR/X]’, where ‘X’ is the exhibit page number.
4. Matters within this witness statement are within my own knowledge and belief unless I state otherwise, in which case I give the source of my knowledge or belief. Where matters are within my own knowledge, they are true. Where matters are not within my own knowledge, they are true to the best of my knowledge and belief.
5. I will deal in this statement with: (1) Consortium and the wider LGBT+ sector; (2) the recent growth of anti-trans sentiment in the UK; (3) the founding of LGB Alliance; (4) its use of language; (5) its attitude to LGBT+ charities; and (6) the extent to which its activities are at odds with its stated objects.

Consortium and the LGBT+ sector

6. Consortium was founded in 1998 by leaders across the lesbian, gay and bisexual (“LGB”) rights sector who felt that a conduit for collective action was needed. It was originally set up as an LGB organisation, as was common at that time, but its Articles were amended to extend to trans organisations too in 2003.
7. Consortium’s Objects are:
 - (1) *To promote the lesbian, gay, bisexual and transgender voluntary sector for the public benefit by: (i) associating voluntary organisations, governmental, public and private bodies to develop and maximise the effectiveness of voluntary organisations run by and for lesbians, gay men, bisexual and transgender people (ii) promoting good practice within member organisations*

(2) To promote equality and diversity in the United Kingdom and in particular the elimination of discrimination on the grounds of sexual orientation or gender identity for the benefit of the public by (i) raising awareness of all aspects of discrimination in society by publications, lectures, media, public advocacy and other means of communication, (ii) conducting or commissioning research on equality and diversity and publishing the results of the same to the public, (iii) advancing education in equality and diversity whether by teaching or producing materials, and (iv) cultivating a sentiment in favour of equality and diversity by the use of publications, codes of practice, schemes for employers, award schemes, the media and public advocacy.

8. Consortium is the largest network of LGBT+ organisations in the UK, with a membership of around 525 organisations. The vast majority of the UK's LGBT+ organisations with paid staff, from the smallest to the largest, are members. The majority of our members are small, grassroots organisations; Stonewall is the biggest. Our members provide a whole range of support to LGBT+ people including social provision, therapy, networking, policy work, advocacy, campaigning, Pride events, and everything in between.
9. Consortium has a dedicated engagement team of seven, who are in constant contact with our members; we therefore have an excellent understanding of the priorities and concerns of the sector. This directly impacts the work we do, and we adapt our programmes to their needs as they emerge - for example, we became a specialist LGBT+ funder because we realised that organisations were having problems with traditional funders who did not fully understand their needs.
10. All members sign up to our Member Values and Principles **[PR1/2]** when joining or renewing, which outline our approach to the inclusive LGBT+ sector we want to collectively build. That does not mean that our members cannot focus on a subset of the LGBT+ communities (for example, bisexual people, or trans men) - many of them have a targeted client base / beneficiary class. But it does mean that they are expected to take an approach that does not exclude relevant individuals within the LGBT+ community (for example, so that an organisation focusing on gay men would not exclude trans men).

11. Like the majority of the sector, Consortium sees the fights for trans equality and for LGB equality as being inextricably linked. Historically there has been so much misunderstanding of the differences between our respective communities, and the discrimination we have faced has had such overlap, that we have always been stronger together.
12. The urgency of that collective need to act became apparent during the AIDS crisis of the 1980s, which centred around gay men but which galvanised L, G, B and T activist organisations. In the following decades, those organisations have almost unanimously come together to forge a progressive path.
13. All LGBT+ people can experience “minority stress” - that is, internal stress or conflict about our identities, and external stress caused by being seen by others as something outside of “normal”. Sexual orientation and gender identity are distinct, but it is not a distinction always drawn by those who are prejudiced against us; we are seen as communities that collectively break gender “norms” and are frequently bundled together as “sexual minorities”. The prejudice and marginalisation we encounter as a result is a largely shared experience, as are the inequalities that result from them. The fact that many trans people are also LGB+ strengthens the logic of collective action even further.
14. I, like many of Consortium’s members, was deeply concerned when LGB Alliance was registered by the Commission. For the reasons explained below, I believe that LGB Alliance and its founders are, and have always been, exclusively concerned with:
 - a. promoting anti-trans “gender critical” beliefs – that is, beliefs that trans women should be treated as men in law (and excluded from services for women), and trans men should be treated as women in law (and excluded from services for men) – and lobbying for legal changes to that effect; and
 - b. pushing back against what they describe as the “trans lobby” / “gender identity lobby” – that is, organisations and individuals who advocate for trans equality - in part by turning mainstream public opinion against them.

15. As I will explain, my view is that those activities do nothing to help LGB people (or anyone else), and they cause immeasurable harm to trans people.

Anti-trans sentiment in the UK

16. Over the past few years we at Consortium have noticed a steady increase in anti-trans sentiment in the UK. It has been rooted in misinformation and fear. Trans people and communities have been painted as dangerous and predatory. False narratives have emerged on the fringes and travelled into the mainstream; they have served to stoke fear and suspicion, and have increased the marginalisation of some of the most marginalised people in our communities.
17. Much of this started following the announcement in July 2018 of a UK Government consultation into reforms to the Gender Recognition Act to make it easier for people to gain gender recognition certificates ("GRCs"). It seems to me that the reforms were latched onto by some as a convenient lightning rod for general suspicion of, and disgust towards, trans people; they provided a way to disguise that disgust as something progressive and concerned with women's rights - "gender critical" - rather than anti-trans. That has allowed those attitudes to spread into the mainstream in a way that would not have been possible, in my view, had it been only unvarnished anti-trans hate.
18. A proposed move towards self-declaration of gender ("self-ID") (and away from a longer process requiring a medical diagnosis of gender dysphoria) has been used, for example, to stoke totally unevidenced fears that trans women would start obtaining GRCs in order to enter women's spaces and attack them. In reality, trans women are already (under the Equality Act 2010) allowed to use women's spaces such as toilets with or without a GRC, and always have been; if the risks that anti-trans activists warn of were real, they would already be happening. Other countries across the world have implemented self-ID without such consequences. But the policy vacuum that the UK Government created by delaying the reforms allowed narratives like this to spread.

The founding of LGB Alliance

19. LGB Alliance was set up after a meeting in London on 22 October 2019 in order *“to counteract the confusion between sex and gender which is now regrettably widespread in the public sector and elsewhere”* (as explained by Kate Harris in a letter she sent to the Equality and Human Rights Commission (“EHRC”) the following day [PR1/3-4]).
20. It was incorporated as a company on 28 November 2019 with four directors: Beverley Jackson, Ann Sinnott, Kate Harris, and Malcolm Clark [PR1/5-11].
21. Shortly after its establishment, LGB Alliance posted a *“mission statement”* on its website [PR1/12-15] saying that they would:
 - a. *“stand up for the right to live as same-sex attracted people”*;
 - b. *“make sure the voices of lesbians, gay men and bisexuals are heard”*;
 - c. *“stand with lesbians in rejecting pressure to accept as sexual partners males who define themselves as women”*;
 - d. *“uphold the definition of homosexuality as sexual orientation towards people of the same sex”*;
 - e. *“accept the biological reality of two sexes – female and male. Sex is not “assigned””*.
22. They followed the list with a *“testimonial”* reading *“Finally! Someone speaking out for Women!”*
23. On 18 January 2020 Ms Harris gave a speech at LGB Alliance’s Scotland launch event:
“Bev and I got together a secret squirrel meeting in London, by contacting anybody we thought was really stroppy on Twitter...we decided to contact everybody across the spectrum that became known as ‘gender critical’. We contacted everybody we could think of to say whatever you believe, whether it’s right or left, whether you’re a radical feminist separatist, whatever you are, whether you are straight, trans, bi, if you believe that there is a need to return to biological fact, to inform dialogue and to push back against the silencing of sensible discussion, then join us. We are a broad tactical alliance and we will win against this tsunami of denial and ignorance that is sweeping the world” [PR1/16-22].

24. In a speech on 9 March 2020, Beverley Jackson explained that LGB Alliance had four priorities, each of which involved pushing back on legal and social advances which they perceived trans people to be making: (a) stopping the *Gender Recognition Reform Bill* in Scotland, (b) stopping the rollout of Stonewall's LGBT-inclusive curriculum in schools, (c) lobbying the EHRC to intervene regarding "*the damage Stonewall is wreaking across the public and private sectors*", and (d) trying to gain representation on (for example) the Government's LGBT advisory panel, since all 12 of its then members apparently supported self-ID. She confirmed that: "*We're applying for charitable status and building an organization to challenge the dominance of those who promote the damaging theory of gender identity*" [PR1/23-24].
25. In March 2020 LGB Alliance sought to join Consortium. We took the view that the organisation was at odds with our Membership Values and Principles, in that (a) they held trans-exclusionary beliefs (for example, that gay trans men should be excluded from services for gay men), and (b) they did not actually appear to do anything for the benefit of LGB people (as discussed below). Having reviewed the application, we decided to reject it, and wrote to LGB Alliance on 6 March 2020 informing them of this [PR1/25]. On 7 March 2020 they responded, copying their lawyer, accusing us of discriminating against them under the Equality Act 2010, saying "*we can only surmise that you have rejected us because we are LGB*" [PR1/26-27]. We replied on 9 March 2020 explaining that "*We have not rejected your application for membership on the basis of your sexual orientation, but your active campaigning against our core values and against those of our Members*" [PR1/28-29].
26. LGB Alliance then wrote to us several more times asking us to review that decision, including a letter on 13 October 2021 [PR1/30-31]. I will refer to that letter again below.

LGB Alliance's language

27. It seems to me that LGB Alliance knew from the outset that it would have a better chance of achieving mainstream credibility, and in particular charitable registration, if it tried to frame its activities in positive terms as "pro-LGB" rather than admitting openly that it exists to campaign against trans rights.

28. Indeed, LGB Alliance sometimes goes out of its way to avoid using the word “trans” at all:

- a. When we refused LGB Alliance’s application to join Consortium, it responded insisting that *“our focus is on being for the needs of people with a same-sex sexual orientation, not against those of transgender people. Indeed, the words “trans” or “transgender” do not even appear in our Aims, Mission or Code of Conduct, and in the few places they do appear on our website at all it is not in a negative way”* [PR1/31].
- b. Its social media strategy (dated 25 January 2021) [PR1/32-37] advises staff to make their social media output uncontroversial enough *“that the average person would be comfortable for their followers to see it”*. It goes on to say: *“Do not use the words trans, transgender, trans rights or similar unless absolutely necessary. Refer instead to gender identity, gender ideology, gender dysphoria and ONLY when making specific reference to how it relates [sic] to LGB people/issues.”*

29. LGB Alliance instead use a range of innuendo to propagate trans-exclusionary messaging in a way which does not use the word “trans”. They have found various ways of dressing up the argument that trans people should always be treated in law as being of their “natal sex”:

- a. they refer to trans women as “male-bodied”, and trans men as “female-bodied”,¹ when arguing that (for example) trans women should be excluded from women’s spaces. In this way they seek to make what is essentially an argument for overturning the provisions of the Equality Act 2010 – which allows trans women (with or without a GRC) to access women’s spaces and services without discrimination, unless such discrimination is a proportionate means of achieving a legitimate aim – seem like a far less radical demand. To give just a few examples:

¹ These terms are used irrespective, as far as I can tell, of whether the trans person has had surgery or has a GRC – not that either is required for a trans woman, for example, to legally access women’s spaces and services. My understanding is that LGB Alliance believes that a trans woman will remain “male-bodied” no matter what – though they obscure their views on this slightly.

- i. On 19 August 2019 Beverley Jackson (@BevJacksonAuth) tweeted:
“Male-bodied people, however they “identify”, do not belong in women’s prisons. Or any other women’s spaces.” [PR1/38]
 - ii. On 1 November 2019 LGB Alliance (@ALLIANCELGB) tweeted: *“We at LGB Alliance are concerned that Stonewall and others claiming to represent lesbian & gay opinion are urging the removal of women’s single-sex facilities. There are perfectly valid reasons why women & girls need single-sex toilets where male-bodied people aren’t present.”* [PR1/38]
 - iii. Malcolm Clark (@TwisterFilm) tweeted on 28 December 2019 that: *“The legislative system already has faults - it doesn’t ban male-bodied people from women’s spaces forcefully enough.”* [PR1/38]
- b. They frequently refer to “same-sex attraction” in the context of their belief that everyone’s legal sex is immutable (“sex is real”). As mentioned above, LGB Alliance’s Mission Statement promises to “stand up for the right to live as same-sex attracted people” and to “uphold the definition of homosexuality as sexual orientation towards people of the same sex” [PR1/13]. Although it sounds innocuous, the phrase “same-sex attraction” had in my experience fallen out of currency until the “gender critical” movement started using it in the past few years. It feels like they have taken older language, which for most was never meant to be exclusionary, and weaponised it as a way to exclude trans people from gay and lesbian communities. It seems to be a central part of LGB Alliance’s worldview that any other definition of LGB identity would threaten the legal protections of lesbians and gay men. As well as being out of step with LGBT+ communities, the insistence on “same [birth] sex attraction” as a means of excluding trans people from the LGB category is not coherent. For example, it fails to deal with bisexual people, who occupy an awkward position in LGB Alliance’s worldview. Even on their own terms, it is difficult to see how LGB Alliance can explain seeking to exclude bisexual trans people from LGB communities, or how they can argue that their promotion of “gender critical” ideas helps bisexual people in any way.

c. They argue that including trans lesbians in the category of “same-sex attracted” would mean forcing other lesbians to be sexually involved with them against their will. LGB Alliance frequently argues against an (invented) mass demand for trans women to be universally accepted as sexual partners, as a proxy for arguing against trans women being treated as women in any other respect. For example:

i. As mentioned above, one of the principal points set out in LGB Alliance’s Mission Statement is: *“We stand with lesbians in rejecting pressure to accept as sexual partners males who define themselves as women on the basis of gender”* [PR1/13].

ii. Beverley Jackson responded on LGB Alliance’s behalf to a letter written by the Shadow Secretary of State for Women and Equalities, Taiwo Owatemi MP, on 13 October 2021 [PR1/39], and argued (amongst other things) that: *“Nowadays, new-style homophobes from within the LGBTQ+ movement say exactly the same thing... that lesbians should consider having sex with “lesbians who have a penis” – that is, men”* [PR1/40-45].

iii. On 12 November 2019 they tweeted a list of questions from LGB Alliance to Parliamentary candidates, including: *“On homosexuality...A growing number of male-bodied people who self-identify as women are calling themselves lesbians and demanding that actual lesbians be open to having sex with them...Do you agree that lesbians have the right to reject all male-bodied people as potential sexual partners without being abused and denigrated as “transphobic”? And vice versa for gay men?”* [PR1/45]

iv. On 26 July 2020: *“You may not realize that this debate is not only about accepting male-bodied people in women’s toilets, but about lesbians being told it’s mandatory to accept male-bodied people in their dating pool. Otherwise they’re “transphobic””* [PR1/45].

v. On 2 November 2020: *“For those who are new to this issue, we’d like to explain our focus on saying “sex”, not “gender”. All LGBTQ+ orgs have*

switched to self-identified "gender". Many male-bodied people now call themselves "women" and say they are "lesbians", not as a joke but in deadly earnest" [PR1/45].

- vi. *On 24 August 2021: "Please look at what's happening to lesbians. For newcomers: many dating apps won't allow a woman to say she's looking for another biological female. Lesbians must be willing to accept people with male bodies who "identify as lesbians" as potential sexual partners" [PR1/46].*

To be clear, claims of this kind are utterly false. It should go without saying that it is not the objective of any individual or organisation I know in this sector to place pressure on anyone to sleep with trans people or anyone else. I, and everyone I know who is supportive of trans rights, find such a suggestion abhorrent. Neither trans people nor cis people should ever coerce anyone into sexual activity. LGB Alliance's claim that the trans rights movement campaigns in favour of, and/or implicitly endorses, such coercion is not grounded in reality.

- d. LGB Alliance also argue that trans people's rights are wholly separate from, and inevitably clash with, women's and LGB people's rights; that trans women should not benefit from legal protections for women; and that trans LGB people should not benefit from legal protections for LGB people. (Again, that is at odds with the Equality Act.) To promote those views LGB Alliance have adopted the expression "sex-based" rights to mean rights that trans people can never rely upon in respect of their "acquired sex". For example:

- i. *On 8 October 2020 LGB Alliance shared a tweet from NHS England (which stated that "#TransRightsAreHumanRights") saying: "Like police, @NHSEngland wrongly thinks messages like this are non-political expressions of kindness & solidarity. No. A political debate is waging about the sex-based rights of women & LGB people. They clash with some gender campaigners' demands. Please listen. Get informed" [PR1/48]*

- ii. On 7 November 2020 they shared a tweet from Merseyside Police LGBT+ (@MerpolLGBT) (which stated: *“where being you is not for debate or discussion. #transtopia”*), saying: *“Please note, @MerseyPolice, that tweets like this bring your force into disrepute. This is a political position that opposes the sex-based rights of LGB people & women. So-called “Inclusiveness” is actually adherence to a dogma that alienates much of the population. #SexNotGender”* [PR1/49]
- iii. Malcolm Clark tweeted on 29 July 2021: *“Great to see more and more gender critical groups springing up. Women, men, gays, bisexuals, straights often in different groups but united in their determination to protect children, defend women’s sex-based rights and protect the advances made by LGB people. Get involved.”* [PR1/48]

30. Therefore, while LGB Alliance take pains to present themselves as “pro-LGB”, their language is carefully chosen to mask the fact that their sole objective is promoting “gender critical” views and policies to the disadvantage of trans people.

Attitude to other LGB charities

31. In this part of my statement, I explain LGB Alliance’s interactions with other LGB charities (many of whom are members of Consortium) and how LGB Alliance is essentially harmful to them and the causes that they seek to advance.
32. LGB Alliance was founded in opposition to the trans-inclusive approach being adopted by the majority of LGBT+ charities, in particular Stonewall. A substantial proportion of LGB Alliance’s work has focused on attacking and undermining those charities’ standing, influence and funding (and thereby their ability to advocate for trans people). Convincing the public that LGBT+ charities are at best redundant, and at worst a coordinated, malevolent force, seems to be central to their mission.
33. I understand that LGB Alliance’s campaign against Mermaids will be dealt with in a separate statement. They have also focused heavily on attacking Stonewall, in particular by (a) lobbying the EHRC to open an investigation into them, (b) trying to

stop the rollout of Stonewall's trans-inclusive curriculum for schools, and (c) trying to dismantle Stonewall's Diversity Champions scheme, an employers' programme to support LGBT+ inclusive workplaces, by persuading organisations to leave the scheme (not least by publicly condemning organisations with links to Stonewall for having succumbed to "*institutional capture*"). To give just a few examples, both of attacks on Stonewall and attacks on institutions which have engaged with Stonewall:

- a. In her speech at the launch of LGB Alliance Scotland on 18 January 2020, Kate Harris said: "*We are going to CEOs or the heads of every single Stonewall top-100 employer company. That includes public services, lawyers, banks ... we are writing to every one of those heads to say, "Are you quite sure that Stonewall's values represent your values? Are you aware that they are doing this?" and I'm quite sure that at least half of them will come back to us and say, "What are you doing? Can we join you?"*"
[PR1/21-22]
- b. LGB Alliance tweeted about Stonewall on 5 January 2021 that: "*It is time to stop spending public money in support of a lobby group whose sole purpose is to promote the damaging myths of gender identity theory. Check out your employer. Do they really know what they are funding? Please give generously & RT*" [PR1/50]
- c. On 26 January 2021, LGB Alliance replied to a post from the Royal College of Obstetricians and Gynaecologists in which they stated that they supported an intervention in the *Bell v Tavistock* appeal by Stonewall and the Good Law Project, saying: "*This response reflects an alarming degree of institutional capture. Going against a strong judgment by three senior High Court judges is reminiscent of those who dismissed 60 courts' verdicts and kept insisting the US election was "stolen". And for a medical body? Shameful.*" (The appeal was successful.)
[PR1/50]
- d. On 1 March 2021 LGB Alliance mocked a tweet from the Care Quality Commission, in which an employee shared a photo and wrote "*Hello, my name is Ray, I am a cisgender gay man and my pronouns are he/his*", saying: "*These embarrassing ads from official bodies that are expected to be impartial keep amazing us.*"

The kindergarten flavour is strong in this one. The Care Quality Commission @CareQualityComm is a Stonewall Diversity Champion.” [PR1/51]

- e. On 2 March 2021 LGB Alliance shared a tweet opposing the *Scottish Hate Crime Bill*, saying: *“Really shocking. Public bodies refuse to accept, or fail to recognize, that women & LGB people who dissent from gender identity dogma are stakeholders too. The Scottish Government is a Stonewall Diversity Champion.” [PR1/52]*
- f. On 9 May 2021 Allison Bailey (one of LGB Alliance’s most prominent representatives, although not a trustee) tweeted that: *“The country’s equality body should not outsource its responsibilities to a lobby group. We call on the EHRC to leave the Stonewall Diversity Champions scheme, and for an inquiry into the role of Stonewall and the transgender lobby in public life.” [PR1/53]*
- g. On 13 December 2021 Malcolm Clark tweeted: *“@ofcom is the perfect example of the Blob in action, riddled with LGBTQ+ pronoun baloney, layers of inclusion jobsworths and unrepresentative staff groups set up at the behest of Stonewall and other diversity parasite-lobby groups that suck the blood from organisations.” [PR1/54]*
- h. On 21 December 2021 Malcolm Clark tweeted: *“The first university breaks links with Stonewall, a charity that undermines gay rights, gaslights women and promotes the medicalising of troubled children. It’s a scandal that any university retains links with this dangerous bunch of grifters.” [PR1/54]*

34. Ideas (many of which I would describe as conspiracy theories) which LGB Alliance and its highest profile trustees and supporters have promoted include the following:

- a. Lesbian, gay and bisexual people have already secured their rights and LGBT+ charities are therefore *“manufacturing invented grievance”*:
 - i. Malcolm Clark on 7 September 2021: *“Gay people in the West have most if not all of the rights we need. We live in a time of unparalleled tolerance whatever shifty stats LGBTQ+ organisations dredge up. But to justify their existence the LGBTQ+ organisations HAVE to invent problems.” [PR1/55]*

“This LGBTQ+ manufacturing of invented grievances harms LGB people in another way. Instead of taking our place as equal citizens we're endlessly encouraged to bleat and exaggerate. Instead of promoting resilience we're told the world is out to get us. It really isn't.” [PR1/55]

b. Those “manufactured grievances” include faking statistics to encourage trans people to feel suicidal, or feel that they should be suicidal:

i. On 31 May 2020, LGB Alliance tweeted: *“Many teenagers, especially LGB, struggle with body image and their developing sexuality. The promotion of completely invented suicide statistics, especially by those who have a financial interest, is a despicable exploitation of those kids' distress” [PR1/56]*

ii. Malcolm Clark on 16 January 2022: *“Now that life has never been better for LGB people and trans folks many LGBTQ+ organisations have taken reflexively to waving shrouds around. They're in danger of creating a suicide business model that undermines resilience and instead promotes mental fragility.” [PR1/57]*

“What impact must it have on a young trans person to be told that more than half of young trans people have attempted suicide? This statistic, manufactured by researchers with an agenda, is almost bound to make a cheerful young person feel they're letting the side down.” [PR1/57]

c. All UK LGBT+ charities have been “captured” and are now homophobic and misogynistic:

i. Beverley Jackson responded on LGB Alliance’s behalf to a letter from Taiwo Owatemi MP dated 13 October 2021 [PR1/39] (in which Ms Owatemi had argued that “LGB Alliance – whose application for charitable status was opposed by over 50 LGBT+ groups, as well as politicians from all parties – should be rejected by all those who believe in equality”) saying: *“Are we saying that all the LGBTQ+ groups around the country are essentially now*

homophobic? That is precisely what we are saying. The fact that they do not realise the depth of their homophobia is a sign of how far they have been captured by the convoluted logic of strange new language and ideas” [PR1/41]

- ii. Allison Bailey tweeted on 22 March 2021: *“If more proof were needed that many LGBTQ organisations are now thoroughly sinister, undemocratic, woman-hating entities, this is it: @glaad’s McCarthyite “accountability project”. I hope they are sued to hell & back again.”* (GLAAD is a prominent LGBT+ organisation in the US.) [PR1/58]

- d. Including Queer and other identities under the LGBT+ umbrella *“gives the green light to paraphilias like bestiality”*:

- i. Allison Bailey on 12 August 2021: *“Queer theory has hijacked lesbian, gay & bisexual rights & it is killing us. Case in point: US academic writes in favour of adding bestiality to the LGBTQ+ Wake up, people. We need LGB Alliance and other LGB organisations like never before.”* [PR1/59]

- ii. Malcolm Clark on 13 August 2021: *“It may sound a theoretical debate. Yet behind the scenes top LGBTQ+ panjandrums are trying to get govt to change from talking about LGBT rights to LGBT+. If the plus didn’t matter, why bother? Allison warned we must ensure this doesn’t mean paraphilias. Quite right too.”* [PR1/60]

- iii. LGB Alliance on 12 August 2021: *“Adding the + to LGB gives the green light to paraphilias like bestiality – and more – to all be part of one big happy ‘rainbow family’. Wake up policy makers. LGB people refuse to be used in your artificial and dangerous argument that we must all be lumped together. #NoToHomophobia”* [PR1/60]

- e. LGBT+ activists are blasé about or supportive of paedophilia:

- i. Allison Bailey tweeted on 2 April 2021: *“This video is evidence that #banconversiontherapy is really about making affirming gender dysphoric*

children mandatory. Worse, it's evidence that some LGBTQ+ therapists want paedophilia protected as a sexual orientation. MPs should watch this video & stop this dangerous movement." [PR1/61]

- ii. Malcolm Clark on 22 December 2021: *"Is the Beeb careless about paedophilia? One reason it might be is its closeness to madcap LGBTQ+ activists who seem themselves to be blasé about child safeguarding..."*

"The BBC has been advised by Stonewall and other weird organisations for years. You have to wonder why in all that time the BBC has not removed a paedophile from its showcase history of gay rights. Maybe they don't care about gay people's reputation?" [PR1/61]

LGB Alliance's activities

- 35. When applying for charitable registration [PR1/63-77], LGB Alliance claimed that their remit would involve genuine campaigns for LGB rights:

- i. *"The trustees intend to commission a range of research, including policy based research and qualitative research involving interviews and case studies with individuals from the LGB community. The trustees will consult with subject matter experts in areas such as health, education, policy, and the law to identify topics of social interest and importance for research and will seek to engage expert academic researchers and to work with institutions like universities and think tanks to produce credible, peer-reviewed research" [PR1/68]*
- ii. *"LGB Alliance will organise a variety of events...[t]he events will cover a wide range of topics related to equality and human rights in respect of the lesbian, gay and bisexual community. The aim of these events is to discuss challenging issues relating to this area. Examples of topics that the charity may discuss at its events are human rights issues, public funding available for LGB projects and to support initiatives relevant to the community and trans issues as they relate to the LGB community including transition and de-transition" [PR1/69]*

iii. *“LGB Alliance is planning to operate a telephone helpline which will be available to members of the LGB community to use to discuss the topics which they are confused about and the issues they are facing and to supporters of the LGB Community or the general public” [PR1/73]*

36. Their solicitors told the Charity Commission in a letter of 18 June 2020 [PR1/78-84] that *“LGB Alliance is not a single issue organisation and it intends to carry out a broad range of activities to promote and advance the rights of the LGB community and to engage and educate the wider public” [PR1/78]*, and that *“the aim of LGB Alliance is not to prevent the reform of the Gender Recognition Act” [PR1/82]*.

37. If LGB Alliance were a legitimate LGB rights organisation, I would have expected them to wish to undertake these kind of activities from the start. Indeed, LGB Alliance has previously published on its website advocacy documents to the Welsh Government (discussed below) stating that *“[t]he priorities for lesbians, gay men and bisexuals remain safety from harassment, fair policing, ending discrimination in employment, housing and health, and maintaining our boundaries and sexuality-specific rights and spaces” [PR1/98]*.

38. In fact there is no evidence of such activities. The campaigns currently listed on LGB Alliance’s website are:

a. *“#EndConversionTherapy”*. This campaign seeks to hijack legislation against *“gay to straight”* conversion therapy - legislation which is supported by many LGBT+ organisations - by arguing that gender-affirming healthcare for trans children is a form of *“conversion therapy”*. In other words, LGB Alliance appears to take the view that there is a concerted effort by doctors and trans-inclusive organisations to erase the identity of gay or lesbian children by reclassifying them as trans. LGB Alliance describes this as *“transing the gay away”*. In essence, this is simply a campaign to deny gender-affirming healthcare to young people who may be in great distress. LGB Alliance’s attempts to represent it as a campaign to protect LGB people has led to some deeply alarmist, totally unfounded messaging - for example Allison Bailey’s tweet on 14 January 2022: *“We must never forget that transgenderism is considered*

a solution to homosexuality by many within the trans movement. The implications of this couldn't be more obvious or chilling" [PR/135]. This suggestion is completely and dangerously detached from reality. Consortium works with over 50 trans-led organisations through our Trans Network, and have links to many more. My colleagues and I have never encountered an LGBT+ organisation, or an individual within one, expressing views even close to this [PR1/85-88].

- b. "#JusticeForAllison". This campaign supports a case brought by Allison Bailey against her former Chambers (and Stonewall) for "*direct discrimination on the basis of my gender critical beliefs*", indirect discrimination and victimisation [PR1/89-90].
- c. "Gender Recognition Act Reform". This is a campaign against the proposed reforms to the process for obtaining a GRC (as mentioned above), in which LGB Alliance says "*We argue the law should be left as it is....we are proud to stand against the gaslighting of young vulnerable people and in total solidarity with millions of women concerned that their rights are being eroded in pursuit of a strange ideology that has no place in our laws*" [PR1/91-94].
- d. "Consultation on Welsh Government's LGBTQ+ Action Plan" [PR1/95-97]. This campaign urged supporters to object to proposals by the Welsh Government (including proposals to "*strengthen the protections afforded to trans and nonbinary people under the law*", "*seek to devolve powers in relation to Gender Recognition*" and "*review the Gender Identity pathway for children and young people in Wales*") on the basis that (according to a document from LGB Alliance Cymru [PR1/98-103]) it "*embeds an ideology which denies the reality and importance of sex and same sex attraction*" and fails to recognise that "*[t]he priorities for lesbians, gay men and bisexuals remain safety from harassment, fair policing, ending discrimination in employment, housing and health, and maintaining our boundaries and sexuality-specific rights and spaces*".
- e. "Sex in the Census 2021". This is a campaign against people being allowed to record a sex on the Census other than the one on their birth certificate [PR1/104-106].

- f. “Hate Crime Bill Scotland”. LGB Alliance campaigned unsuccessfully for various changes to the Bill [PR1/107-115], including for the removal of a new offence of intentionally “*stirring up hatred*” against protected groups (including trans people) by behaving in a manner that a reasonable person would consider to be threatening or abusive. Malcolm Clark explained (in LGB Alliance’s submission to the Justice Committee) that “*we believe that the ‘stirring up of hatred’ offence will undermine our ability to express our point of view*” [PR1/113]).

39. Two more campaigns were previously listed on the LGB Alliance website but have now been removed (although they can be accessed through web archives from January 2021 onwards):
 - a. “Schools Campaign”. This was a campaign against trans-inclusive education in schools, which accused Mermaids and others of promoting “*harmful propaganda*” about gender identity [PR1/116-131].
 - b. “Equality and Human Rights Commission”. This involved lobbying the EHRC “*about the public confusion on issues relating to sex and gender identity, and the misrepresentation by some organisations of the specifics of the Equality Act 2010*” [PR1/132-133].

40. Therefore, all eight of LGB Alliance’s campaigns have been concerned with promoting “gender critical” views and pushing back on the development of trans-inclusive policies and practice. Even on its own terms, LGB Alliance has undertaken no campaigns, to the best of my knowledge, which are aimed solely, or directly, at supporting LGB people. This was a key reason why Consortium rejected LGB Alliance’s membership application in March 2020 – we could see no evidence that LGB Alliance actually wanted to work on LGB causes.

41. LGB Alliance organised and (as far as I am aware) funded an inaugural conference for its supporters on 21 October 2021 at Westminster Central Hall in London. The conference was widely promoted and was again solely about gender critical issues. Its topics were “erasing the gay: is gender identity child abuse or child conversion?”, “facts matter: erasing LGB in language, law and data”, “cancel culture and free speech”, and “the way forward” [PR1/134]. Its speakers included prominent “gender critical” campaigners such as Graham Linehan and Maya Forstater.
42. I understand from reports of the conference that anti-trans views were widely and openly shared at it, encouraged or tolerated by LGB Alliance and its trustees. In one recording from the conference (posted on LGB Alliance’s YouTube channel) an attendee – who I understand is someone with close links to the organisation – addressed the conference to the following effect:

*“I would really like to encourage some self-reflexivity in terms of the language that we use, if I can say “we” as a, I don’t know what we call ourselves, like a broad, you know, collection of radical feminists, lesbians, gay men, gender critical, whoever... In terms of the presentations (which I thought were brilliant, all of them), I noticed language such as “gender identity extremists”, and this is something I see a lot, and - is there such a thing as a “gender identity moderate”? I don’t think there is. [Applause and laughter] I think using the term “extremists”... is trying to separate out “oh, there are these nice trans over here”... If you say “gender identity extremists” we’re implying that there is a position where a man can pretend he’s a woman, and that is *not* a thoroughly extreme position. So I just want to be careful... If we call this man a trans woman, we are masking the fact that he is a man. I heard someone using the term “trans people”, which is reinforcing the notion that there is such a thing as trans people. [Applause]”²*

43. Those views are straightforwardly discriminatory and transphobic. They amount to saying that trans people do not exist. There is no pretence that the speaker is seeking to advocate for LGB rights; they are simply expressing disgust and rage at trans people, and they are being applauded for it. While these views were not expressed by a trustee, I understand that each of the trustees of LGB Alliance was present (including

² LGB Alliance Conference, 21.10.2021: <https://www.youtube.com/watch?v=pXQINIDTB0g>

Beverley Jackson, who was chairing the event) and none of them intervened to condemn or distance themselves from the speaker's views in substance.

44. Indeed the only objection anyone expressed was to the attempted policing of "gender critical" language. One speaker, Lucy Masoud, responded *"I did actually say "trans woman who was a male, who was forced to be called a female"... I think it's unwise to try and school people on this panel in what language we should use,"* to which Beverley Jackson simply said *"I agree with Lucy."* She then nodded and clapped as another speaker, Dr Jane Clare Jones, said she was *"no more fond of coerced language from people on our side than I am coerced language from people on the other side...you have a particular ontological position, I respect your position...I don't think it's incoherent. I also think there are other people in this fight who do not hold the same ontological position as you, and I think the line that we need to draw is to do with the political recognition and the political erasure of sex and the impact of that on women and on homosexuals and on young children. That's what holds this coalition together."*

45. I have explained above how LGB Alliance is now careful to craft its messaging so that it seems respectable, innocuous and "pro-LGB". However, the conference (like some of their more spur-of-the-moment tweets) is an example of a time when LGB Alliance's supporters may have spoken more spontaneously and openly, revealing their views to be straightforwardly transphobic.

Conclusion

46. All of the above demonstrates, in my view, that LGB Alliance exists to undermine charities and individuals who seek to support trans people, and to ensure that trans' people's existing legal rights are pushed back rather than enhanced. It has done nothing to tangibly benefit LGB people.

47. As the Commission rightly said in its registration decision, the promotion of LGB rights does not necessarily undermine or denigrate the rights of transgender people – indeed, every Consortium member recognises that the opposite is true, and that those rights are inextricably linked – but undermining and denigrating the rights of transgender people is, and has always been, LGB Alliance's reason for existing. I

understand it will be for the Tribunal to determine whether this is consistent with charitable status.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

A handwritten signature in black ink, appearing to read 'PDR', written in a cursive style.

Signed:

Name: Paul David Roberts

Date: 7 March 2022