

## **Your views on the guidance**

The Editors' Code is not intended to reconcile the spectrum of opinion in the reporting of sex and gender identity. The Editors' Code strikes a balance between the rights of the public to freedom of speech and the rights of the individual not to face personal discriminatory abuse.

**1. Do you agree or disagree that: The guidance has struck the right balance between upholding the principle of freedom of expression with the ability to provide redress for people who believe they have been treated unfairly. \***

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Strongly agree, agree, neutral, disagree, strongly disagree

**1b. Do you have any other comments about how the draft guidance strikes this balance?**

We note that your website offers resources relating to 'transgender' guidance – all of them promoting gender identity ideology – and nothing concerning sexual orientation. This leads to the complete omission of issues of freedom of expression and what is regarded as unfair treatment relating to lesbians, gay men and bisexual people in this guidance. Same-sex attracted people are not considered, despite the problems arising from, for example, the claims of trans-identified men to be lesbians. No matter what the beliefs of others involved in anything being reported, reference to a male person not merely as a woman but a lesbian is offensive to LGB people. Despite using the term 'LGBT+' (a conflation we regard as absurd), only the non-LGB part of this grouping is considered.

The idea that if an individual is addressed in court using a particular name and referred to with particular pronouns, the reporting should draw on this, and should take account of any guidance offered in court concerning gender identity, distinctly fails to ensure anything resembling 'balance'. It can, of course, be reported that a defendant or witness claims a particular gender identity, but to suggest that this should override the evidence of a journalist's eyes and ears – which then act as eyes and ears of the public reading or hearing such a report – is clearly unreasonable.

**2. Do you agree or disagree that: The guidance accurately summarises the application of Editors' Code to the reporting of sex and gender identity. \***

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Strongly agree, agree, neutral, disagree, strongly disagree

**2b. Do you have any other comments on the application of the Editors' Code in this guidance?**

The Editors' Code states: "The Press must take care not to publish inaccurate, misleading or distorted information or images, including headlines not supported by the text." Trans-identified men are routinely referred to as women, and only by a diligent search of other material online is it possible to establish that the person concerned is in fact male.

Alternatively, the headline refers to a woman but there is mention within the article of the fact that the individual has transitioned or 'was once a man'. In both instances, the Editors' Code has been breached.

Regarding 'Privacy', the Editors' Code refers to the need to justify intrusions into private life and this guidance refers to being intrusive into the individual's sex and gender identity, but fails to note that protecting one person's privacy may result in false assumptions being made, which may impact seriously on others. This cannot be appropriate for media reporting events, court cases and other noteworthy matters.

Indeed, it would seem important that journalists consider and publicise other information, such as the possibility of an individual having changed their name to avoid being recognised as having a past conviction. On 2 March 2023, a discussion in the House of Commons introduced by Sarah Champion MP raised the horrifying figure that 16,000 of the 60,000 people (almost entirely men) convicted of sexual offences had changed their name. Extraordinarily, for those who also change 'gender' and gain a Gender Recognition Certificate, there is more privacy protection than for any other individual in any context. It is clearly crucial that once the Ministry of Justice has dealt with the issue of individuals changing names to avoid being identified as having previous offences, as was promised by the government minister, the media will have a responsibility to recognise the interests of the victims and survivors of abuse over the privacy rights of the accused.

**3. Do you agree or disagree that: The guidance is well-structured to support journalists in their reporting and editorial work. \***

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Strongly agree, agree, neutral, disagree, strongly disagree

**3b. Do you have any other comments on how the draft guidance is structured?**

We can see no full and clear reference to key groups of people, such as women and particularly lesbians, impacted by sex and ‘gender identity’ reporting, and while there is a section on children, it does not even touch on safeguarding issues. Given IPSO’s resource section has no section concerning children, and that the ‘Transgender’ section includes Mermaids as the one explicitly child-focussed organisation among a whole set of gender-identity-promoting groups, this is very worrying. The Charity Commission is undertaking a full statutory investigation of Mermaids following safeguarding allegations (<https://www.gov.uk/government/news/regulator-announces-statutory-inquiry-into-mermaids>). Its influence on the Tavistock GIDS clinic, being closed as a result of serious shortcomings, is well-documented. Unless journalists are provided with proper resources to consult regarding children and safeguarding (e.g. Transgender Trend, Safe Schools Alliance), this guidance cannot be fit for purpose.

**4. Do you agree or disagree that: The guidance is accessible and usable for all audiences. \***

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Strongly agree, agree, neutral, disagree, strongly disagree

**4b. Do you any other comments about the accessibility of this guidance?**

Problems with the language of the guidance – being that promoted by gender identity ideology – makes it unusable in relation to those who are same-sex attracted, since sexual orientation, and the terminology of sex rather than gender, is not even recognised within the guidance. Sexual orientation is, strangely, only mentioned in the context of children. It is concerning that a guidance document explicitly concerning sex and gender identity does not cover this issue, despite it being a major problem that men are ‘identifying’ as lesbians, a clear impossibility without entirely changing the meaning of the word. It is unknown whether the ‘diverse range of stakeholders who held a variety of views on the reporting of transgender people, gender, and sex’ who were apparently consulted included any representing lesbians, gay men and bisexual people.

**5. Do you agree or disagree that: The language used in this guidance is clear and fair. \***

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Strongly agree, agree, neutral, disagree, **strongly disagree**

**5b. Do you have any other comments about the language used in this guidance?**

Most of the key terms used in this document are undefined. We do not know whether by 'trans' and 'transgender' you are, without making this explicit, using the definitions produced by Stonewall (as given at <https://www.stonewall.org.uk/what-does-trans-mean> ) or some different version. As the Stonewall website indicates, there is a huge range of possibilities that might be covered. Similarly, what is meant in this document by 'gender diverse', 'transphobia' or 'transphobic'? These terms are clearly significant, but there is no precision about their meaning. As for 'gender identity', given that this is apparently something that can be known only by some inner feeling of the individual concerned, it is a complicated matter to judge its 'accuracy'; this would seem to militate against anyone (journalist, victim, witness) using the evidence of their eyes and other perceptions to refer to an individual. We note that the term 'LGBT+' is used, indicating a willingness to conflate sexual orientation and a wide range of quite different 'identities'. This conflation is not one that LGB Alliance believes serves the interests of LGB people.

The use of these terms without definition suggests a worryingly ideological approach to the issue. Similarly, the use of 'LGBT+' (p.6) indicates an acceptance of that ideology since those who do not accept the notion of gender identity superseding sex will not conflate LGB with the various 'identities' covered by T+.

**6. Please use this space for any other comments about this guidance.**

The linguistic and other biases in this draft guidance make all too clear that only organisations promoting TQ+ issues have been consulted. In future, we hope that LGB organisations are included: LGB Alliance, Gay Men's Network, Lesbian Labour, Lesbian Rights Alliance, Scottish Lesbians, LGB Alliance Cymru, and Get the L Out are all established and currently active. IPSO needs to recognise that the general public is not accepting of LGB people being either ignored or (unwillingly) linked to TQ+ and is increasingly aware of the problems of such conflation and neglect.