

Response from LGB Alliance to the Committee on Standards in Public Life Consultation Standards Matters 2

1. Introduction

Who we are, why we exist and what are our key concerns

- 1.1 This submission is made by LGB Alliance. LGB Alliance is a group representing thousands of lesbians, gay men and bisexuals who share grave concerns about the loss of our rights. If you have any questions regarding our response we can be reached at info@lgballiance.org.uk
- 1.2 We are particularly troubled by the drive to replace, in law and in wider public usage, the word “sex” (meaning biological sex) with “gender identity” or “gender expression”. Eliminating the word “sex” has the effect of erasing homosexuality. We are long-time gay and lesbian activists who fought for the rights of people with a same-sex sexual orientation. We are alarmed to see these rights being eroded.
- 1.3 Our submission highlights breaches of the Seven Principles of conduct in public life, in the debate on sex and gender, that are producing serious failures in public services. More widely, they lead us to question the effectiveness of the current framework for regulating standards of conduct.
- 1.4 The concept of “gender identity” has never been defined and there is no scientific consensus on its existence. Nonetheless, this term has been introduced by gender lobby groups and swiftly embedded in all areas of public life – from government bodies and regulators to the voluntary sector. Gender identity extremists suppress dissent and have established a culture of “no debate”, even in many parts of the media. This culture undermines several of the Nolan Principles – most notably accountability, integrity, objectivity and openness.
- 1.5 The outcomes we highlight here ultimately relate to the conduct of individuals. We therefore urge the Committee to strengthen the regulatory framework to reverse the current trend towards undermining the principles of ethical standards in public life.

2. Background

- 2.1 The past year has witnessed several legal challenges^{1,2,3} that identified major flaws in public services surrounding the issue of “gender identity”. We will focus on one in particular, which we consider reveals the most troubling breakdown in public services:

¹ In April 2020 the High Court accepted an application for a Judicial Review of Oxford County Council’s (OCC) trans guidance. The Court asserted that it was arguable that the Council’s Trans Inclusion Toolkit for Schools 2019, developed in partnership with Allsorts Youth Project and Gendered Intelligence (both transgender lobby groups), was unlawful.

² The Crown Prosecution Service withdrew its Hate Crime Schools Guidance in the face of a Judicial Review challenging the involvement of Stonewall in the CPS through its Diversity Champions programme.

³ In June 2019 the Scottish Government withdrew guidance for schools produced by LGBT Youth Scotland aimed at helping schools support pupils who identify as transgender, finding that it risked excluding girls and that it was not legal.

the High Court judgement⁴ against the Gender Identity Development Services (GIDS) at the Tavistock and Portman NHS Trust. The High Court ruled that GIDS's practice of prescribing puberty blockers for children presenting with gender dysphoria was an experimental treatment that should require a court order. This followed complaints from GIDS staff dating back over fifteen years.

- 2.2 The judgment established that it was highly unlikely that children under 16 could give informed consent for a treatment pathway that has serious physical consequences, often including the loss of full sexual function and fertility, with profound long-term risks. The Court established that puberty blockers are not fully reversible and – far from buying time – are the first stage of a medical pathway very few children abandon. Furthermore, there is no evidence they alleviate distress. Historically, in around 80% of children with early onset gender dysphoria, these feelings dissipated naturally, when untreated, during adolescence. The treatment should therefore be considered experimental. This is a damning indictment of clinical practice at GIDS.
- 2.3 The court found that GIDS had failed to keep records on the age of children who had been given puberty blockers, on the existence of autism or comorbidities, on their progression on the treatment pathway or outcomes; nor had it tracked children into adulthood to establish longer-term impacts. These omissions are astonishing and disturbing in a specialist health setting and suggest an ideological pursuit that ignores standards of clinical and personal conduct.
- 2.4 How could such fundamental failures arise? Attention inevitably focuses on the role of the transgender lobby groups that work closely with GIDS. The Tavistock and Portman NHS Trust is a Stonewall Diversity Champion, as is the Care Quality Commission who judged the Tavistock service “good” in 2016. The Commission has now (since the JR) downgraded it to “inadequate”. One senior GIDS clinician belonged to Gendered Intelligence, one of several trans lobby groups working with GIDS. All these groups promote gender identity ideology; most of their staff have no medical expertise.
- 2.5 We believe these failures reflect *institutional capture* by the gender lobby – primarily by Stonewall. Stonewall has long pursued a strategy of suppressing debate based on its slogan “acceptance without exception”, in which any challenge to gender identity doctrine is branded “transphobic”.
- 2.6 GIDS clinicians also receive training from WPATH (the “World Professional Association for Transgender Health”). Although WPATH is widely assumed to be the leading body of experts in this field, those wishing to join WPATH must endorse the “affirmative” care model that involves prescribing puberty blockers. WPATH is a lobby group, not an impartial professional body.
- 2.7 The High Court judgment indicates strongly that public servants working at GIDS were subjected to the culture of silence described above and were therefore unable to

⁴ See <https://www.transgendertrend.com/keira-bell-high-court-historic-judgment-protect-vulnerable-children/>

uphold the standards of conduct expected in public life. We maintain that this situation could not have arisen if the Seven Principles had been consistently upheld.

3. Standards of Conduct in the UK

How well do you think ethical standards - as enshrined by the Seven Principles of Public Life - are upheld in public life today?

Do you believe that there have been any notable shifts in approaches or attitudes to ethical standards in public life in recent years?

What do you see as the most significant threats to ethical standards in public life today?

- 3.1 The issues we raise relate solely to our observations and direct experience in issues relating to sex and gender.
- 3.2 The shift towards the Stonewall-led culture of “no debate” is particularly striking at universities. A letter from 30 academics to the *Sunday Times* describes the way in which Stonewall stifles academic freedom by pressuring academic institutions that have signed up to the Stonewall Diversity Champions Programme.⁵
- 3.3 We see the *institutional capture* described above as the greatest threat. Lobby groups like Stonewall have effectively embedded “no debate” cultures in health and education establishments. We urge the Committee to seek ways of strengthening the regulatory framework to prevent institutional capture and to give the leaders of these establishments effective tools to oppose it. It is crucial to reverse the “no debate” culture and prevent any recurrence. In the GIDS case, a great many children underwent experimental treatment without the ability to give informed consent, leading to very serious consequences.

4. The Seven Principles of Public Life

Do the Seven Principles of Public Life accurately describe the appropriate ethical responsibilities for those in public roles, including both political and non-political office-holders?

Would you amend or replace any of the principles or their descriptors? If so, how?

- 4.1 We suggest adding an 8th principle on the need for “Critical Self-Reflection”, imposing on public servants the duty to challenge their own thinking and preconceptions and avoid unquestioning adherence to “groupthink”. This would help guard against institutional capture and efforts to silence dissent.
- 4.2 In applying the Seven Principles, it should be made clearer that those in leadership positions can be held individually and personally accountable for the results of their actions. This would strengthen regulation and enforcement. The system has not been robust enough to prevent the issues described in Section 2. To a large extent we feel that officers (especially those in leadership roles) within service providers and their regulatory authorities have succumbed to ideological pressures.

⁵ See [Stonewall is using its power to stifle trans debate, say top academics | News | The Sunday Times](https://www.thetimes.co.uk/article/stonewall-is-using-its-power-to-stifle-trans-debate-say-top-academics) ([thetimes.co.uk](https://www.thetimes.co.uk))

5. The UK's arrangements for regulating standards

Are you confident that the UK's arrangements for regulating ethical standards are robust and effective?

Are there any areas of public life where regulation on issues of ethical standards is not strong enough?

- 5.1 As explained above, LGB Alliance is not at all confident that the UK's arrangements for regulating ethical standards are robust or effective.
- 5.2 Government departments delegate the delivery of many public services and statutory duties to voluntary sector bodies that are also involved in lobbying. This reliance on the voluntary sector is a major area of concern. Such bodies should be subject to more robust scrutiny and vigorously held to the same high standards as public bodies and public servants. We urge the Committee to focus on this issue – in line with the clarification of its remit given in answer to a House of Lords Parliamentary Question in 2013.⁶

6. Best practice in standards regulation

What makes an effective standards regulator?

Do the UK's standards regulators have the right powers and remit to act effectively?

Should the independence of standards regulators be enhanced and protected, and if so, how?

- 6.1 An effective standards regulator should minimise the potential for individuals, particularly in leadership positions, to evade responsibility.
- 6.2 We have detailed several problems in ensuring that the voluntary sector is held to the Seven Principles. It is unclear whether these problems arise from a lack of powers or a culture of acquiescence. We are struck by comments in the “Suppliers Code of Conduct and the Commissioners’ Working Manual on Standards” in the Committee’s mapping exercise of the British Standards Landscape: “It is not clear how commissioners of services undertake to assess or monitor ethical standards and conduct in the services they commission”. In 2018, the CSPL raised concerns about the “continuing lack of transparency and accountability around vital aspects of service delivery, including complaint-handling mechanisms”. This strongly aligns with our experiences and observations and suggests an urgent need for a review of the regulation of standards in voluntary sector organisations that deliver or support public services.

7. Creating ethical cultures

⁶ The Committee’s terms of reference were clarified in a House of Lords written Parliamentary Question on 28th February 2013 to explain that the Committee’s remit means it “can examine issues relating to the ethical standards of the delivery of public services by private and voluntary sector organisations, paid for by public funds, even where those delivering the services have not been appointed or elected to public office. (Hansard Column WA347).”

How can the Seven Principles best be embedded within a public sector organisation's working culture?

What are the most significant obstacles to embedding high ethical standards in a public sector organisation?

- 7.1 Strengthening individual responsibility would make it harder for weak leaders to passively rely on “received wisdom”. Leaders must understand that they bear individual responsibility for actions and omissions (e.g. failing to make adequate Equality Impact Assessments or evidence-based decisions).
- 7.2 Whistle-blowers need better protection. In the case of GIDS, if whistle-blowers’ warnings had been acted upon, the failures would have come to light much sooner, sparing many children the consequences of harmful and unevidenced treatment. One idea would be to appoint a specific whistleblowing ombudsman; another is to impose a statutory duty on public sector leaders to engage with whistle-blowers.
- 7.3 As for obstacles: reliance on voluntary sector bodies for training and other services obscures transparency and the chain of responsibility. It leaves public sector bodies open to undue influence by voluntary sector groups that both provide services and act as lobby groups.
- 7.4 Far stricter due diligence criteria should be set for public sector organisations that hire the services of voluntary sector groups, defining clear responsibilities for the individuals who commission and approve services.