Blondel Cluff CBE

Chair

National Lottery Community Fund

9 September 2022

Dear Blondel Cluff,

We are writing to you extremely concerned to hear that the National Lottery Community Fund will be making a grant of £500,000 to the transgender campaigning organisation, Mermaids.

The particular focus of Mermaids’ work is children and young people. The organisation states that it wants to ‘amplify the voices of trans children and young people’. This is a disturbing statement since it is essentially employing children as weapons in the latest phase of the culture war. Children should never be exploited in this way. Since a person cannot be legally recognised as the opposite gender from their birth until they are at least 18 years old, it is grossly inappropriate to talk about ‘trans children’. While a small number of children suffer from gender dysphoria, the majority of these to do not continue with this into adulthood. For example, NHS England cites research showing that only 12-27 per cent of children who experience gender dysphoric feelings continue with them into adulthood. It is therefore premature to talk about children and young people as being ‘trans’ and treating them in this way can have disastrous consequences as in the case of Keira Bell, where a vulnerable teenager’s claim to be trans was taken at face value by professionals who should have known better. The result was permanent damage to Keira Bell’s body. Yet despite this tragic case, Mermaids continues to support the giving of puberty blockers and other body altering medication to children and young people.

The process of gender transition is regulated by the Gender Recognition Act 2004. Under this Act it is required that anyone seeking to be recognized as the opposite gender from which they were born must be medically diagnosed with gender dysphoria, provide medical evidence of treatment, have lived in their acquired gender for at least two years, be over 18 years old and, in the case of a married person, have the consent of their spouse. All these are important safeguards against abuse. Mermaids however has called for all these safeguards to be scrapped and supports the self-identification of gender. In its Submission for the 4th Cycle of the Universal Periodic Review of the United Kingdom by the Human Rights Council, Mermaids proposed the following recommendations:

*We recommend that the UK Government introduce legislation within the next parliamentary cycle to substantially reform the Gender Recognition Act (2004) to:*

*●       Remove the requirements for diagnosis and proof of medical treatments;*

*●       Remove the 2 year ‘living in role’ requirement;*

*●       Remove the ‘spousal veto’ option;*

*●       Expand the process to 16 and 17 year olds;*

*●       Recognise non-binary identities, such as in Iceland;*

*●       Introduction of a process of self-determination, like in Ireland, Malta, Denmark, Argentina and Belgium.*

Such changes would have serious consequences for our society. Self-determination of gender and recognition of non-binary identities would create serious issues in relation to the safety and integrity of single-sex spaces. Expanding the gender recognition process to 16 and 17 year olds would be likely to create more tragedies similar to that of Keira Bell who was precisely that age when she began the treatment that would cause permanent damage to her body. Removal of the ‘spousal veto’ would create a peculiar legal situation in which the right to change gender would trump the commitments and responsibilities that are owed to each other by spouses.

Mermaids is also known for misrepresenting the law in order to promote its agenda. An example of this was the case of a school in Essex where an eight year old boy wanted to identify as a girl. Mermaids was brought into the school to give training on how to handle this situation. We spoke to several the school’s governors who had experienced the training, which was also well publicised in the media. Mermaids stated that there must be wholesale acceptance of the child’s self-identification. If people didn’t use correct pronouns (both staff and children) then this constituted a hate crime and the police would be called. The Mermaids representative claimed that gender identity is protected under the Equality Act and that everything that was being done was in accord with that Act. This is not true. The Equality Act protects ‘gender reassignment’ but says nothing about ‘gender identity’ and certainly does not protect the self-definition of gender as Mermaids claims. Similarly, Mermaids’ claims about schools being required to accept self-identification of pupils and using preferred pronouns have been directly contradicted in recent months by the Attorney General who stated:

*Many schools and teachers believe – incorrectly – that they are under an absolute legal obligation to treat children who are gender questioning according to the preference of the child. Many are scared of the consequences of not doing so.*

*I want to make it clear that it is possible, within the law, for schools to refuse to use the preferred opposite-sex pronouns of a child…* *Under the Equality Act, it is lawful for a school to refuse to allow a biologically male child, who identifies as a trans-girl, from wearing a girls’ uniform or participating in girls’ single-sex competitive sporting activities. And it is lawful for a single-sex school to refuse to admit a child of the opposite biological sex who identifies as transgender.*

*Pupils should not be punished for refusing to adopt a preferred pronoun for a gender-questioning child in a case where the school has decided to affirm a child’s preference. A school cannot compel other children to take part in the social-transitioning. Children should also not fear punishment for refusing to take part in activities promoted by trans-lobby groups* [*such as Stonewall*](https://www.telegraph.co.uk/news/2022/07/29/rise-fall-stonewall/) *or face any disadvantage for questioning what they are being taught on gender identity.*

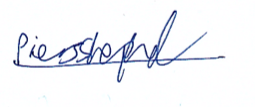
These words from the Attorney General directly contradict the training given by Mermaids in the school mentioned above. Yet the governors in this school related to us that an atmosphere of fear was created and that teachers were

disciplined for using the wrong pronouns. Incidentally, the boy in the school who was identifying as a girl has subsequently reverted to identifying as his birth sex, illustrating the dangerous prematurity of accepting trans identification among children and young people at face value.

Issues surrounding transgenderism are highly controversial and contested. Mermaids stands at the extreme end of one side of the debate. By funding Mermaids the National Lottery Community Fund is revealing itself to be partisan in favour of one side in that debate, effectively becoming a lobbyist on one of the most controversial issues of our time. We would urge the National Lottery to withdraw its grant to Mermaids.

We hope you will engage with us on this issue and look forward to hearing from you.

Yours sincerely



Piers Shepherd

Senior Researcher