
EVIDENCE SUBMITTED BY MAYA FORSTATER
IN RESPONSE TO COMPLAINT
TO THE SCOUT ASSOCIATION BY GREGOR MURRAY

AUGUST 3 2019

Exhibit Number	Description	Date	Page Number
Documents Directly Concerned with the conversation between Complainant and Respondent			
1.	Tweet by complainant: "Deeply concerning hearing that scouting may have watered down..."	28 May 2019	2
2.	Article by respondent: The Scout Association's New Transgender Guidance is a Big Step Forward	29 May 2019	3
3.	"A Very Concerning Conversation" – screenshots from a 1st Scouts Facebook thread involving complainant and respondent	29 -30 May (First submitted to TSA on June 2)	11
4.	Respondents tweets "Gregor Murray. Suspended as Councillor..."	3 June 2019	29
5.	Complainants tweets "Way to prove you're not a bigot..."	3 June 2019	30
Background documents			
6.	The Courier: Children's convener resigns following row overexpletive-laden social media outbursts	10 August 2018	31
7.	Tweets by complainant calling various women transphobes, TERFs, bigots etc... and organisations hate groups		33
8.	Decision of the Hearing Panel of the Standards Commission for Scotland	15 May 2019.	41
9.	The Courier: Letter from Joan McAlpine, MP "Opening Debate on trans Issues"	16 May 2019	47
10.	The Times: Trans councillor Gregor Murray suspended for abusing critics	16 May 2019	48

EXHIBIT 1



Proudly Woke, Proudly not-Simon 🏳️‍🌈
@grogipher

Deeply concerning hearing that Scouting may have watered down their trans inclusion policies. Doesn't fill me with confidence, or a feeling of safety.

Will [@UKScouting](#) / [@ScoutsScotland](#) / [@flagscouts](#) comment on this? Have we been listening to TERFs rather than trans scouts?

2:52 PM · May 28, 2019 · [Twitter Web App](#)

5 Likes



The Scout Association's New Transgender Guidance is a Big Step Forward

EXHIBIT 2

Transgender Trend (<https://www.transgendertrend.com/author/stephanieda/>) - May 29, 2019 -
Schools and Youth Organisations (<https://www.transgendertrend.com/category/schools/>) -
2 Comments (<https://www.transgendertrend.com/scout-association-new-transgender-guidance-big-step-forward/#comments>)

Maya Forstater is (*amongst other things* (<https://www.crowdjustice.com/case/lost-job-speaking-out/>)!), a mother and an Assistant Cub Scout Leader. This article is her personal opinion and is not a comment on behalf of the Scout Association. We thank the Scout Association for reviewing their policy and making changes. We are very grateful to Maya for all her work to safeguard children, her courage in speaking out and for offering us her insights to publish here.

The Scout Association's New Transgender Guidance is a Big Step Forward

Maya Forstater

The UK Scout Association is a co-educational youth organisation, with young members from 6 to 25. More than a quarter of its total membership is female.

Given the rapid growth in children identifying as trans in recent years, it is not unusual for scout districts to have at least one, and sometimes several young people identifying as trans or having gender identity issues; something neither headquarters staff or the dedicated volunteers who run Beaver, Cub, Scout and Explorer packs, would have encountered only a few years ago.

Privacy & Cookies: This site uses cookies. By continuing to use this website, you agree to their use.
To find out more, including how to control cookies, see here: [Cookie Policy \(https://automattic.com/cookies/\)](https://automattic.com/cookies/).

In an effort to support volunteers to understand this phenomena and help them to include all young people in activities, the Scout Association issued guidance on 'supporting transgender young people' a few years ago (this can be found in internet archives going back to 2016 [here](https://web.archive.org/web/20171212004041/https://members.scouts.org.uk/supportresources/4228/gender-identity-supporting-young-people) (<https://web.archive.org/web/20171212004041/https://members.scouts.org.uk/supportresources/4228/gender-identity-supporting-young-people>) and [here](https://web.archive.org/web/20160630120859/http://members.scouts.org.uk:80/supportresources/4227/gender-identity-introduction?cat=377,378&moduleID=10) (<https://web.archive.org/web/20160630120859/http://members.scouts.org.uk:80/supportresources/4227/gender-identity-introduction?cat=377,378&moduleID=10>)). This guidance was developed in partnership with the charity [Mermaids](https://www.mermaidsuk.org.uk/) (<https://www.mermaidsuk.org.uk/>) and a less well known organisation called [The Gender Trust](https://beta.charitycommission.gov.uk/charity-details/?regid=1088150&subid=0) (<https://beta.charitycommission.gov.uk/charity-details/?regid=1088150&subid=0>).

In 2017 the guidance was criticised in the national press for [encouraging self harming with support for chest binding](https://www.thetimes.co.uk/article/scout-chiefs-accused-over-transgender-self-harming-with-support-for-chest-binding-23f33sgjk) (<https://www.thetimes.co.uk/article/scout-chiefs-accused-over-transgender-self-harming-with-support-for-chest-binding-23f33sgjk>). Recently The Scout Association has revised its guidance, rewriting it completely, removing the Gender Trust altogether and reducing the strength of endorsement given to Mermaids (the new guidance can be seen [here](https://members.scouts.org.uk/supportresources/4227/gender-identity-introduction?cat=377,378&moduleID=10) (<https://members.scouts.org.uk/supportresources/4227/gender-identity-introduction?cat=377,378&moduleID=10>) and [here](https://members.scouts.org.uk/supportresources/4227/gender-identity-introduction?cat=377,378&moduleID=10) (<https://members.scouts.org.uk/supportresources/4227/gender-identity-introduction?cat=377,378&moduleID=10>) -this was reported on by the [Sunday Times](https://www.thetimes.co.uk/article/scouts-earn-u-turn-badge-after-scapping-trans-policy-w6rnxbf1c) (<https://www.thetimes.co.uk/article/scouts-earn-u-turn-badge-after-scapping-trans-policy-w6rnxbf1c>) on May 26). This article highlights the key differences between the old and new versions.

True Gender?

A central theme of the old guidance was the idea of that gender dysphoria is a sign that a child has a “**true gender**” of someone of the opposite sex. The previous guidance said children “as young as two” can be diagnosed with gender dysphoria, and presents ‘trans children’ as having a ‘true gender’ which does not match with ‘the sex they are assigned at birth’. It stated that this is most likely caused by ‘development of the brain in the womb’ going on to explain that “young person may decide they want to either permanently alter their body or their appearance to match their true gender. Young people may be prescribed medication to stop puberty from progressing, or hormones **to allow their body to develop in the way of their true gender**. Later on, the young person, might undergo surgery to change their bodies to match their true gender.”

Thus scout leaders were told authoritatively that it is both in the child’s best interests, and that it is their legal right to be treated as their self-identified “true gender” at any age, with social, and potentially medical transition presented as the best course of action to ‘allow their body to develop’. However, many children with gender dysphoria will desist from identifying as the opposite sex if they are not encouraged onto a pathway of early social and medical transition. Many of these children will grow up to reconciled with their healthy bodies and many will be gay and lesbian adults. ‘Watchful waiting’ (which neither affirms a child as the opposite sex or shames them into changing their behaviour) is the established clinical approach to children with gender dysphoria.

The new guidance is more aligned with this approach. Although it is still framed by the the idea of the ‘trans child’, rather than a child experiencing gender dysphoria, it talks about **addressing**

Privacy & Cookies: This site uses cookies. By continuing to use this website, you agree to their use.

children’s needs and **making adjustments** rather than promoting
To find out more, including how to control cookies, see here: [Cookie Policy \(https://automa.c.com/cookies/\)](https://automa.c.com/cookies/)

the idea of “true gender” or necessary social transition. It says
“A young person may be questioning their gender identity and be

unsure if they are trans or not.” It says “every young person and situation will be different” and tells volunteers to respond to a young person confiding in them about gender identity issues by asking “if there is anything they might need to make them feel comfortable and included in the section.... A young person might not want to do anything at all, or may need some time to think about any adjustments they need, so let them know that they can always come back to talk to you.”

Safeguarding and confidentiality

A key concern with the previous guidance was that it undermined safeguarding practice by telling scout leaders they should give a reassurance of “**complete confidentiality**” to a child disclosing gender concerns or undertaking steps such as breast binding, social transition, or engagement with strangers on the internet in intimate details about their body. It made no mention of safeguarding. Importantly the new guidance does away with *complete confidentiality* and instead says “reassure the young person that you will not share this personal information with others without their permission, **unless you have concerns for their welfare or safety.**” It prominently includes contact details of the scouts safeguarding team for any questions or concerns.

Parental support is not the same as affirmation

The previous guidance encouraged scout leaders to **view parents as as unsupportive and prejudiced** if they do not agree with the young person’s self identity and expressed wish to transition. Beyond this it makes little mention of parents’ role. The new guidance is better, saying “if a young person has confided in you that they are trans, sensitively discuss with them whether they have told their parents or carers” and says “it may also be useful to discuss and agree together [with parents] any needs or adjustments that might be made for the young person.” However

Privacy & Cookies: This site uses cookies. By continuing to use this website, you agree to their use.

To find out more or to opt out of cookies, please visit our Cookie Policy (<https://www.scouts.org.uk/cookies/>).

It also states that volunteers should never tell parents or carers about a child’s gender issues without their consent. This is not in

line with safeguarding. Parents have primary responsibility for their children and there can be situations where third parties such as teachers or scout leaders can have concerns for a child's welfare or safety (such as from relationships with peers) which do not warrant escalation into a social services referral but where the best course of action is, after careful consideration and discussion with the child, to tell their parents about the situation.

Who to call?

The previous guidance featured the logos of Mermaids and the Gender Trust prominently and listed the organisations as partners, advising volunteers to refer children on to "organisations like Mermaids". The new guidance reduces the prominence of Mermaids and has dropped the Gender Trust. However it still gives a list of resource organisations that only includes those that promote the idea of 'true gender' and early affirmation, such as Mermaids and Gendered Intelligence. It could usefully add links to [Transgender Trend](https://transgendertrend.com) (<https://transgendertrend.com>) and [4th Wave Now](https://4thwavenow.com/) (<https://4thwavenow.com/>) to the list of organisations that parents and volunteers might find useful.

Breast binding

The previous guidance had sections normalising breast binding; "Young people who are developing breasts may strap down their chest, to make it less obvious. This is called 'binding' and it is important to respect the young person's decision to do this." "If you have young people who are binding their chests, monitor them carefully during particularly physical activities (such as rock climbing) and hot temperatures. There is a chance that the binding could cause discomfort or even impair breathing, and it may be necessary to subtly offer more breaks." "A young person may be binding their chest or wearing very tight underwear to flatten themselves. The chance to privately remove this clothing overnight is very important." This has all been removed.

Privacy & Cookies: This site uses cookies. By continuing to use this website, you agree to their use.
To find out more or to opt out of cookies, please visit our Privacy Policy (<https://www.gendersupport.org.uk/privacy-policy/>).

Other children's privacy

The new guidance makes improvements in considering the interests and privacy of other children in the scout group. The previous guidance said toilet arrangements should “**ideally**” involve trans identifying children using “cubicles in facilities of their true gender”. The new guidance still says “trans young people should be able to use the **toilets or facilities of the gender they identify as**”, but it does not present as *ideal* that males should have their gender identity validated by sharing ‘single-sex’ cubicled facilities with girls (and vice versa). It highlights the need to consider all children's comfort and privacy sensitively saying “most young people would prefer privacy when using facilities. Providing a range of options **to everyone** will not only avoid a trans person feeling singled out, uncomfortable or unsafe using facilities, but will probably make everyone else in the section feel more comfortable too”. It suggests the provision of ‘gender neutral’, self-contained or individual toilet and shower cubicles that can be used by anyone. On sleeping arrangements it says leaders should “make a range of different sleeping options available to all members, including mixed-sex accommodation, single and multiple occupancy tents or dorms, compartment tents with single rooms”.

Do your best!

Every cub scout meeting starts with an exhortation to “Do Your Best”, so as cub scout leader I raised the problems with the previous guidance with the the CEO and with those responsible for overseeing safeguarding and volunteering at Scouting HQ last year. I do not know whether it was my conversations with them that made a difference, but I was pleased to see the new guidance.

I think it is a significant improvement, and a step forward that the

Scout Association was willing to revisit their previous decision

and diverge from the advice of advocacy organisations such as

Close and accept

Mermaids. It should be perfectly possible for the Scouts to responsibly and sensitively include children of both sexes who are experiencing gender dysphoria, since it is already a mixed sex organisation. Scout leaders routinely include and safeguard children of both sexes, and there is no reason why they cannot do this for children of either sex experiencing gender dysphoria.

Girl Guides, on the other hand, have put themselves in a much more difficult position, by taking the decision to admit male children who have gender dysphoria into a previously single-sex organisation, and arguing that it is still single sex. Girl Guides policy is to allow parents to enroll their male children in the 'girls only' organisation. This provides a strong means of affirming their opposite sex identity, which may not be in the best interests of the child themselves. It also undermines other children's privacy and safety and the idea of consent, as Girl Guides says that parents can enroll their male children without ever disclosing their sex, and teenage girls may be allocated to share sleeping and washing facilities with males, without them or their parents being told. Girl Guides has not responded as positively to leaders such as [Helen Watts \(https://www.dailymail.co.uk/news/article-6222859/Guide-leader-says-sacked-telling-bosses-new-transgender-policies-pose-risk.html\)](https://www.dailymail.co.uk/news/article-6222859/Guide-leader-says-sacked-telling-bosses-new-transgender-policies-pose-risk.html) raising safeguarding concerns, but instead have tried to close down discussion.

The lessons I take away from the progress by the Scout Association are:


1. **Schools, local authorities and youth organisations** should not rely on advocacy organisations but should take responsibility for reviewing their own approach in line with medical practice and the law. I hope the Scout Association is able to share their experience with other youth organisations such as Girl Guides and Woodcraft Folk
2. **The Equality and Human Rights Commission** should issue clear, medically and legally informed guidance for schools and





youth organisations. Their promised guidance ([trailed with Mermaids and Gendered intelligence](https://www.equalityhumanrights.com/en/our-work/news/transgender-children-failed-system-warns-equality-chair) (<https://www.equalityhumanrights.com/en/our-work/news/transgender-children-failed-system-warns-equality-chair>)) is now over a year late, leaving organisations like Scouts and Guides trying to work out the best course of action without the benefit of official guidance.


Parents, staff, volunteers and governors can make a difference by speaking up. Get a copy of [Transgender Trend's resource pack and its guidance on safeguarding](https://www.transgendertrend.com/schools-resources/) (<https://www.transgendertrend.com/schools-resources/>). Take the Scouts [new guidance](https://members.scouts.org.uk/supportresources/4228/supporting-trans-young-people?cat=377,378&moduleID=10) (<https://members.scouts.org.uk/supportresources/4228/supporting-trans-young-people?cat=377,378&moduleID=10>) and go and talk to the decision makers responsible for safeguarding and inclusion in the youth and education organisations you are connected to. Sometimes it pays off.


Share this:


 Twitter (<https://www.transgendertrend.com/scout-association-new-transgender-guidance-big-step-forward/?share=twitter&nb=1>)

 Facebook (<https://www.transgendertrend.com/scout-association-new-transgender-guidance-big-step-forward/?share=facebook&nb=1>)

 Tumblr (<https://www.transgendertrend.com/scout-association-new-transgender-guidance-big-step-forward/?share=tumblr&nb=1>)

 Pinterest (<https://www.transgendertrend.com/scout-association-new-transgender-guidance-big-step-forward/?share=pinterest&nb=1>)

 Reddit (<https://www.transgendertrend.com/scout-association-new-transgender-guidance-big-step-forward/?share=reddit&nb=1>)

 Print (<https://www.transgendertrend.com/scout-association-new-transgender-guidance-big-step-forward/#print>)

 WhatsApp (<https://www.transgendertrend.com/scout-association-new-transgender-guidance-big-step-forward/?share=jetpack-whatsapp&nb=1>)

Privacy Policy: This site uses cookies. By continuing to use this website, you agree to their use. To find out more, including how to control cookies, see here: [Cookie Policy \(https://automatic.com/cookies/\)](https://automatic.com/cookies/).

Loading...

A very concerning conversation

As a cub scout leader, I have been talking to Scouts HQ staff about my concerns about their transgender guidance since last year. I was pleased to see that they had updated the policy, but concerned that this was not clearly announced. I wrote an [article](#) analysing the changes which was published by Transgender Trend. I posted about the article **!st Scouts Facebook Group** (a large group of scout leaders and parents mainly in the UK) highlighting that the new guidance has closed a safeguarding loophole (complete confidentiality), taken a more cautious approach to encouraging transition, and considered the inclusion of all.

was one of the scout leaders that has been talking to them about this, as i was concerned that the old guidance created safeguarding loopholes and encouraged gender non conforming children to think that they must be 'born in the wrong body'. I am pleased that they have updated their guidance to make it more cautious, while still supporting inclusion of all young people in scouting

Key things they've changed:

- Removed the guidance to give children assurance of "complete confidentiality" if they disclose to a leader that they think they might be trans. More emphasis on safeguarding in the guidance.
- They removed the idea of 'true gender', the normalisation of breast binding and discussion of two year olds being diagnosed as transsexuals
- The guidance is more cautious about encouraging children to transition, recognising that there can be uncertainty, and often feelings of gender dysphoria is something children grow out of

- There is more emphasis on talking to parents, and they have removed the assumption that parents are only "supportive" if they affirm that the child must be transsexual.
- More recognition that other children in the pack have an legitimate expectation of privacy, and it may not be appropriate for a male child to use showers and toilets where girls expect privacy (and vice versa). New guidance suggests flexibility, individual unisex options where possible so that everyone is comfortable.

I've written about it here

https://www.transgendertrend.com/scout-association-new-transgender-guidance-big-step-forward/?fbclid=IwAR3o78xvBGtI8lQ6ROu_q0

What was the response from scout leaders on 1st Facebook Scouts?

1. NAME CALLING AND BULLYING

Gregor Murray and others called me and other female scout leaders who posted that the new guidance was a sensible improvement “TERFs”, “transphobes”, “bigots”, scum and hateful. Another female scout leader and I were questioned about our scouting credentials. It was said that I was not fit to be a scout leader.



Gregor Fisher Murray What a massive step backwards. Really sad to see TSA listening to TERFs rather than actual trans people. Disgusting all round.

Like · Reply · 1m



Shaun Kenneth Joynson

Gregor Fisher Murray what's a terf

1h Like Reply



Gregor Fisher Murray

A trans-exclusionary radical feminist. People who base their bigotry of trans people in a mistaken belief that we're all out to harm women.

1h Like Reply



Maya Forstater

Shaun Kenneth Joynson Its an insult directed at women, often associated with threats of violence and intended to shut down debate
<https://terfisaslur.com/>



Gregor Fisher Murray

I have not called feminists scum, I have called TERFs scum. And they are.

I will call out TERFs for being TERFs. No apology there.

Transgender Trend's advice will lead to dead children. No more, no less. ... [See More](#)

1h Like Reply



Gregor Fisher Murray

I have not called feminists scum, I have called TERFs scum. And they are.

I will call out TERFs for being TERFs. No apology there.

Transgender Trend's advice will lead to dead children. No more, no less. ... [See More](#)



Martin Steers

Lu Travers so you deny that transwomen are women.

Can I check that you are active in the scout association, your group or district?

10m

Like

Reply



Lu Travers

are you now the thought police? That's a rather threatening comment, report



See · Like · Reply

0:47



Replies



raised concerns about the previous guidance. I know some other leaders and parents have also. I am pleased to see they have revisee the guidance

40 m

Like

Reply



Martin Steers

Maya Forstater so you are a transphobic biggoted terf

17 m

Like

Reply



Gregor Fisher Murray I know what I have seen with my own eyes.

You are completely irresponsible, and completely unfit to be a scout leader in my opinion. How on earth would you treat a child that confided in you that they were struggling with their gender identity!?

Like · Reply · 2m



Mark Norwood

Maya Forstater sorry but transphobes are not welcome here. Hopefully admins will take down your post and you'll take your hate elsewhere.

4m

Like

Reply

(NB: SWERF “sex worker exclusive radical feminist” is a term used to dismiss feminists who argue that the prostitution and pornography industries exploit women, as opposed to the position that being a prostitute should be encouraged as an ordinary career choice for young women).



Anastasia Enticott

It's almost like the TSA would find support from organisations like Mermaids, who have experience working with trans young people, more helpful and reliable than biased and ill-informed hate groups. Especially TERFS Who claim to be experienced leaders, yet don't understand the structure of Scouting.

(Beavers, Cubs, Scouts & Explorers are sections - Only Cubs meet in packs!)

Excuse me, waiter, I didn't order the Swerf 'n' Terf

[Just now](#) [Like](#) [Reply](#)



Martin Steers

Maya Forstater you deny transwomen are women, that's transphobic, you don't agree with them that's a biggoted view and your a feminist trying to play down trans rights, that makes you a terf.

I am disgusted to hear you are a scout leader and feel worried and concerned about any interaction you might have with a trans young person or adult you have involvement with.

[Just now](#) [Like](#) [Reply](#)



Martin Steers

Max Risley yep a transphobic vile women who I am disgusted still holds a position in the TSA

2 h [Like](#) [Reply](#)

2. ANY DISCUSSION OF THE FACT OF BIOLOGICAL SEX CONDEMNED AS 'TRANSPHOBIC'

Any discussion of the fact that children and adults who identify as the opposite 'gender' remain their biological sex, and that this has implications for dignity, privacy and boundaries of others and for planning and risk assessment on camp etc... was dismissed as transphobic and "misgendering"



Michael Gornall

You're clearly missing the point, a transgender girl is a GIRL. That's what we need to be getting across, inclusion and acceptance.

9m Like Reply



Martin Steers

Lu Travers " They can't actually change sex and will always be biologically male." sounds transphobic to me!

7m Like Reply



Jennifer Grist

Language such as "male" child when talking about transgender girls sets off a few alarm bells when reading articles like this.

1h Like Reply



Tom Brown

Maya Forstater Your insistence on referring to trans girls as Male is pretty low effort. We can all see you for what you are.

11m Like Reply



Tom Brown

Yeah, the OP and this whole thing is an attempt to sneak transphobic TERF nonsense under the radar

14m Like Reply



to recognise that a child is male, even if socially we accomodate their preference for a female social identity rings alarm bells. Completely ignoring the sex of the children in our care (who need privacy, who may be menstruating, who can get each other pregnant, who we might need to take to hospital ...) is irresponsible.

12m Like Reply



Jennifer Grist

Maya Forstater so you are saying that transwomen are male. That is really insulting to me.

9m Like Reply



Monica Phoebe Tetley

Jennifer Grist and to me

7m Like Reply



Matthew Hesselmann

Maya Forstater so what you're saying is you deliberately misgender children? That sounds pretty transphobic.

5m Like Reply



Aidan Laws

It's really not that hard to support a transgender young person, they are kids just like an other young person in your unit. All you have to do is talk to them and understand their needs, and respect them (use their chosen name and preferred pronouns). You don't need to understand it to respect it! Many transgender scouts use scouting as a way to get away from how they are feeling about themselves (i know thats what i did) it's a place where they can focus on better things. As leaders surely all we should be there to do is make sure they are safe and happy when in our care without giving a care what's in there pants 🙄

3m Like Reply



Nyika Suttie So the scout association have listened to a load of TERFs? Disgusting. I want no part in an organisation which doesn't allow children to be their true self. Although i'll believe it when I see it implemented.

Like · Reply · 1m

3. SEEKING TO UNDERMINE GIRL'S BOUNDARIES

No recognition that girls and women can legitimately object to sharing intimate spaces with people with male bodies including male genitalia.



Heidi Fitzpatrick

Maya Forstater no i don't. But i also don't get threatened enough to be checking they've got the same kit as me and policing which shower they go in. If someone says they are female, they go in the ladies of they want to. This is not difficult.

5 m Like Reply



Martin Steers

"concerned about the current trend to diagnose children as transgender" - Didn't realise being trans was suddenly a fashion statement.

"We are also concerned about legislation which places transgender rights above the right to safety for girls and young women in public toilets and changing rooms" - that sounds pretty transphobic to me!

33m Like Reply



Martin Steers

would you deny the right of a transgirl to also be in that girl only space?

35m Like Reply



Michael Gornall

A transgender woman is a woman, if she wasn't born that way does it really matter? Does she not have the right to use a women's toilet?

33m Like Reply



This view, in line with the new guidance was dismissed as 'transphobic'



Maya Forstater

Michael Gornall do young women not deserve the right to privacy away from people with male bodies when they are sleeping, undressing and washing (The Equality Act says they do) ? The new guidance encourages scout leaders to consider everyone's privacy. A child who identifies as a transgirl should not have to shower with boys if they don't want to, but girls should also not be forced to share intim... [See More](#)

23m Like Reply

Providing washing arrangements so that both male children who identify as girls, and girls can have privacy (as recommended in the guidance) is dismissed as 'transphobic rubbish' and 'exclusion'



Martin Steers

Maya Forstater sounds like transphobic rubbish to me.

If you have to have a separate toilet, sleeping or wash space for trans than for CIS that's exclusion

What you are talking about is exclusion of transkids not inclusion of all.

20m Like Reply



Michael Gornall

So, a trans girl can't sleep with the girls because she has a male body, can't sleep with the boys as, well, she's a girl. So now she's isolated and alone, yep, that seems like progress to me. Maybe not. Maybe we should be teaching inclusion and acceptance, that seems a bit more adult like

4. USING SUICIDE AS A THREAT



Gregor Fisher Murray

Your guidance will leave children dead and you're worried that a descriptor isn't very nice?

Please get some sense of perspective.

1h Like Reply



Maya Forstater

Gregor Fisher Murray - throwing around threats of dead children is extremely irresponsible. The Samaritans says to avoid speculating about any one 'trigger' for suicide. Dr Polly Carmichael, Director of the the Tavistock clinic states that the headlines about high suicide rates amongst children with gender dysphoria are

"deeply flawed" and that rates of self-harm, distress and suicidal ideation ar... See More



THREADREADERAPP.COM

Thread by @Transgendertrd: "Li...

53m Like Reply



Martin Steers

I think if the terf shoe fits.. call it as it is.

7m Like Reply



Aidan Laws

Maya Forstater the figure is deeply flawed yeah? Tell that to the hundreds of trans children, and their families, that have taken their own lives because of bigoted views such as your own. The facts are facts, without our support trans children are more likely to commit suicide!

2m Like Reply

5. RECOMMENDING NOT TALKING TO PARENTS

Suggests that Scout Leaders can determine if a child is “born in the right body” or just follow child’s self ID to undertake social transition - and should overrule and not communicate with parents if they disagree



Steven Powell

I've had a young person in one of my sections before who was transgender and who strongly felt they 'were in the wrong body'. They really enjoyed scouts because everyone accepted them. And assisting them was no more difficult than modifying for a disability. But this guidance in full wouldn't help any more than the old guidance, in some places it's more difficult and not as good. And talking to the young persons parents was a non-starter as they insisted the young person was 'in the right body'. But steps in the right direction are needed to ensure we are fully inclusive. And I agree with Michaels comments. I have (separately to the above) experienced safeguarding issues with the self identifying issue which the guidance doesn't really address - we have to safeguard all our young people equally



Breccan Kendall

The article is a lot more inflammatory than the official advice and the author of the article clearly has a soapbox to yell from. My advice? Don't click the link to transgendertrend. They have an agenda. Just read the official advice and if you have trans young people just respect their self definition. Simples.

15m

Like

Reply



Curtis Griesel

It is not complicated. You respond to

6. DEFLECTING FROM SAFEGUARDING CONCERNS BY SMEARING THOSE WITH CONCERNS

Rather than talk about safeguarding they resort to insults and smears of myself and of Transgender Trend.

discloses gender issues (and maybe eg talking about intimate aspects of their body with strangers on the internet) "complete confidentiality". I and others including Transgender Trend raised this with TSA and they have changed the guidance. There are a lot of people on h... [See More](#)

6m

Like

Reply



Martin Steers

No I think its disgusting that you are hiding your feminist transphobic hate as "concern" for the wellbeing of young people..

5m

Like

Reply



Shaun Kenneth Joynson

Maya Forstater How much money does your group receive from Fundamentalist Christian organisations.

Just now

Like

Reply



Gregor Fisher Murray

Transgender Trend are a dangerous hate group, who have been linked to promotion of 'conversation therapy' which is exceptionally dangerous and evil.

1h Like Reply



Gregor Fisher Murray

Women Speak Up is also a nasty, nasty organisation spreading misinformation about trans people.



Tom Brown Any chance we can ban the...



Martin Steers I would agree with that



Heather Barber

Please remove this article - Transgender Trend is an anti-transgender association, this is highly misleading! TSA has been one of the most supportive places in our family's journey, but we really don't need to read this rubbish. Our young trans members are getting attacked from all directions, please lets keep Scouting as a supportive place

Just now Like Reply



Nyika Suttie

I'd be incredibly disappointed to find out that Scouts have been working with a "gender critical" organisation instead of actual transgender young people to develop this "guidance" (which sounds incredibly harmful if true). Especially awful after being so excited to see so many proud Scouts in the Birmingham Pride parade at the weekend.

1h Like Reply



Mark Tetley

Nicole Dowson I don't think she was involved in the guidance. Transgender trend is not supportive of trans individuals and it isn't listed in the guidance as a source of information that the association recommends. The article misrepresents the changes and a number of Maya's comments on this thread have caused offence to trans leaders in the group

5m Like Reply



Mark Tetley

Nicole Dowson I don't think she was involved in the guidance. Transgender trend is not supportive of trans individuals and it isn't listed in the guidance as a source of information that the association recommends. The article misrepresents the changes and a number of Maya's comments on this thread have caused offence to trans leaders in the group

5m Like Reply

7. EXCLUSION AND SILENCING OF THOSE WITH CONCERNS



Tom Brown

Any chance we can ban the OP, seeing as they're a transphobic propagandist?

7m Like Reply



Martin Steers

I would agree with that

5m Like Reply



Mark Norwood

Maya Forstater sorry but transphobes are not welcome here. Hopefully admins will take down your post and you'll take your hate elsewhere.

4m Like Reply



Aidan Laws

Colin Williston i stand with Tom on this, banning the OP would be best for the group, they are clearly here to spread hatred and hateful propaganda

53m Like Reply



Martin Steers

Aidan Laws all under the pretence of "supporting" young people

48m Like Reply



Martin Steers

Colin Williston so what do we need to do to get the OP banned? pretty sure someone who is that transphobic shouldn't be allowed in here

10m Like Reply

EXHIBIT 4



Maya Forstater
@MForstater

Gregor Murray. Suspended as a local councillor after calling women who disagree with him TERFS and "utter c**ts" now applying terms of abuse to fellow scout leaders and parents who raised safeguarding concerns
twitter.com/grogipher/stat...

9:12 AM · Jun 3, 2019



Proudly Woke, Proudly not-Simon 🏳️‍🌈
@grogipher

Deeply concerning hearing that Scouting may have watered down their trans inclusion policies. Doesn't fill me with confidence, or a feeling of safety.

Will [@UKScouting](#) / [@ScoutsScotland](#) / [@flagscouts](#) comment on this? Have we been listening to TERFs rather than trans scouts?



Maya Forstater
@MForstater

Replying to [@campervanwoman](#) and [@Rockhopper_Scot](#)

[@AbsMcFabs](#) - its shocking that he calls strengthening the guidance to bring it into line with safeguarding practice and the Equality Act, "watering down" the guidance.

12:31 PM · Jun 3, 2019 · [Twitter Web Client](#)

2 Retweets 21 Likes



29



EXHIBIT 5



Proudly Woke, Proudly not-Simon 🏳️‍🌈 @grogipher · Jun 3

Way to prove you're not a bigot - by spreading lies, and by misgendering me.

I stand by my statement earlier - [@MForstater](#) is not fit to be a member of [@UKScouting](#) She is a bigot and should not be allowed to endanger the lives of our young people or spread her bigotry.



Maya Forstater @MForstater · Jun 3

Replying to [@campervanwoman](#) and [@Rockhopper_Scot](#)

[@AbsMcFabs](#) - its shocking that he calls strengthening the guidance to bring it into line with safeguarding practice and the Equality Act, "watering down" the guidance.



4



Proudly Woke, Proudly not-Simon 🏳️‍🌈 @grogipher · Jun 3

Replying to [@MForstater](#) [@campervanwoman](#) and [2 others](#)

It's shocking that you're purposefully misgendering me.



5



NEWS **SPORT** **BUSINESS** **LIFESTYLE** **COURIER CRUISE** **SUBSCRIBE**
SPECIAL OFFERS

Children's convener resigns following row over expletive-laden social media outbursts

by [Derek Healey](#) August 10 2018, 2.01pm **Updated:** August 11 2018, 11.52am

© Supplied



Councillor Gregor Murray

Dundee's children and families convener has resigned in the wake of a string of social media scandals.

Gregor Murray will now step back from the convener role and has also resigned as the council's equalities spokesperson.

The North East councillor [apologised last month for a series of expletive-laden outbursts](#) on Twitter following an anti-trans protest at London Pride event but was later [branded a "disgrace" by party colleague Julie Bell over the remarks](#).

[Privacy settings](#)



Gregor Murray and some of the foul-mouthed tweets.

The former convener then [faced calls to stand down following the discovery of further foul and abusive comments](#) targeted at members of the public on the news aggregation site Reddit.

Strathmartine councillor Stewart Hunter will be put forward to fill the vacant convener role when the council next meets on August 20, while deputy neighbourhood services convener Anne Rendall will become the group's equalities spokesperson.

Gregor Murray, who identifies as gender non-binary and objects to being referred to with the use of the pronoun 'he', admitted to making "a number of wrong judgements in communicating with people who campaign against my fundamental human rights".

The councillor added: "I have not handled this situation well in the slightest.



Proudly Woke, Proudly not-Simon 🏳️‍🌈
@grogipher

Hugely disappointed to see an MP I have a huge amount of love and respect for, [@CarolineLucas](#), agree to meet with a anti-trans Hate Group.

I somehow feel as though if she met with the KKK, or Westbro Baptist Church or something, the comments would be different.

3:51 PM · Sep 4, 2018 · [Twitter Web Client](#)



Proudly Woke, Proudly not-Simon 🏳️‍🌈
@grogipher

Replying to [@Only_WomenBleed](#) [@JulieFordSNP](#) and [@Womans_Place_UK](#)

They are disgusting ant-trans people. I would happily shut them down tomorrow. They are a vile hate group. They only exist to spread misinformation and to whip up hysteria against one of the most vulnerable groups in society.

They are abhorrent.

3:57 PM · Mar 12, 2018 · [Twitter for iPad](#)





Proudly Woke, Proudly not-Simon 🏳️‍🌈 @grogipher · Jun 11

This is transphobia.

Will @thesnp take action?

I won't hold my breath.

@JoanMcAlpine should not hold any convenorship at Holyrood and especially should not be allowed near @SP_European

This isn't good enough.



Joan McAlpine ✓ @JoanMcAlpine · Jun 11

Sign up to @ForwomenScot today to protect women's sex based rights. Takes 2mins. twitter.com/ForwomenScot/s...

2

11

19



Lou @Lancashire_Lou · Jun 11

So anything to do with women's rights is transphobic now? :/

2



1



Proudly Woke, Proudly not-Simon 🏳️‍🌈

@grogipher

Replying to @Lancashire_Lou @minute5072 and 3 others

Not in the slightest!

But that group are nothing short of a transphobic hate group. They don't care about women's rights at all, it's just malicious anti-trans fearmongering.

10:58 PM · Jun 11, 2019 · [Twitter Web App](#)

1 Like





Jenny Marra, MSP





Proudly Woke, Proudly not-Simon 🏳️‍🌈 @grogipher · Jun 11

This is **transphobia**.

Will @thesnp take action?

I won't hold my breath.

@JoanMcAlpine should not hold any convenorship at Holyrood and especially should not be allowed near @SP_European

This isn't good enough.



Joan McAlpine ✓ @JoanMcAlpine · Jun 11

Sign up to @ForwomenScot today to protect women's sex based rights. Takes 2mins. twitter.com/ForwomenScot/s...



2



11



19



Proudly Woke, Proudly not-Simon 🏳️‍🌈 @grogipher · Jun 20

Here's yet more entrenched **transphobia** in our political system.

Joan should have been removed from the SNP for that tweet.

Instead, she's being rewarded for it.

This is fake news in action. Being rewarded for spreading misinformation.

Holyrood magazine can fuck off.



Holyrood magazine @HolyroodDaily · Jun 20

The award for Tweet of the Year goes to Joan McAlpine, for a thread on gender identity #holyroodparty



Mandy Rhodes, Editor Holyrood Magazine



Joan McAlpine, MP





Proudly Woke, Proudly not-Simon 🏳️‍🌈 @grogipher · Jan 18, 2018

Let's not improve things for the most marginalised community in the country.. cause some of the majority might lose their privilege?

Utter garbage. Thinly veiled **transphobia** is still **transphobia**. **Transphobia** with an air of respectability is still **transphobia**.

The National @ScotNational · Jan 18, 2018

In tomorrow's National ... Shona Craven: When feminism and gender identity collide



When it comes to the current consultation on reform of the Gender Recognition Act 2004, it is women who MSPs are finding easy to ignore. Specifically, women who believe that if the state decides the word "woman" has no objective meaning, then statistics will be skewed, protections will be lost and children – particularly young lesbian girls – risk being seriously harmed

1



1



Gregor Fisher Murray @grogipher · 8m

Replying to @EveEndor @dzongsar

I'm not saying women are bigots.

I'm saying TERFs are scum. Like racists and misogynists.

2



1





Proudly Woke, Proudly not-Simon 🏳️‍🌈 @grogipher · May 15

Joanna Cherry is a hypocrite, when she engages with and endorses abuse.

Or is it only bad when it's against her?

She is a TERF.

UK Parliament Human Rights Committee @HumanRightsC... · May 15

@joannaccherry: How do we preserve the balance between discouraging social media use for abuse but encouraging it for freedom of expression?

P. Rowbottom: One challenge we have is scale of regulating social media. It's a question of resources but also consistent decision making



062118912/photo/1



Proudly Woke, Proudly not-Simon 🏳️‍🌈 @grogipher · May 17

Transphobic hate-peddler [@JoanMcAlpine](#) has written to [@thecourieruk](#) to complain that I've called her a **transphobe**.

Throughout this letter she misgenders me.

Way to prove my point, Joan!



READERS' LETTERS: City must have integrated transport ...
Madam, – It was encouraging to read recently that Dundee's economic development convener is exploring Park & ...
[thecourier.390.uk](#)



Susan Sinclair @Scottish_Women · Mar 7, 2018

The misogynistic abuse that Dundee councillor @grogipher has repeatedly directed towards countless women is unacceptable. If @theSNP don't take action and condemn him for his actions then they will be seen to be just as complicit as every other group before them. /8

3

9

27



Proudly Woke, Proudly not-Simon @grogipher · Mar 7, 2018

Can you please show me where I've been misogynist please?

Being pro-trans isn't the same as being anti-women, except in your head.

1



Susan Sinclair
@Scottish_Women

Replying to @grogipher and @theSNP

I've linked a thread of screenshots of your tweets where numerous women have told you repeatedly that you were using misogynistic language towards them.

Being pro-woman isn't the same as being anti-trans.

You called me a transphobe, show me where I've said I hate trans people.

7:43 PM · Mar 7, 2018 · [Twitter for iPad](#)

11 Likes

Exhibit 8

Decision of the Hearing Panel of the Standards Commission for Scotland following the Hearing held at City Chambers, 14 City Square, Dundee, DD1 3BY on 15 May 2019.

Panel Members: Ms Ashleigh Dunn, Chair of the Hearing Panel
Mr Paul Walker
Professor Kevin Dunion

The Hearing arose in respect of a Report by Mr Bill Thomson, the then Commissioner for Ethical Standards in Public Life in Scotland (the ESC), further to complaint reference LA/D/2158 (the complaint) concerning an alleged contravention of the Councillors' Code of Conduct (the Code) by Councillor Gregor Murray (the Respondent).

The ESC was represented by Mr Dominic Scullion, Solicitor Advocate. The Respondent was not in attendance.

The Respondent identifies as non-binary, so the pronouns they/them are used below, when reference is made to them.

COMPLAINT

A complaint was received by the ESC about the alleged conduct of the Respondent. Following an investigation, the ESC referred the complaint to the Standards Commission for Scotland on 25 February 2019, in accordance with section 14(2) of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (the 2000 Act), as amended.

The substance of the referral was that the Respondent had failed to comply with the provisions of the Code and, in particular, had contravened paragraphs 3.1 and 3.2.

The relevant provisions are:

3.1 *The rules of good conduct in this section must be observed in all situations where you act as a councillor or are perceived as acting as a councillor, including representing the Council on official business and when using social media.*

Relationship with other councillors and members of the public

3.2 *You must respect your colleagues and members of the public and treat them with courtesy at all times when acting as a councillor.*

The Hearing Panel noted that the Respondent had expressed concerns about the ESC's report and whether they had been given fair notice by the ESC of the extent of matters being investigated. The Panel was satisfied that these were matters for the ESC to address, and that they did not fall within the Standards Commission's or Hearing Panel's remit. The Panel was further satisfied that the Respondent had been provided with adequate and sufficient notice of the Hearing and the alleged breach the Panel would be considering, in accordance with Section 20 of the 2000 Act.

Evidence Presented at the Hearing

No witnesses were called.

Joint Statement of Facts

The Hearing Panel noted that a Joint Statement of Facts had been agreed between the parties and that, in particular, the following matters were not in dispute. That:

- On 13 June 2018, the Respondent posted three tweets concerning an email exchange between the complainer and Dundee City Council's Equality and Diversity Co-ordinator about the complainer's concerns that the Respondent, in their capacity as the Council's Equal Opportunities Spokesperson, had incorrectly referred to sex as not being a protected characteristic under the Equality Act 2010. The Panel heard that the Respondent referred to the complainer as being a 'TERF' (being an acronym for Trans Exclusionary Radical Feminist) in all three tweets.
- On 13 July 2017, the Respondent had replied "good it's deserving", in a twitter exchange with the complainer when she had stated that the term 'TERF' was an expression of abuse.
- On 19 January 2018 that the Respondent posted tweets in which they referred to 'TERFS' as "scum" and "hateful and vile".
- On 13 June 2018 the complainer sent the Respondent an email later that day in which she stated that the term TERF was a "misogynist slur", and that she presumed that the Respondent was referring to her in the tweets. In a response email the same day, the Respondent advised that they did not consider the term 'TERF' to be misogynistic. The Respondent nevertheless indicated that they would continue to refer to the complainer as a TERF as they considered her feminism to be "both radical and trans-exclusionary". The Respondent proceeded to ask if she had a preferred nomenclature and stated, "Perhaps I can stick to anti-trans bigot?". When the complainer sent a further email complaining that the Respondent had insulted her, the Respondent replied advising that they would not be apologising.
- On 7 July 2018, the Respondent had posted a tweet referring to an allegation that lesbians were blocking the London Pride March, and had referred to the women in question as "TERFS" and "utter cunts".

Submissions made by the ESC's Representative

The ESC's representative noted that the complaint concerned an email exchange between the complainer and the Respondent and also tweets posted by the Respondent both before, after and around the same time as the email interaction.

The ESC's representative advised that the Respondent had posted their tweet of 19 January 2018, in which they referred to 'TERFS' as "scum" and "hateful and vile" in response to another Twitter user, in the context of a general exchange on the issue of transphobia.

The ESC's representative advised that an email the complainer sent to Dundee City Council, on 12 June 2018, in which she pointed out that their Equalities Policy incorrectly referred to 'gender', rather than 'sex' as a protected characteristic under the Equality Act 2010, had been forwarded to

the Respondent, in their then capacity as the Council's Equal Opportunities Spokesperson. The ESC's representative indicated that the Respondent had then initiated the email exchange with the complainer on 13 June 2018 during which the Respondent called the complainer a 'TERF' and stated that her feminism was "both radical and trans-exclusionary". The ESC's representative noted that when the complainer took exception to this and asked the Respondent to desist from using the term 'TERF' as it was an expression of abuse, the Respondent replied advising that they would not be apologising, considered it was "deserving" and would continue to use it.

The ESC's representative noted that the Respondent's position was that the term 'TERF' was a descriptor and was not in itself abusive or offensive. The ESC's representative contended, however, that the Respondent's use of the term 'TERF' to describe the complainer in the circumstances where the complainer had asked them to desist from doing so, where the Respondent had responded indicating that it was warranted, and where the Respondent had previously publicly identified 'TERFS' as being "scum", "hateful" and "vile", demonstrated that the Respondent accepted that 'TERF' was a term of abuse and was using it as such.

The ESC's representative advised that the Respondent's tweet of 7 July 2018 had not been directed at the complainer and, instead, had been posted in response to another Twitter user having alleged that lesbians were blocking the London Pride March. The ESC's representative noted that the Respondent had apologised subsequently for the use of the term "utter cunts" in the tweet and had accepted that they should not have used such language in a publicly available online posting. The ESC's representative further noted that the Respondent's position was that they had not directed the tweet at any identifiable individual or group. The ESC's representative argued, however, that regardless of this, the Respondent's use of obscene language in a tweet was offensive to the public at large.

The ESC's representative noted that the Standards Commission's Guidance on the Councillors' Code of Conduct specifically stated that the respect provisions in the Code covered all situations where councillors were acting, or could be perceived to be acting as such, and that this could include when they were using social media. The ESC's representative advised that the Respondent's Twitter account identified them as a councillor and argued that it was evident that they were responding to the complainer, during the email exchange, in their capacity as the Council's Equal Opportunities Spokesperson. The ESC's representative contended, therefore, that the Respondent was acting as a councillor or, at least, could be perceived to be doing so, during the email exchange with the complainer and when posting the tweets in question.

The ESC's representative noted that while politicians have an enhanced right to freedom of expression under Article 10 of the European Convention on Human Rights, this did not extend to directing gratuitously offensive insults towards members of the public. The ESC's representative argued that it was evident from the context, as previously outlined, that the Respondent's use of the term 'TERF' was intended to insult the complainer. The ESC's representative argued that both this, and the use of the word "cunts" in the tweet of 7 July 2018, were disrespectful and amounted, therefore, to a breach of paragraphs 3.1 and 3.2 of the Code.

The ESC's representative noted that the Respondent had lodged the case of *Campbell v Dugdale*, [2019] SC Edin 32, as an authority and had argued that the judgement in this was an authority to support their position that they were entitled to express their honest opinion and use a descriptive term such as 'TERF' when it was merited. The ESC's representative advised, however, that the case concerned the civil wrong of defamation and argued that, as such, it was not relevant as it was plain

the Code could be breached in circumstances where the conduct in question did not amount to a civil wrong. The ESC's representative noted, for example, that insulting a member of the public by using an expletive would not amount to defamation but could nevertheless be disrespectful in terms of the Code.

In response to questions from the Panel, the ESC's representative accepted that the use of the term 'TERF', in itself, was not necessarily insulting or disrespectful. The ESC's representative noted that it was a controversial term and apt to offend although this was the subject of ongoing public discourse. The ESC's representative argued that the Respondent should have known that the expression was controversial and apt to offend the public, and therefore they should have been careful about how they used it in a public forum. The ESC's representative further argued that the Respondent's use of it required to be considered in the context of the associated abusive terms used when directing it towards a member of the public.

DECISION

The Hearing Panel considered the submissions made both in writing and orally at the Hearing. It concluded that:

1. The Councillors' Code of Conduct applied to the Respondent, Councillor Murray.
2. The Respondent had breached paragraphs 3.1 and 3.2 of the Code.

Reasons for Decision

The Panel noted that the Respondent's email exchange with the complainer of 13 June 2018 concerned the Respondent's actions as the Council's Equal Opportunities Spokesperson. The Panel further noted the Respondent's twitter account biography referred to them as being a councillor. The Panel was satisfied, therefore, that they were identifiable as such when posting tweets using the account and that they were acting, or could be perceived as acting, as a councillor during the email exchange of 13 June 2018 and in all the tweets. The Panel determined, therefore, that the Code of Conduct applied to the Respondent at the time of the events in question.

The Panel noted the Respondent's position was that while they accepted the use of the 'c' word was inappropriate, it had not been directed at any specific individual and, instead, had been addressed at a group of people who the Respondent considered were protesting against the trans-community's human rights. The Panel further noted that the Respondent's position was that the term 'TERF' was a descriptor and, as such, was akin to labelling someone's beliefs as homophobic or racist.

The Panel accepted that the Respondent, as Scotland's only openly trans elected representative, had suffered from unwarranted bullying and abuse, and that they were determined to stand up for the trans community.

The Panel considered that while the term 'TERF' was apt to be controversial and could be seen as one of abuse, it could also be used or perceived as simply a descriptor. The Panel was of the view, however, that it was evident from the Respondent's description, over an extended period of time, of 'TERFS' as being 'scum' and 'hateful and vile', that the Respondent intended it to be an expression of abuse. The Panel further considered that the Respondent's use of it in the context of their reply

to the effect that it was deserved, when the complainer had indicated that the use of the term was abusive, demonstrated that the Respondent was aware that the term could reasonably be taken to be offensive. The Panel was further satisfied that the Respondent had directed the term at the complainer as an individual and that it was about her as a person, rather than simply being a descriptor of her alleged views.

The Panel considered that the reference to the complainer as a 'TERF', in context, amounted to a personal attack on her. The Panel was therefore satisfied that the Respondent failed to observe the rules of good conduct by behaving in a respectful manner towards the complainer. The Panel further determined that the Respondent's use of the 'c' word in a public forum, such as a tweet, was highly offensive and inappropriate, regardless of whether it had been directed at any individual or identifiable group of individuals.

The Panel found, therefore, that the Respondent's behaviour amounted to a contravention of paragraphs 3.1 and 3.2 of the Councillors' Code of Conduct.

Regarding Article 10 of the European Convention on Human Rights, the Panel concluded that the Respondent's reference to the complainer as being a 'TERF', in the circumstances and in the context of their other tweets, amounted to a personal attack on her. The Panel was of the view that the use of the term in the emails to the complainer was gratuitously offensive given that the Respondent's emails were in response to legitimate concerns the complainer had raised with the Council about whether its interpretation of the Equalities Act 2010 was correct.

The Panel was further of the view that the Respondent's use of the 'c' word was egregious, offensive and particularly gratuitous. As such, the Panel determined that the imposition of a restriction in the circumstances was relevant, sufficient and proportionate. The Panel concluded, therefore, that it was satisfied that a finding of breach, and subsequent application of a sanction, would not contravene Article 10.

The Hearing Panel concluded that the Respondent had breached paragraphs 3.1 and 3.2 of the Councillors' Code of Conduct.

Evidence in Mitigation

The Hearing Panel noted that the Respondent had advised, in written submissions, that as Scotland's only openly trans elected representative, they had been the target of a great deal of online harassment and abuse from anti-trans campaigners. The Respondent had indicated that their use of the term 'TERF' had to be seen in the context of them being entitled to calling out transphobia and their desire to stand up for the trans community.

The Panel noted that the Respondent had apologised for the language used in the tweet of 7 July 2018 and, further, that their acknowledgement that this was unacceptable had led them to resign from their post as the Council's Equalities Opportunities Spokesperson, for which they had been entitled to receive an additional allowance.

The Panel further noted the Respondent's personal circumstances.

SANCTION

The decision of the Hearing Panel is to suspend, for a period of two months, the Respondent Councillor Murray's entitlement to attend all meetings of Dundee City Council and of any committee or sub-committee thereof, with effect from and including Monday, 20 May 2019.

The decision is made in terms section 19(1)(c) of the Ethical Standards in Public Life etc. (Scotland) Act 2000.

Reasons for Sanction

In reaching its decision on sanction, the Hearing Panel considered, and weighed up, all relevant aggravating and mitigating factors, in line with the Standards Commission's Policy on the Application of Sanctions.

The Panel noted, in mitigation, that the Respondent had co-operated fully with the investigative and Hearing processes. The Panel noted that the Respondent had recognised that their use of the 'c' word in a public tweet was inappropriate and that they had resigned from their position as the Council's Equalities Opportunities Spokesperson as a result.

The Panel recognised that the Respondent's actions had been taken in the wider context of them being the subject of a great deal of unwarranted anti-trans abuse. The Panel further recognised that the Respondent's personal circumstances may also have had an impact on their judgement. The Panel also noted that the Respondent had asked the complainer to desist from using the incorrect pronoun for them and that the Respondent may have been frustrated by this matter.

The Panel noted, however, that the requirement for councillors to behave in a respectful manner is an important part of the Code as it prevents a Council and role of a councillor from being brought into disrepute, and ensures public confidence in both are not adversely affected. In this case, the Panel considered that the Respondent had failed to behave in a respectful manner and had, instead, engaged in personal abuse and had posted a gratuitously offensive online comment. The Panel emphasised it was a councillor's personal responsibility to be aware of the provisions in the Code and to ensure that they complied with them. The Respondent had been negligent in this regard.

The Panel was concerned that the Respondent had singularly failed to provide an apology to the complainer. The Panel was further concerned that the Respondent had failed to demonstrate any insight into the impact their behaviour may have had on the complainer and her ability to raise issues with the Council, or on the public's view of councillors in general. The Panel also noted that the conduct was not a one-off incident.

RIGHT OF APPEAL

The Respondent has a right of appeal in respect of this decision, as outlined in Section 22 of the Ethical Standards in Public Life etc. (Scotland) Act 2000, as amended.

Date: 17 May 2019



Ms Ashleigh Dunn
Chair of the Hearing Panel

Opening debate on trans issues

I note the timing of Councillor Gregor Murray's resignation from the SNP, the day before the Standards Commissioner suspended him for his abusive and insulting comments towards women.

Gregor Murray's pre-emptive outburst took no responsibility for his own actions and sought to blame others.

He also made a serious allegation that I invited far right hate groups into parliament.

This is completely untrue and is simply another ploy to shut women up.

My committee took evidence from women, including a leading human rights professor, concerned the census should continue to record biological sex because we need reliable data to plan services such as health.

Gregor Murray thinks that is transphobic.

Most people, including statisticians, think it is common sense.

Women verbally attacked by Gregor Murray, including myself, respect everyone's human rights including those of people who identify as trans.

However we question the proposals to allow any male to declare himself female or indeed "non binary", without any medical / psychological checks or safeguarding and without making physical changes to their bodies.

This "gender self identification" makes it difficult to enforce women's legal right to single sex spaces, such as changing rooms, sleeping accommodation and intimate services such as personal care for the elderly and disabled or support groups for traumatised women.

It takes a coach and horses through the principle of "consent". Accepting men as women in every respect is also disastrous for female sport. Women raising these concerns are not transphobic – and they certainly don't deserve the unprovoked abuse directed at them by the now suspended councillor.

Joan McAlpine. MSP

POLITICS

Trans councillor Gregor Murray suspended for abusing critics

Mark McLaughlin

May 16 2019, 12:01am, The Times



Gregor Murray described critics as “hateful and vile” and used the term Terf



Share



Save

A transgender councillor has been suspended from public office for calling feminist opponents “scum”.

Gregor Murray described critics as “hateful and vile” and used the term Terf (Trans Exclusionary Radical Feminist) in a derogatory way.

an outspoken supporter of trans rights, clashing with SNP MSPs such as Joan McAlpine. Ms McAlpine, who is leading an inquiry into proposals to allow people to identify their “trans status” on the 2021 census, lodged an official complaint with the Standards Commissioner for Scotland.

Murray, who rejects gender-specific terms such as he, she, Mr or Ms, said that Terf was “simply a descriptor”. However, the commission said Murray’s previous language showed that the term was intended to be abusive and issued a two-month suspension.

“The panel accepted that the respondent, as Scotland’s only openly trans elected representative, had suffered from unwarranted bullying and abuse, and that they were determined to stand up for the trans community. The panel nevertheless concluded that the respondent failed to observe the rules of good conduct,” it said.

Ashleigh Dunn, chairwoman of the commission’s hearing panel, said: “While politicians have an enhanced right of freedom of expression, they cannot simply indulge in offensive behaviour.

manner and in making a highly inappropriate comment online, went well beyond that which is acceptable.”

Murray resigned from the SNP before yesterday’s hearing, claiming to “not feel welcome or safe” in a party with “a major institutional problem with transphobia”. The councillor told *The Courier* newspaper: “For the past year I have had absolutely no support from the party HQ while fighting a series of overwhelmingly vexatious and scurrilous complaints.

“Councillors, MSPs and MPs have been openly transphobic for months, and the party hierarchy has done nothing to stop them. There are two main issues that Holyrood are considering right now that affect the trans community — the census and the Gender Recognition Act. Both of these policies are going through committees with transphobic conveners.”

Murray labelled the ruling “a miscarriage of justice” which would deter trans people from standing for elected office.

The SNP said: “We’re sorry that Gregor feels this way, but cannot agree with the claims being made.”

Ms McAlpine said: “I welcome the commissioner’s ruling and note that Gregor Murray jumped before being pushed. Any other male calling women disgusting names would be universally condemned.

“Councillor Murray’s abuse is not excused by a self-declared ‘non binary’ identity. Misogyny is misogyny no matter what pronouns you use.”

UK politics