

# Public Forum

Date: Tuesday, 5 July 2022



## Agenda

### 1. Petitions and Statements Received

Ref No	Name	Title
PP01	Naomi Raybould	Sommerville Road

(Pages 3 - 42)

PS01	Carolyn Magson	Make Bristol a Living Wage City
PS02	David Redgewell	Zero Emissions Transport West of England Committee & Joint Committee
PS03	Karen Self	Bristol celebrates Pride – Trans Rights Are Human Rights
PS04	Eileen Means	Cost of Living Crisis Golden Motion
PS05	Anna Melamed	Resident opposed to SILVER MOTION: TRANS RIGHTS ARE HUMAN RIGHTS
PS06	(Ald) Anthony Negus	Creating a shared vision for Bristol
PS07	Harry Dring	Issues with upcoming "SILVER MOTION: TRANS RIGHTS ARE HUMAN RIGHTS"
PS08	Laura J Welti – on Behalf of Bristol Disability Equality Forum	Cost of Living Crisis
PS09	Mark Hubbard – on Behalf of Voscur	Cost of Living Crisis
PS10	Louise Sommerville – Women's Voices Matter	Statement with regard to Full Council agenda item: SILVER MOTION: TRANS RIGHTS ARE HUMAN RIGHTS
PS11	Wendy Stephenson	Statement with regard to Full Council agenda item: SILVER MOTION: TRANS RIGHTS ARE HUMAN RIGHTS

Ref No	Name	Title	(Pages 43 - 52)
PQ01	Stephanie French	Bristol Tree Replacement Standard	
PQ02&03	Jessica Stewart	Clean Air Zone	
PQ04	Karen Self	SEV Nil Cap	
PQ05&06	Tom Bosanquet	St Lukes Road Crossing	
PQ07	Mark Ashdown	Marksbury Road	
PQ08 & PQ09	Anthony Negus	Mayoral Ways of Working	
PQ10 & PQ11	David Redgewell	Accessible Railways	
PQ12	Helen Faye	Marksbury Road	

**Issued by:** Oliver Harrison, Democratic Services  
City Hall, PO Box 3399, Bristol, BS1 9NE  
E-mail: [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)



## **PP01 Residents of Sommerville Road - Sommerville Road (42 signatures)**

Naomi Raybould will attend the meeting to present the petition.

For over 10 years concerned residents of Sommerville road have been working to address the traffic issues on this historic Victorian road.

The road is used as a short cut, by large amounts of traffic and heavy goods lorries, and with the rise of sat navs this has escalated to dangerous levels. We now have a traffic counter as part of wearepossible.org which provides traffic counters for residential roads in Bristol. The data shows that in the last two weeks alone, almost 60,000 cars and over 11,000 heavy goods vehicles passed through Sommerville Road. In peak times, there are 350 cars per hour, that's a car passing through at least every 10 seconds. This is one of the busiest residential streets in Bristol. It is time councillors took action to rectify this.

There has been an agreed list of issues this is causing. There is damage to the houses as lorries shake the foundations and there is visible damage to several houses from this shaking. Dangerous speeding vehicles at all hours of the day putting people at risk. Sheer volume of traffic putting people at risk and causing high levels of pollution.

These issues obviously put residents at constant risk, and the general public in danger as they pass by. Crossing the road is perilous. Considering this road runs along St. Andrews Park on the playground side, makes it even less acceptable. Many children cross the road each morning and afternoon on the way to school, but it is currently not safe to do so.

We have collected signatures from most of the residents of the road asking for action. Initially this was the 'Liveable Neighbourhood' scheme asking for the complete closing of Sommerville road at the Gloucester Road end. With a request that if this isn't possible or will take a long time, that traffic calming is put in place.

The suggestion would be for an extremely narrow section of road. This would be preferable to speed bumps as this would increase the damage to houses which is already occurring. This would encourage people to take alternative routes appropriate for large volumes of traffic, as well as preventing heavy goods lorries from passing at all, meaning the major noise and structural damage could be reduced. This would only be considered a short-term solution, as it may cause serious congestion on the road considering the current volume of traffic.

During May the road was closed for water works and we monitored the traffic in surrounding roads and as thought, the arduous nature of these put traffic off across the whole of the St. Andrews area, a real win for the whole community. It also enabled residents on the street to get together for a street party and stop to chat in the street – this had a significant positive effect on those living on the road who have felt they have lost any sense of community over the last 10 years as the traffic has continued to increase.

## **STATEMENT PS 01**

**Submitted by Carolyn Magson**

**Title: Make Bristol a Living Wage City**

Bristol is a very segregated city with significant red zone areas of deprivation. We are facing an unprecedented cost of living crisis, which is only likely to worsen over the next 12 months.

Whilst Bristol continues to grow and become one of the most popular areas to live in the UK, now more than ever it is crucial to support those for whom the gap is widening. Research shows that women, those from racially diverse backgrounds, and people with disabilities are disproportionately impacted by the cost of living crisis and often insecure employment and housing.

I am proud to live in a city which has managed to maintain the 100% council tax reduction scheme, when most councils haven't and is working hard to suspend unfair evictions from council properties. In addition to implementing the No Cold Homes strategy and maintaining free school meals during school holidays which has been a lifeline for many.

It's important that Bristol City Council continues to implement these initiatives with full support, in addition to keeping open children's centres and council nurseries and working to make Bristol a Living Wage City.

The government response to the crisis has been dire and this means that in order to protect its most vulnerable citizens BCC needs to continue to work hard to keep these initiatives but also look at other ways to support minority groups in particular at a local and community level.

## **STATEMENT PS 02**

**Submitted by David Redgewell**

### **Title: Zero Emissions Transport West of England Committee & Joint Committee**

We welcome this report for Zero Emissions Transport City Report and Decarbonation of the city transport system and the successful bid by Bristol City Council and the West of England mayoral combined transport Authority.

With city Mayor Marvin Rees and Metro Mayor Dan Norris. On Bristol and the city region journey to Net zero by 2030. The investment in sustainable transport with cargo bike, cycle, hangers cycle lanes and Bus priority measures. E bikes and E scooters are welcome part of the journey to net zero and East Bristol low Emissions neighbourhood's.

The introduction of Electrification of the city region bus fleet by 250 Electric buses at the Hengrove bus Depot of First Group plc West of England buses and Discussion with stagecoach group over their fleet in the city region by the west of England mayoral combined transport Authority.

Through the bus service improvements plan with West of England Mayoral combined transport Authority and North Somerset council. The bid forward through the Zebra Zero Emissions bus region area link to the city region transport corridor across the city region.

Routes like Whitchurch, Stockwood, Hengrove, Knowle, Bristol Temple Meads Station, Bristol City Centre, Park Street, Clifton Down, Westbury on Trym, Henleaze, Southmead, Henbury, Cribbs Causeway bus station, Bristol to East Bristol and Kingswood Network.

Hengrove, Knowle, Bedminster. Redcliffe, Bristol City Centre, UWE, Little Stoke, Cribbs Causeway bus station corridor are some examples of Electric bus routes. But many of the Greater Bristol transport corridor can be Electrified. This of course will help the removal of vehicles and pedestrian an of King Street, Old City and the Broadmead area.

The policy also supports the clean area Zone in city centre. The £500.000 Development funds are welcomed. The issue with improvements to our bus Network in the city region is the need for Public transport subsidies.

To maintain a bus Network of decarbonised routes and services will cost money through a transport levy to west of England mayoral combined transport Authority Mayor Dan Norris or a precepts from the Transport Authority to operate bus services and public transport like Great Manchester mayor Andy Burnham or West Midlands combined Authority mayor Andy streets.

At present we are funding 85 services across the city region and bus service will always require public subsidies on the journey to net zero with Electrification of the city region bus fleet.

At present Greater Bristol is paying £20 a head for public transport and Great Manchester £67 ahead for public transport. We welcome the success bid for the Zero Emissions transport city and the city council and the West of England mayoral combined transport Authority and North Somerset Council bus services improvements plan moving toward sustainable transport Network and Electrification of the city region bus fleet.

But in order to get people out of their cars and clean up city region transport Emissions we must invest in a public transport Network and sustainable transport. We must also need Electrification of the city region railway Network including metro west.

But this report is welcome in the city region move toward cleaning up Transport emissions in the city region. It must also be noted that some of the poorest communities in Central Bristol suffer poor quality and respiratory illnesses and Deaths. These are need improvements in public transport for access to jobs employment education health care shopping leisure and Tourism facilities. Disabled people also need more access to public transport.

We welcome the City Council Mayor Rees and Transport executive councillor Don Alexander and Metro mayor Dan Norris in the city region journey to Net zero. We want the Electrification of our bus Network as part the city region transport plan corridors.

Is the metro mayor Dan Norris working with councillor Steve Bridges and councillor Steve Hodges on the free travel on the 26th of July 2022 in North Somerset from Bristol/wells bus and coach station and Burnham on sea on all North Somerset bus service for the day. Should we not have free travel days in Greater Bristol for one Day - South Gloucestershire and the Cotswolds, Bath and North Somerset and the Mendip District.

The mayor should discuss marketing of bus rail coaches and ferry services with first group and stagecoach west hct faresaver small operators and Bristol ferry company.

We are looking forward to the Electrification of the of the bus Network and the city region railway Network.

David Redgewell - South West Transport Network

Ian Beckey - Gloucestershire catch the bus campaign.

Peter travis - Somerset catch the bus campaign.

## **STATEMENT PS 03**

**Submitted by Karen Self**

**Title: Bristol celebrates Pride – Trans Rights Are Human Rights**

As we enter this, the second week of Bristol Pride, I welcome the Silver Motion put forward to Full Council today. My Bristol is an inclusive city, a compassionate city and a city that accepts difference. I am a trans woman and I am pleased to call Bristol my home.

I am the vice-chair of Trans Pride South West. From small beginnings we have grown year-on-year and now host one of the leading trans pride events in the UK here in the city. We are actively supporting Bristol Pride this year. As an LGBT+ community we are united in this city to celebrate our lives and fight against those who speak against us.

Trans Pride South West exists to support the transgender, non-binary, intersex and gender non-conforming people in Bristol and the SW of England. We both celebrate and advocate for the trans community, being run entirely by volunteers with limited funding. We campaign for trans rights and acceptance, this Silver Motion very much reflects the things of concern to us. We now have close to 3000 followers on our key social media accounts and over 500 come to our pride event.

Trans people are in the front line of the culture war being waged by the Tories and their accomplices in right wing media. We struggle to get our voice heard against a cacophony of transphobic rhetoric, much of it aimed to scaremonger. The truth is that trans people are ordinary citizens trying to go about their lives. We are engineers, teachers, lawyers, health workers and every other profession you can think of. We make our contribution to society and the city just like any others, especially to its valuable cultural and LGBT+ economy.

I am pleased to have worked on this Silver Motion with a number of people from the Labour, Green and Lib Dem Parties. It is a perfect example of our elected councillors working with others to bring to the city a proposal for positive change. As the city contemplates the move to a committee system I hope this collaborative working is a template for the future.

## **STATEMENT PS 04**

**Submitted by Eileen Means**

**Title: Cost of Living Crisis Golden Motion**

I am pleased to read this timely motion and the points it raises and hope that all Political Parties can see their way to vote for it to protect Bristolians who are facing the really tough realities of severely curtailing the necessities of daily life in order to pay bills each month. The Golden Motion highlights some of the key factors highlighted such as housing costs across the board but especially in private rental costs, and of course rocketing fuel costs, but the pressure is being felt NOW by citizens of all ages.

Although Pensions for Older People have benefitted from the 'Triple lock' until last year when this Conservative Government broke their Manifesto commitment to uphold it, Pensioners in UK still have by far the lowest pensions in Europe and most of the developed world; it is insufficient to live on and made more so by the huge fuel increases faced by the entire population. Many older people are no longer choosing whether to "eat or heat" as in previous years but now feel that they cannot afford either of these basic human needs; reports are already coming in of older people switching off not only their heating but also other essentials like 'fridges and cookers. There will be deaths before their time this winter due to a combination of poorer nutrition and hypothermia.

Of course, families are likewise affected and making similar economies, but as this Motion states, women are disproportionately affected in that their earning power and subsequent pensions are still much lower than males. The gender gap has started to widen again, another shameful matter that the current Government is unlikely to address. I remember my mother giving my sister and I the last of the bread & jam when we were little and saying she was "not hungry" or "trying to lose weight" when we could see that there was none left – I never expected that our country would return to those times! But here we are in 2022.

The impact of Benefit freezes imposed under the guise of "austerity" policy initially imposed by the coalition government of Conservatives and Liberal Democrats have taken firm root and have already caused deaths of disabled people. Subsequent governments have enthusiastically followed suit to ensure that accessing benefits is seen as shameful, not a safety net that all civilised states should provide in their duty of care for their citizens.

So, I am pleased to see that this Council is doing what it can to assist the people of Bristol to cope with this cost of Living crisis. I would respectfully request that all political parties on this Council support this motion to protect the people of this City from the worst impacts. Particularly worthy of support is the 100% Council Tax reduction that has been maintained despite the horrendous cuts imposed on all councils since 2010 and the free services in Nurseries and Children's Centres that will help struggling women as well as very young children. The No Cold Homes strategy is forward looking and must be highlighted – but WHY oh WHY aren't Central Government funding this and making it easy? But the fact that we are here in such a crisis is a dreadful indictment of national Government. I commend Bristol City Council for doing what it possibly can to assist its citizens.



## **STATEMENT PS 05**

**Submitted by Anna Melamed**

**Title: Resident opposed to SILVER MOTION: TRANS RIGHTS ARE HUMAN RIGHTS**

I am a local resident, midwife, university lecturer and mother. I have a number of concerns with the following motion.

The most important being:

### **This Council Resolves:**

1. To recognise and affirm trans men are men, trans women are women, non-binary and genderqueer people's genders are valid, and trans rights are human rights.

This statement is in contradiction to the equalities act where single sex (as opposed to gender) services and distinctions are lawful when it is proportionate to do so. It is also in contradiction to the recent Forstater case showing gender critical views of legitimate and lawful - i.e. understanding and stating the difference between sex and gender.

The council cannot pass a resolution that does not recognise sex as a protected characteristic, nor change its fundamental definition as it is enshrined in UK law.

### **SILVER MOTION: TRANS RIGHTS ARE HUMAN RIGHTS**

#### **This Council notes:**

? Figures obtained by VICE Worlds News using Freedom of Information Requests to all 45 UK Police Forces[5] showed there were 6,363 reports of hate crimes based on sexual orientation in 2014-15, compared to 19,679 in 2020-21 (210% increase). For reports of transphobic hate crimes, there were 598 in 2014-15 and 2,588 in 2020-21 (332% increase).

All genuine hate crimes are to be taken seriously, but some of the incidents reported as transphobic hate crimes are in fact a matter of disagreement with an ideology, not persecution on the basis of someone trans status.

#### **? Stonewalls 'School Report' (2017) found:**

? 64% of trans pupils are bullied for being LGBT at school.

? One in three trans pupils (33%) are not able to be known by their preferred name at school.

? More than two in five trans young people (45 per cent) have attempted to take their own life.

These statistics come from a very unreliable and biased data. Thankfully, the figure is likely much lower.

<https://www.transgendertrend.com/the-suicide-myth/>

<https://www.transgendertrend.com/stonewall-school-report-what-does-suicide-rate-mean/>

Due to time pressure, I can't go through all the data below, but suffice to say the definition of 'transphobia' needs to be interrogated. For example, correctly identifying an adult's sex in situations such as child safeguarding (males identifying as women not being allowed to enter a girls changing room) might be considered good practice by some, but 'transphobia' by others.

See <https://fairplayforwomen.com/> for more detail

### **This Council Believes:**

- ? Bristol is a city that believes in gender equality and solidarity.
- ? Bristol has a strong history of being a progressive city connected and strengthened by diverse communities that represent it and are embedded in core values of equality, acceptance and solidarity.
- ? A full ban on conversion therapy is crucial to protect the entire LGBTQIA+ community, including LGBTQIA+ youth.

Young people experiencing gender or body dysphoria need time to explore their feelings and coming to terms with the immutable sex you were born into is not a poor outcomes. A life time of medication and surgeries entailing huge risks and side effects not least sterility and lack of sexual function may be the end result for some, but studies show that with support about 90% of young people desist and make peace with the sex they were born into, often becoming gay or lesbian adults. The rise of detransitioners and their heartbreaking stories must give us all pause for thought. <https://post-trans.com/Detrans-Resources>

It must extend to clearly protecting relation to sexual orientation, gender identity, and people with intersex variations, including surgical conversion therapy on intersex youth.

The number of youth with difference of sexual development needing any kind of surgery is vanishingly small, and the NHS already has compassionate evidenced based guidelines for treatment.

Sexual orientation needs to correction, just support. Gender identity can be a painful issue, needing support but not necessarily correction to the body.

To ensure this legislation is effective, it must clearly extend to protecting all people with minority sexual orientations and gender identities and who are intersex.

The three issues of sexual identity, gender identity and differences in sexual development are vastly different to each other and it does not good to anyone to conflate the three.

This includes clearly stating in the terminology it includes asexual, aromantic, intersex, non-binary, and genderqueer people as well as people with other minority sexual orientations and gender identities.

People with physiological differences in sexual development have nothing intrinsically in common with those who chose non-conventional sexual relationships.

? A full ban should also include practices even where consent has, nominally, been granted, recognising the disproportionate power relationships that often exist between providers and recipients of conversion therapies.

? More work can be done by the council to ensure all local services are inclusive to trans and non-binary people.

**This Council Resolves:**

1. To recognise and affirm trans men are men, trans women are women, non-binary and genderqueer people's genders are valid, and trans rights are human rights.

This statement is in contradiction to the equalities act where single sex (as opposed to gender) services and distinctions are lawful when it is proportionate to do so. It is also in contradiction to the recent Forstater case showing gender critical views of legitimate and lawful - i.e. understanding and stating the difference between sex and gender. The council cannot pass a resolution that does not recognize sex as a protected characteristic, nor change its fundamental definition as it is enshrined in UK law.

2. Facilitate and strongly encourage all council staff and Councilors to attend training to learn about the challenges faced by trans people.

3. Fly the trans flag on the International Trans Day of Visibility (31st March), International Non-Binary People's Day (14th July) and Trans Day of Remembrance (20th November)

## **STATEMENT PS 06**

**Submitted by Alderman Anthony Negus**

**Title: Creating a shared vision for Bristol**

Citizens of Bristol have decided overwhelmingly that its Council should conduct itself more democratically. From 2024 the mayoral system will be replaced by committees. We need to consider how this can work as democratically and effectively as possible, starting from now. Council should consider the merits of greater cooperation.

The current number of Councillors for each party means that no single world view has a majority, and this presents great opportunities for achieving consensus. More resource should be put into sharpening the committee system, drawing from the underspent budget currently allocated to the outgoing Mayor's office, with focus on allowing a wider range of opinions to be brought to bear much earlier in policy development, improving clarity and outcomes for residents.

Instead of a poorly resourced scrutiny function – presently examining policies and procedures at too late a stage, with limited background information, and with no real prospect of modifying decisions that have already been made - now it should be possible for Councillors to have real input into the formation of proposals from first principles. This will surely encourage pragmatic co-operation and minimise party tribalism.

Such an environment will encourage effective problem-solving, which is always better achieved from genuine and constructive discussion rather than from established pre-set positions, or bland compromise.

Council should grasp this opportunity to agree its common priorities, across all parties. This is easier than might be thought as there is much common ground across party lines when it comes to our basic objectives for the city. This broad consensus could be set as the foundation for fruitful debate about the best ways to deliver this vision for Bristol.

But there is an even bigger prize to be had: real democracy means that the people need to be better informed and more involved in making the decisions for their city. There must be a better conversation between citizens and the council. This might come from Citizens' Panels or through the rejuvenation of local decision-making forums like the Neighbourhood Partnerships scrapped by the current mayor.

We also need to ensure that businesses, charities, and other third sector organisations are more meaningfully engaged – again as they were before. The 'One City' structure needs to be turned round to encourage their contribution to the city's inclusive progress.

Bristol has a proud tradition of people-led solutions. So much that the city does, especially around crucial climate change measures, needs to be delivered by all our citizens and organisations. It is vital that such decisions are made with their co-operation and that everyone should feel part of that process.

This will require a different, more collegiate, way of working; breaking down barriers to inclusion and encouraging more views to be heard and incorporated. People should rightly expect their councillors to spend more time on seeking agreement rather than conflict – debate and discussion rather than argument and aggravation.

As well as creating a new, positive, shared vision for Bristol, this new approach will strengthen our position with the West of England Combined Authority – allowing the leader to speak with more authority than a single-party Mayor.

This referendum result presents an opportunity to do better than go back to the system before the mayoralty. The people have shown they want change – it is time for elected councillors, and the outgoing Mayor, to embrace the opportunity to co-operatively shape the future.

## STATEMENT PS 07

Submitted by Harry Dring

**Title: Issues with upcoming "SILVER MOTION: TRANS RIGHTS ARE HUMAN RIGHTS"**

This upcoming motion "TRANS RIGHTS ARE HUMAN RIGHTS" has just come to my attention, as has the very short deadline by which to submit responses. I'd like to offer the following points.

Firstly the huge list of impressive looking stats the motion includes are highly suspect with many of them being from low quality polling, soundly debunked already, or relying on a definition of "transphobia" that is so wide open as to include perfectly civil disagreements. I do not have time to attempt to go point by point, but the council really ought to make it their business to investigate these claims carefully.

Moving onto the proposals:

re: "A full ban on conversion therapy is crucial..."

This point is a singular failure to understand that within the therapeutic setting "affirmation" of a cross sex identity has been widely recognised as failing the test of neutrality. It sets a patient on a particular course at the expense of inappropriately foreclosing other possibilities. Meanwhile, a ferocious activist subculture exists that casts any failure to affirm as being hateful and indeed "conversion therapy". In reality the reverse is closer to the truth, with affirmation serving to actively "convert" a person towards aligning long term with an identity that may otherwise have been fleeting. \*This\* is why the govt. have paused in the attempts to ban gender identity conversion therapy, it cannot be defined in a reasonable manner, would prevent healthy exploration, and would itself enable gay conversion therapy. See recent case involving Dr Az Hakeem which makes these issues plain: <https://sex-matters.org/posts/healthcare/conversion-therapy-or-just-therapy/>

re: "1. To recognise and affirm trans men are men, trans women are women, non-binary and genderqueer people's genders are valid, and trans rights are human rights."

Other opinions exist and have legal protection (in particular as a result of Forstater v CGD). The council also needs to remain compliant with its PSED to provide single sex spaces and services. Can you explain how this can possibly all be integrated with taking an absolutist (and nonsensical) stance like the above?

I do not have time to respond in more detail except to suggest that this motion be delayed to allow for further responses and examination.

## STATEMENT PS 08

### Submitted by Bristol Disability Equality Forum

#### Title: Cost of Living Crisis

We share the Council's concerns regarding the cost of living crisis and its especially disproportionate impact of some parts of our communities.

Whilst we do not want to imply any 'hierarchy of disadvantage' between equalities' groups, we would like to make you aware of the additional financial pressures upon many Disabled Bristolians that others don't face, including:

1. 50% of households in poverty include one or more Disabled people meaning 43% of ALL Disabled people are living in poverty [government data].
2. Only 48% of Disabled people being in work [government data]. Some - the minority - are unable to work, but in more cases it's due to the wrong assumptions of many employers' as to what they are capable. Such assumptions lead to these employers not appointing Disabled applicants, leaving them unable to capitalise on the labour shortages in the way others of working age might be able to.
3. Repeated pieces of research have shown that the additional costs of being a Disabled person results in it costing them, on average, **£500-600pm** more to have to have a comparable quality of life to a comparable not-yet Disabled neighbour before even begin to take into account the price rises of the past two years. If you have what social care would define as "substantial needs" this cost is even higher. This is due to costs of having to pay for their maintenance, repair and replacement of any adaptive equipment or digital services related to their impairments e.g. stairlifts, electric door openers, platform lifts, etc, which are very expensive. For example, £160 pa **per piece** of the type of equipment listed above and you cannot get a policy that covers multiple pieces of equipment, enabling some 'bulk buy' savings. Furthermore, when asked to say what their 'labour only' charges were for replacing the tyres on a wheelchair, a local mobility company quoted £25per 15mins i.e. £100 per hour. We mention this to give you an idea just how exploited Disabled people when it comes to items that are essential to them.
4. In addition to the above, other examples of these additional costs as wide ranging as having to pay for:
  - ongoing service costs of digital support such as alarms to alert family you have had a fall.
  - The higher cost of ready meals/'meals on wheels' if their impairments mean they can't cook for themselves.
  - The additional costs of accessible taxis.
  - Extra warmth in the home during the winter and/or fans in the summer due to the impact of cold/heat on their impairments.
  - Being unable to do their own small household maintenance and repairs.
  - Clothing to be adjusted so it fits their body, when they have conditions which result in skeletal difference.

On top of all this, they now have the Spector of £86,000 debt looming – a debt which, with the compound interest they will have to pay on this money towards the cost of meeting their basic human needs if they have any assets whatsoever.

So, on top of the struggles all disadvantaged communities are experiencing during this cost of living crisis, please don't forget the multiple impacts Disabled people alone are facing.



## **STATEMENT PS 09**

**Submitted by Mark Hubbard – on Behalf of Voscur**

**Title: Cost of Living Crisis**

Voscur is the support and development agency for Bristol's Voluntary, Community and Social Enterprise sector (VCSE). Bristol's VCSE sector, working with other city partners, provides support to many diverse people and communities, particularly those that experience the greatest inequality. Such support was crucial to the city's response to the Covid-19 pandemic, with the sector playing its part in mitigating the impact of the pandemic on already disadvantaged communities.

Since then, the VCSE sector continues to provide support and enable people and communities to navigate through the post-pandemic period. We note, however, that some communities are still adversely affected by the pandemic and its aftermath. On top of a compelling and challenging two years, community organisations, and the people and communities they serve, are additionally susceptible to the current cost of living crisis.

Community organisations have, during the pandemic, experienced major challenges, with their finances, workforce and increasingly complex demands on their services. Organisations were forced to dip into their reserves, which affects their mid- and long-term sustainability. They experience staff and volunteer burn-out, which affects their ability to operate and respond to complex changes. They experience challenges with recruiting and retaining volunteers, which affects governance and service delivery.

The cost of living crisis is having a complex impact on Bristol's VCSE organisations. This crisis is on top of the pandemic, compounding existing challenges and Voscur is concerned about organisations' resilience, sustainability and capacity to serve the community in the years ahead.

Voscur welcomes the One City approach to our city's joined up response to the cost of living crisis. We welcome the Cost of Living Co-ordination Group and current discussions about a new appeal. We are working with Bristol City Council, Quartet Community Foundation and City Funds, to appeal to those Bristol households that may wish to donate some of the £400 relief grant due in October.

As with Bristol residents' fantastic efforts in neighbourhoods during the pandemic, we believe people want to support others now; part of this, we hope, may be the donation of the relief grant to support others. We aim to create an appeal in the run-up to October so that funds donated will be used to support Bristol VCSE organisations experiencing financial difficulties so that they can continue to provide fundamental services and support to people and communities that are disproportionately affected by the cost of living crisis.

## **STATEMENT PS 10**

**Submitted by Louise Sommerville (Women's Voices Matter)**

**Title: Statement with regard to Full Council agenda item: SILVER MOTION: TRANS RIGHTS ARE HUMAN RIGHTS**

I write individually and as a representative of a group of Bristol women who are disturbed that some aspects of the agenda item: SILVER MOTION: TRANS RIGHTS ARE HUMAN RIGHTS, on Tues July 5th, if implemented, may lead to sex Discrimination.

We believe the Motion is unlawful, is potentially a breach of the 2010 Equality Act and have written to the Equality and Human Rights Commission for clarification. No doubt the 11 points in the motion are well-intentioned and we all respect human rights as a key foundation of a democratic society. However, the Motion raises serious concerns that Council must consider.

Our key point is whether the Motion is lawful; does it stand up to scrutiny when Council takes into account its Public Sector Equality Duty, under section 149 of The 2010 Equality Act?

(1) A public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Ref: <https://www.legislation.gov.uk/ukpga/2010/15/section/149>

By choosing to recognise and affirm one specific belief-based position, the Council leaves itself open to the risk of legal challenge under equality law.

We are concerned that some of the definitions and the data used as references in the Motion are insufficiently defined and do not stand up to robust analysis. We have therefore provided an analysis of the links included in the Motion as an addendum to this statement.

We believe Implementation of this Motion puts Council at risk of being responsible for potentially serious negative and unintended outcomes; both for the groups they aim to protect, and for other vulnerable members of society. This includes people with the protected characteristics of disability and sexual orientation, as well as women, children and members of religious groups.

We draw your attention to this statement from the Motion:

"To recognise and affirm trans men are men, trans women are women"

The Equality Act defines 'Sex' as a Protected Characteristic and refers to a male or

female of any age. In relation to a group of people it refers to either men and/or boys, or women and/or girls.

‘Transgender’ is not a Protected Characteristic.

The lawfully defined Protected Characteristic is ‘Gender Reassignment.’

The term ‘gender identity’ is not defined in law, and should Bristol City Council choose to pass this Motion, it will therefore be open to legal challenge.

Legal Definition of sex according to the Equality Act 2010:

Part 2 (Equality Concepts), Chapter 1 (Protected Characteristics), Section 11 In relation to the protected characteristic of sex –

(a) A reference to a person who has a particular protected characteristic is a reference to a man or a woman

Ref: <https://www.legislation.gov.uk/ukpga/2010/15/section/4>

A comparator for the purposes of showing sex discrimination will be a person of the opposite sex. The Protected Characteristic of sex does not include gender reassignment or sexual orientation.

Ref: [https://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga\\_20100015\\_en.pdf](https://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf)

The statement “Trans men are men, trans women are women” is a matter of belief. This was confirmed by the June 2021 Employment Appeal Tribunal in the case of Maya Forstater

Ref: [https://assets.publishing.service.gov.uk/media/60c1cce1d3bf7f4bd9814e39/Maya\\_Forstater\\_v\\_CGD\\_Europe\\_and\\_others\\_UKEAT0105\\_20\\_JOJ.pdf](https://assets.publishing.service.gov.uk/media/60c1cce1d3bf7f4bd9814e39/Maya_Forstater_v_CGD_Europe_and_others_UKEAT0105_20_JOJ.pdf)

One of the findings was that Forstater was protected under s.10(2) of the Equality Act 2010 by virtue of her lack of the ‘gender identity belief’, defined as the belief that ‘everyone has a gender which may be different to their birth sex, and which effectively trumps sex so that ‘trans men are men and trans women are women.’

The EAT also pointed out that “the Gender Recognition Act does not compel a person to believe something that they do not”. Bristol City Council is subject to the Public Sector Equality Duty, and it must therefore “have due regard to the need to advance equality of opportunity between people who share a protected characteristic and those who do not [and] foster good relations between people who share a protected characteristic and those who do not”. Choosing to recognise and affirm one specific belief-based position could be perceived as discriminatory and a potential breach of your lawful Duty.

The terms ‘transgender’ and ‘gender identity’ have no legal definition, therefore we call on Council to state what their definitions are; definitions have an effect on the analysis we draw, and the statistics that are gathered.

It is essential that Council also define some of the other terms used in the motion, specifically; ‘Asexual’, ‘Aromantic’, ‘Non-binary’ and ‘Genderqueer’ in order to allow for

lawful interpretation of the motion and to clarify meanings for officers, employees, and the public, should this Motion be moved to pass.

With regard to this statement in the Motion:

9. To ensure there are accessible gender-neutral toilet facilities throughout the Council's property estate and to ensure there are menstrual care dispensers and sanitary bins in all toilets, regardless of gender, and to encourage best practices amongst its Community Toilet Scheme partners.

On Sunday July 3rd, a plethora of news reports stated that the Government intends to amend legislation to make the provision of single sex toilets mandatory in new public buildings. Therefore we question whether making toilets unisex is value for money for Bristol taxpayers.

“Single-sex toilets to be compulsory Government sources confirm move to curb the sole installation of gender-neutral facilities”

Refs:

<https://www.telegraph.co.uk/news/2022/07/02/single-sex-lavatories-mandatory-newpublic-buildings/>

<https://www.theguardian.com/world/2022/jul/03/single-sex-toilets-to-be-compulsory-in-all-new-public-buildings>

<https://www.dailymail.co.uk/news/article-10977551/Schools-hospitals-offices-single-sex-toilets-Government-confirm-week.html>

<https://www.independent.co.uk/news/uk/home-news/single-sex-public-toilets-compulsory-b2114721.html>

<https://www.lbc.co.uk/news/new-schools-hospitals-shops-and-offices-must-have-single-sex-toilets-govt-to-con/>

We also draw Council's attention to their Public Sector Equality Duty, to ensure any policy does not negatively impact protected characteristics, such as sex, disability and religion and belief. It is your lawful Duty to provide adequate single sex toilets and we specifically request that you note the current lack of provision for women. This is evidenced by presentations and reports from UWE Professor Emeritus Clara Greed.

We are in favour of the provision of unisex and disabled toilet facilities in addition to single sex facilities, but not in replacement. Public bodies must have due regard to all the protected characteristics, and must positively contribute to the advancement of equality and good relations between groups, otherwise this may contribute to greater inequality and poor outcomes.

Single-sex spaces and services for women are a legal right, specifically detailed in Equality Act 2010. Historically, the creation of women's toilets and changing rooms enabled women to participate in employment and public life more generally. Today, they provide everyday privacy and dignity for women in a society where we still suffer sexism and harassment for being female. Bristol City Council recognised these problems in its 'Women's Safety Charter', which specifically mentions single sex bathrooms. There are many reports of girls

who attend school, avoiding toilets and not drinking water during the school day, when there are no female-only facilities. This is unacceptable.

We hope that BCC have given due regard to British Standard code of practice BS 6465 Part 4 of the Sanitary Installations. Code of practice for the provision of public toilets.

We call on Members to ask themselves if providing menstrual product bins in men's toilets is a wise use of public money in the midst of a cost-of-living crisis?

Refs:

EHRC guidance on toilets/changing rooms/services for transgender people.

<https://www.equalityhumanrights.com/en/advice-and-guidance/genderreassignmentprovisions-equality-act>

Girls afraid of using the toilet

<https://metro.co.uk/2019/02/18/unisex-toilets-making-girls-afraid-use-toilet-period-shaming-sexual-harassment-8651242/>

UWE Professor Emeritus Clara Greed

[https://www.youtube.com/watch?v=aD92aLqgtTA&ab\\_channel=Woman%27sPlaceUK](https://www.youtube.com/watch?v=aD92aLqgtTA&ab_channel=Woman%27sPlaceUK)

British Standard code of practice

<https://civilnode.com/download-standard/10613156648758/bs-6465-4-sanitary-installations-part-4-code-of-practice-for-the-provision-of-public-toilets>

Bristol Safety Charter

<https://www.bristolnights.co.uk/womens-safety-charter>

<https://www.bristol.gov.uk/newsroom/prioritising-womens-safety-at-night>

<https://static1.squarespace.com/static/61265ff5ca997f3516dc6059/t/6231c5b51b46f840ab8bf80b/1647429049427/Womens+Safety+Charter+Print+Ready.pdf>

We draw your attention to this statement from the Motion:

2 Facilitate and strongly encourage all council staff and Councillors to attend training to learn about the challenges faced by trans people.

We believe that providing equalities training is essential for public bodies and politely request you consider engaging a provider who is conversant with the Public Sector Equality Duty and able to cover the all nine Protected Characteristics as stated in the Equality Act. Members and officers must ensure they are compliant with the Equality Act, so as to avoid being subjected to legal proceedings on the grounds of: Direct discrimination, Indirect discrimination, Harassment, Victimisation or a combination of all 4.

Equalities training providers tend to refer mostly to UK legislation however, there are also a number of European treaties to have regard too. It is important to choose a provider who recognises that gay men and lesbians are same sex attracted, not same gender attracted as referencing 'gender' rather than 'sex' may not be legally compliant; sexual orientation is a Protected Characteristic in the 2010 Equality Act, Training on diversity and inclusion should embrace the wide range of experiences, opinions, views and characteristics that makes us human.

- One in five people report a disability. About 6% have diabetes. 15% - 22% of adults of working age have disabilities.
- Most age groups have a higher proportion of females than males reporting a disability. Except for children aged 14 & below.
- 1 in 4 people will experience a mental health problem of some kind each year in England
- 1 in 6 people report experiencing a common mental health problem (like anxiety and depression) in any given week in England
- 6% of the UK population are informal carers. Mostly female and aged between 45 and 64. About 3.4% of adults of working age are Black.
- An estimated 3.1% of the UK population aged 16 years and over identifies as lesbian, gay or bisexual.
- About 1.3% are Hindu.
- The total trans population of the UK is estimated to be between about 0.3% and 0.75% - no accurate figures available until ONS census statistics are released
- About 51% of the UK population is female.

Refs:

Government Family Resources Survey

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/874507/family-resources-survey-2018-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/874507/family-resources-survey-2018-19.pdf)

Office for National Statistics

[https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality#:~:text=An%20estimated%203.1%25%20of%20the,percentage%20from%202014%20\(1.6%25\).](https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality#:~:text=An%20estimated%203.1%25%20of%20the,percentage%20from%202014%20(1.6%25).)

Government Equalities Office

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721642/GEO-LGBT-factsheet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721642/GEO-LGBT-factsheet.pdf)

Scope

<https://www.scope.org.uk/media/disability-facts-figures/>

<https://www.mentalhealthresource.org.uk/facts-and-figures>

We draw your attention to this statement from the Motion:

4. Write to the Secretary of State for Health and Adult Social Care to call for the government to:

- Commit to effectively and regularly consulting trans and non-binary people and groups in the design and delivery of trans and non-binary healthcare.

This is unnecessary because consultation with patients and members of the public must already be carried out by NHS England and Clinical Commissioning Groups (CCGs) through activities such as Patient and Public Involvement (PPI) under their existing legal obligations.

NHS commissioners have a legal duty to make arrangements to involve the public in commissioning. Additionally, they have a duty to promote equality under the Equality Act 2010 and seek to reduce health inequalities under the NHS Act 2006.

Ref:

<https://www.england.nhs.uk/wp-content/uploads/2017/05/patient-and-public-participation-guidance.pdf>

We draw your attention to this statement from the Motion:

5. To work with all four Bristol MPs to help coordinate joint cross-party initiatives within parliament to bring forward a full ban on conversion therapy that includes gender identity.

To ensure this legislation is effective, it must clearly extend to protecting all people with minority sexual orientations and gender identities and who are intersex. This includes clearly stating in the terminology it includes asexual, aromantic, intersex, nonbinary, and genderqueer people and people with other minority sexual orientations and gender identities.

The Government's proposal on conversion therapy confused sexual orientation and "being transgender" (which it failed to define), and applied the concept of "conversion therapy" to both of them as if they were the same. It conflated two entirely different things: sexual orientation – which is a verifiable characteristic and has little or no impact on others – and gender identity, which is unclear and legally undefined.

Some activists campaigning for this ban have used a fear-mongering approach suggesting there is an epidemic of conversion therapy across the country. In fact there is no evidence for this. Further references are available in our addendum.

There are several potential negative outcomes to this conflation and proposed ban:

The Equality and Human Rights Commission have expressed concern that the proposed legislation lacked a sound evidence base, and that it risked preventing "legitimate and appropriate counselling, therapy or support which enables a person to explore their sexual orientation or gender dysphoria" and "criminalising mainstream religious practice such as preaching, teaching and praying about sexual ethics".

Criminalising a vaguely defined practice of "gender identity conversion therapy" will make it harder for clinicians to provide responsive, precautionary care for such children.

Dr Hillary Cass has been commissioned by the Department of Health to lead the current 'Review on Gender Identity Services for Children and Young People.'

The Cass Review is examining why there has been such a rise in children experiencing gender dysphoria and seeking to transition and how best to support these children and their families. She is undertaking an intensive study considering questions around clinical models and treatment pathways, including the best clinical

approach for individuals with other complex presentations, the benefits, risks, harms and effects of puberty blockers and the reasons for the increase in referrals of children, particularly girls.

Rushing through any conversion therapy legislation concerning the treatment of children presenting with gender dysphoria before the outcome of the Cass Review is released would be irresponsible and counterproductive.

The Cass Review Interim Report (although the review's terms of reference "do not include consideration of the proposed legislation to ban conversion therapy") highlights the lack of knowledge about the population of children and young people being referred to gender clinics and their outcomes, inconsistent data collection and lack of "some of the normal quality controls that are typically applied when new or innovative treatments are introduced".

There is a need to provide those children and young people with "the same standards of clinical care, assessment and treatment as every other child or young person accessing health services", and such a ban on "conversion therapy" for those with gender dysphoria puts this level playing field of care at risk. The full findings of the Cass review must be considered, once published, in order to inform ideas around banning "conversion therapy" for people with gender dysphoria.

Ref: <https://cass.independent-review.uk/publications/interim-report/>

Without defining gender identity conversion therapy clearly when discussing a ban on conversion therapy, there is a risk of health professionals and counsellors, who already feel under pressure to take a purely affirmative approach to a young person with gender dysphoria, failing to explore their needs fully before embarking on care pathways that can have significant medical and psychological effects on those young people, some of whom will not be suitable candidates for such pathways.

The current text does not protect legitimate therapists and clinicians, there is a lack of safeguarding and as it stands, would rely on a child, or other patient, self-declaring that they are "questioning," rather than "trans."

Gay and lesbian young people are most put at risk of 'conversion therapy' through medical transition. That would be a disastrous unintended consequence should this ban go ahead in its current form. Early evidence indicates that children who present with gender dysphoria are young gay men and lesbians whose gender dysphoria usually resolves once puberty has passed.

Criminalising a vaguely defined practice of "gender identity conversion therapy" will make it harder for clinicians to provide responsive, precautionary care for children.

It is essential that therapists feel confident to explore the reasons why a young person is experiencing gender distress. For example, anecdotally, some therapists are reporting that some individuals presenting with gender distress are suffering from



internalised homophobia and are actually gay or lesbian. Others have experienced sexual abuse and are seeking to escape their sexed bodies (see, for example, a recent interview with therapist Stephanie Winn).

Threatening therapists with claims of performing conversion therapy for discussing these possibilities with clients (as happened recently to Dr Az Hakeem is simply leading to fewer therapists willing to work with young people with gender issues. This is exacerbating waiting lists and therefore, actually further harming young people with gender distress.

Conversion therapy legislation would contribute to the climate of fear for professionals, organisations and parents who do not support an affirmation-only approach to gender identity. This will leave more young people facing one-way pressure to transition physically rather than being accepted as being gender non-conforming (and possibly same-sex attracted). It will thus promote a modern form of “conversion” and homophobia.

The provisions against conversion talking therapy could also be used to isolate “trans widows” from support. A trans widow is a woman (usually heterosexual) whose male partner or husband believes that they have a gender identity other than “man” or who cross dresses.

Often women also report having experienced that their husband or partner has autogynephilia (AGP), a sexual fetish for wearing women’s clothing. Partners and children of transitioners are some of the least heard voices. There is growing evidence that many trans widows are subject to domestic abuse and coercive control. They must be able to access support which does not force them to affirm their partners opposite sex identity, or treat them as abusers if they do not. Any organisation or professional taking a non-affirmative approach is likely to be censured as being involved in “conversion therapy”.

Existing criminal law already outlaws abuse and physical harm, as well as child cruelty, neglect and violence. This will be used to criminalise dissent with gender ideology. Existing criminal law means that no act of harmful physical violence done in the name of conversion therapy is legal in this country. Assault, rape and the forcible administration of drugs are already punishable with fines and life imprisonment. There is no evidence from police reports that abusive practices are in fact taking place with a “conversion” motivation.

We draw the Council's attention to the heartbreaking testimony from young people who have “desisted.” These are individuals who identified as trans, underwent pharmacological and/or surgical interventions many of who are now harmed for the rest of their lives; some are without sexual function, some are infertile, others have missing body parts and a range of horrendous health conditions. If there had been a ban on conversion therapy in place, how would these young people recover their lives, and come to terms with being gay or lesbian young people?

We reject the term “intersex” which is referenced in the motion. This is an outdated term, and can be considered defamatory by people with the medical condition, clinically referred to as a ‘Disorder of Sex Development.’ The 46+ DSD conditions are specific to either male or female people. Conversion therapy for these individuals would likely be considered a breach of Article 3 of the European Convention on Human Rights. Academic studies and advocacy groups for people with DSDs respectfully request that their medical condition is not conflated with the unscientific, undefined term, ‘gender identity.’

Refs:

Disorders of Sex Development

<https://www.ncbi.nlm.nih.gov/books/NBK279170/>

<https://www.sciencedirect.com/topics/medicine-and-dentistry/disorders-of-sex-development>

Article 3 of the European Convention on Human Rights.

<https://www.equalityhumanrights.com/en/human-rights-act/article-3-freedom-tortureand-inhuman-or-degrading-treatment>

<https://sex-matters.org/wp-content/uploads/2021/11/Sex-Matters-Conversion-Therapy-Position-Paper.pdf>

<https://post-trans.com/Detrans-Resources>

With regard to this statement in the Motion:

6. To continue supporting the improvement of services in Bristol to be fully accessible to trans and non-binary people, working with recognised trans-inclusive services and not taking advice from or awarding contracts to organisations that promote an anti-trans agenda or propaganda.

Making access to council services dependent on an ideological position could mean the council breaching equality legislation by discriminating on the basis of belief. Gender critical beliefs (the belief that sex is real and important) are protected by the Equality Act.

Ref: EHRC guidance

<https://www.equalityhumanrights.com/en/advice-and-guidance/gender-reassignmentprovisions-equality-act>

We have some questions for Elected Members to consider:

If an organisation is gender critical, a legally protected belief (Forstater), would that organisation be excluded from contracts? Would this be considered potentially discriminatory and unlawful?

- Who will take legal responsibility for the decisions and will this process be covered by Council’s indemnity insurance?
- How will the single-sex exemptions legislated for in the EA2010 be enacted?
- What is the financial impact and which budget would be affected?
- How would the Council define an “anti-trans agenda”?
- How would the Council define “anti-trans propaganda”?

Ref:

[https://assets.publishing.service.gov.uk/media/60c1cce1d3bf7f4bd9814e39/Maya\\_Forstate\\_r\\_v\\_CGD\\_Europe\\_and\\_others\\_UKEAT0105\\_20\\_JOJ.pdf](https://assets.publishing.service.gov.uk/media/60c1cce1d3bf7f4bd9814e39/Maya_Forstate_r_v_CGD_Europe_and_others_UKEAT0105_20_JOJ.pdf)

With regard to this statement in the Motion:

7. Conduct an audit of Council services to ensure they are as accessible as possible to trans and nonbinary people.

The council needs to consider all protected characteristics when commissioning services. Ignoring different needs could put Council in breach of equality law. There are circumstances where it is lawful to provide services on the basis of sex. The Equality and Human Rights Commission recently provided updated guidance for providers of single sex services.

We respectfully request that should this audit go ahead, it also includes disabled adults and children, women, babies, infants and children. It is notable that some of the city's facilities are either difficult to access, or inaccessible to groups with Protected Characteristics. We refer Council to the Equality Act 2010 'Guidance on matters to be taken into account in determining questions relating to the definition of disability,' with specific reference to page 54 of the legislation..

Ensuring facilities are accessible to all people with Protected Characteristics, including, and not limited to: age; disability; pregnancy and maternity; religion or belief may be of reference with regards to Council's policies on inclusion.

We draw Members attention to the needs of women with the protected characteristic of religion or belief and their requirement to access single sex changing rooms, showers, toilets and swimming sessions. This is of particular relevance to Muslim and Orthodox Jewish women and girls.

National charity Women's Aid have stated how crucial it is to provide single sex provision for women and girls who have experienced male violence. A rape crisis support charity in Brighton is currently being sued under the Equality Act over their failure to provide female-only support groups.

We also have some questions for Members

- What services would be affected?
- What is meant by a service being fully accessible to trans and non-binary people?
- What would non-fully accessible & -fully accessible services look like?
- What are the potential financial impacts and which budget would be utilised?

Refs:

Equality Act 2010 disability definition

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/570382/Equality\\_Act\\_2010-disability\\_definition.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/570382/Equality_Act_2010-disability_definition.pdf)

Protected Characteristics

<https://www.legislation.gov.uk/ukpga/2010/15/section/4>  
Single-sex services Guidance | Equality and Human Rights Commission  
<https://www.equalityhumanrights.com/en/our-work/news/guidance-published-provider-s-single-sex-services>  
Women's Aid: Single sex services statement  
<https://www.womensaid.org.uk/womens-aid-single-sex-services-statement/>  
BBC News - Woman suing rape charity over transgender row -  
<https://www.bbc.co.uk/news/uk-61958346>

With regard to this statement in the Motion:

8. Look into what we can do as a Council as an employer to support further those who identify as trans and non-binary and to protect them from transphobic harassment within their roles.

The Council already has legal obligations under the Equality Act to protect all employees with Protected Characteristics in the workplace from harassment, and the Public Sector Equality Duty includes the requirement to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act, advance equality of opportunity between people who share a protected characteristic and those who do not, and foster good relations between people who share a protected characteristic and those who do not. These should be upheld and enforced.

With regards to this statement in the Motion:

10. Encourage schools to follow expert legal guidance outlined by the Good Law Project. That it will consider publishing a 'Trans Inclusion Toolkit' for our schools (as available in Brighton). That it will act on any known instances of anti-trans literature or propaganda being sent into our schools.

We draw your attention to legal cases which have led to "Trans Inclusion Toolkits" being withdrawn. The Trans Inclusion Toolkit has been withdrawn by councils in Warwickshire, Oxfordshire, Doncaster, Leicester City and Shropshire, after a court case in Oxfordshire highlighted safeguarding concerns. The Allsorts Trans Inclusion Schools Toolkit was being used in Kent schools and has recently been withdrawn from schools by Kent County Council, pending investigation into the legality of the guidance.

Refs:

Oxfordshire Council legal case which led to "Trans Inclusion Toolkit" being withdrawn  
<https://rse-get-it-right.org.uk/concerns/>  
<https://safeschoolsallianceuk.net/category/legal-action-occ-our-updates/>

Schools are advised to follow Department for Education guidance about teaching related to stereotypes and avoid inferences that a child may be in the "wrong body".

"You should not reinforce harmful stereotypes, for instance by suggesting that children might be a different gender based on their personality and interests

or the clothes they prefer to wear. Resources used in teaching about this topic must always be age-appropriate and evidence based. Materials which suggest that non-conformity to gender stereotypes should be seen as synonymous with having a different gender identity should not be used and you should not work with external agencies or organisations that produce such material.”

Ref:

<https://www.gov.uk/guidance/plan-your-relationships-sex-and-health-curriculum#planning-your-curriculum>

Additional guidance was issued in February this year on political impartiality. Although it does not introduce new statutory requirements, the guidance does underline some of the limits on teaching on controversial or otherwise political issues. This guidance, together with future guidance that the Government is understood to be planning, are highly relevant to the one-sided teaching of gender identity ideology as fact.

The motion also calls for the Council to "act on any known instances of anti-trans literature or propaganda being sent into our schools". The motion does not define what material would be caught by such an action. However, you may know that a number of gender critical organisations including Sex Matters and Transgender Trend have produced approved education packs for schools on the teaching of gender identity and that these are available free of charge for all providers to use.

Refs:

Legislative guidance

<https://www.gov.uk/guidance/plan-your-relationships-sex-and-health-curriculum#planning-your-curriculum>

<https://www.gov.uk/government/publications/political-impartiality-in-schools>  
FREE school resource pack

<https://www.transgendertrend.com/transgender-schools-guidance/>  
Guidance for Schools

<https://sex-matters.org/posts/updates/schools-guidance/>

We draw Council's attention to this request in the Motion

11. For the Mayor and Party Group Leaders to write to the Home Secretary calling for:

- An action plan on tackling LGBTQIA+ Hate Crimes within the UK.
- Prevented deportation of LGBTQIA+ refugees to Rwanda and a review into applications for LGBTQIA+ refugees claiming asylum status within the UK.

Three documents provide us with high quality analysis of what is perceived and recorded as a “hate crime” or a “non-crime hate incident”. They detail some of the risks of negative outcomes from the reporting and recording of hate crimes or non-hate crime incidents for different groups and illustrate the potential this has to contribute to greater inequality between groups with different protected

characteristics.

The first is a publication from Doughty Street Barristers Chambers which states:

Police forces have at last begun completely to delete unlawful records of alleged 'Non-Crime Hate Incidents' (NCHI) following the Court of Appeal judgement in *The Queen on the application of Miller v College of Policing* [2021] EWCA Civ 1926.”

Ref:

<https://www.doughtystreet.co.uk/news/complete-deletion-police-records-non-crime-hate-incident>

The second is a submission to the Scottish Parliament on proposed hate crime legislation by Transgender Trend, who describe themselves as ‘a non-religious, apolitical organisation founded in 2015 by parents and professionals concerned about the trend in referrals of children and young people to gender identity clinics and the erosion of sex-based rights in particular for girls.’ They call for robust evidence-based policies in healthcare and education and their submission illustrates with examples how hate crime legislation and practice may be used to undermine the rights of women and girls.

Ref:

[https://archive2021.parliament.scot/S5\\_JusticeCommittee/Inquiries/JS520HC392\\_Transgender\\_Trend.pdf](https://archive2021.parliament.scot/S5_JusticeCommittee/Inquiries/JS520HC392_Transgender_Trend.pdf)

The 3rd reference is an article in *The Critic* which states:

“Of the five monitored strands that the police record as hate crimes, the transgender category has, every year, and by some distance, seen the least number of “hate crimes” against it. In fact, religion — the next-lowest — saw nearly three times as many incidents in the last recording year.

The evidence of a rise in hate crime that many politicians refer to when talking about transgender individuals is due to new College of Policing guidance that arrived in 2014. These state that the “defining factor” in whether something is measured as a hate crime is “the perception of the victim, or any other person”. Many of these seem to be so subjective that they are absurd - such as someone beeping their horn at a fellow motorist, who then reported it to the police as a racist attack - and at least one force has admitted it has included, in its hate crime statistics incidents in which no crime had actually taken place.

Another report revealed that police officers are victims of hate crime incidents in almost half of all hate crime prosecutions. This presumably includes the young man with autism who made the mistake of asking a trans-identified female police officer, “Are you a boy or a girl?” He was convicted.

The clearest indicator of the extent to which a community is “marginalised and

abused”: the murder rate of those within it. Because there is no stable definition of what constitutes a “trans person”, there is no standardised method for recording the deaths of trans people across the UK. However, we know that there have been just eight reported murders of people who defined themselves as transgender, transsexual or cross-dressers in the UK since reporting began in 2008. Even trans organisation Transrespect, which includes people who have died by suicide and people whose death was originally and erroneously treated as suspicious in their numbers for “murdered” victims, says the number from 2008 to 2020 is eleven.

Even though we have seen a sharp rise in the number of people who identify as transgender in the last few years, a trans person has not been murdered in the UK for nearly three years and there are, for example, no reports ever of a trans person in Scotland, Wales or Northern Ireland being murdered.

Moreover, not one of even the eleven people Transrespect says were murdered, were killed due to “transphobia”. The victim in each case was typically murdered by a male sexual partner due to drugs or money issues. None were killed by a woman — and one was killed by a man who identifies as a woman.

According to the Channel 4 fact check, the average adult in England and Wales has a one-in-100,000 chance of being murdered in a given year whereas the average trans person has a one-in-200,000 to one-in-500,000 chance of being murdered in the UK over the course of a year (it is now almost certainly nearer the top end due to the murder rate dropping below one per year since then). It concludes that a trans person is less likely to be murdered than the average person. In fact, a trans person is less likely to be murdered than just about any other accepted category or identity.”

Ref:

<https://thecritic.co.uk/ neither-marginalised-abused-nor-vulnerable/>  
Channel 4 Fact Check

<https://www.channel4.com/news/factcheck/factcheck-how-many-trans-people-murdered-uk>

In conclusion, we hope any policies being enacted have comprehensively assessed for compliance with your Public Sector Equality Duty, to ensure there is no negative impact on any of the protected characteristics, including, but not limited to; sexual orientation, sex, disability, age, race, religion and belief.

We welcome the opportunity to meet with Councillors and make representation to Elected Members, sub-committees and/or Full Council at a subsequent meeting, in a timely fashion. In the interests of full disclosure, we will be sending this statement to media representatives.

We believe that women have the lawful right to be able to communicate with Members with regards to the rights of women and children, some of which may be breached, if this Motion passes.

regards,

Louise Somerville, as an individual, and on behalf of the signatories listed below.

Signatories who are Bristol residents

Clarissa Payne  
Linda Byrne  
Dr Margaret Page  
Alison Wren  
Jo Gaylor  
Wendy Stephenson  
Vera Carr  
Jo Priest  
Jacquie Beere  
Alice Hartley  
Kate McEwan  
Anna Melamed  
Elaine Hutton  
Linda Byrne  
Ange Crossley  
Marjorie Caw

Co-signatories who work or study in Bristol / come into Bristol for meetings

Emma Smith  
Francesca Aylett.  
Elizabeth Gerty  
Sarah Quick  
Tina Johnston  
Raquel Rosario Sánchez  
Tanya Slatter

Co-signatories whose values are aligned with those expressed in this statement

Bo Novak  
Sarah Phillimore  
Lisa Ware  
Emma Thomas  
Sue England  
Deborah Stephens  
Cllr Nicola Holland

Women's Voices Matter South West

A grassroots collective who advocate for the rights of women and girls

Further analysis regarding the data used as an adjunct to the motion is below.



The sources listed in the Motion may contain some useful information, but their outputs should not be taken uncritically as high-quality research data that represents all trans people for the reasons we have given below:

This Council notes:

- Figures obtained by VICE Worlds News using Freedom of Information Requests to all 45 UK Police Forces 5 showed there were 6,363 reports of hate crimes based on sexual orientation in 2014-15, compared to 19,679 in 2020-21 (210% increase). For reports of transphobic hate crimes, there were 598 in 2014-15 and 2,588 in 2020-21 (332% increase).

Please note, that the above data refers to reports, not crimes where someone was charged. We refer you to our previous comment which states:

“Of the five monitored strands that the police record as hate crimes, the transgender category has, every year, and by some distance, seen the least number of “hate crimes” against it. In fact, religion — the next-lowest — saw nearly three times as many incidents in the last recording year.

Ref: <https://thecritic.co.uk/neither-marginalised-abused-nor-vulnerable/>

With regard to:

- Stonewalls ‘School Report’ (2017)

The Stonewall statistics have been critically examined by both Transgender Trend. This study, as well as 2 similar previous studies, is flawed, in fact, to date, there has been no properly controlled study.

Activists have misused this study to ‘prove’ an extraordinarily high suicide attempt rate relating to trans-identified young people.

Statistical analysis on this study, as well as the associated Stonewall data, has been extensively carried out by Transgender Trend and Professor Michael Biggs. Their analysis suggests that the flawed Stonewall data is serving to obscure a child and adolescent mental health crisis, especially in girls. The “transgender” category may be covering up the scale of suicide attempts and self-harm rates of girls and young women. It also makes invisible the number of young lesbians of this generation who are “identifying” out of both their natal sex and lesbianism.

The Stonewall report does not control for risk factors of: suicidal feelings relating to, existing mental health problems, autistic spectrum disorder, family problems, troubled backgrounds, being in care, or previous trauma or childhood sexual abuse. It did control for BME pupils, disabled pupils and pupils with free school meals. When you are looking at the emotive subject of suicide, you have to be very careful not to attach just one reason and pre-existing mental health problems are an important factor to consider.

The way that suicide statistics are being used, both in the referenced report, and the

Council Motion is very dangerous. The NHS's Tavistock GIDS has suggested that suicidality amongst those who are referred to the service is "extremely rare" and a study by Professor Biggs found that children with autism, depression or anorexia are many times more likely to take their life than a child with gender identity issues. A US study in 2018 found that LGBT children experience a higher rate of suicides from the very low base of heterosexual boys, but the biggest issue was whether they were female or not: transgender, lesbian and bisexual females all saw a similar rate.

Ref: Suicide statistics analysis

<https://www.transgendertrend.com/the-suicide-myth>

The entire description of this report's recruitment of respondents (p42 - Methodology) [[https://www.stonewall.org.uk/system/files/the\\_school\\_report\\_2017.pdf](https://www.stonewall.org.uk/system/files/the_school_report_2017.pdf)] reads "Between November 2016 and February 2017, 3,713 LGBT young people aged 11-19 from across Britain completed an online questionnaire asking about their experiences at school, online and at home." There is therefore no way to know how representative this self-selecting group is of the whole "trans pupil" population, which itself is hard to define. Caution should also be applied when relying on (and especially when sharing) statistics such as "More than two in five trans young people (45 per cent) have attempted to take their own life." without providing any further context.

For example, the reported rates of suicidality may well reflect the fact that disproportionate numbers of trans identifying young people have co-morbid conditions such as autism, ADHD and anxiety. For example, the High Court in *Bell v Tavistock* noted that "It is recorded in the GIDS [Gender Identity Development Service] Service Specification and the wider literature that a significant proportion of those presenting with GD [gender dysphoria] have a diagnosis of Autistic Spectrum Disorder (ASD)."

The National Autistic Society notes that "autistic people are at an increased risk of suicidal thoughts and attempts, compared to non-autistic people". In addition, an interim report published by the Independent Review of Gender Identity Services for Children and Young People (The Cass Review) earlier this year notes "The mix of young people presenting to the service is more complex than seen previously, with many being neurodiverse and/or having a wide range of psychosocial and mental health needs."

By reporting "LGBT" as a group, the statement "64% of trans pupils are bullied for being LGBT at school" does not give meaningful information about whether those pupils were bullied for being "trans" or for being Lesbian, Gay or Bisexual.

Refs:

<https://www.autism.org.uk/advice-and-guidance/topics/mental-health/suicide>

<https://cass.independent-review.uk/wp-content/uploads/2022/03/Cass-Review-Interim-Report-Final-Web-Accessible.pdf>

With regard to

- Stonewall's 2018 'LGBT in Britain Trans Report

The above report's methodology section on p23 says about recruitment, in total: "Between February and April 2017, 5,375 lesbian, gay, bi and trans (LGBT) people across England, Scotland and Wales completed an online questionnaire about their life in Britain today, which was administered by YouGov on behalf of Stonewall.

Participants were recruited through the YouGov panel, as well as an open recruitment that circulated through a wide range of organisations, community groups and individuals." YouGov is a research data and analytics group that supports marketing activities, and is not related to the Government. There is no evidence that this was a survey of a representative group.

Stonewall is sadly no longer a credible voice for LGB people. They have recently been taken to the Employment Tribunal by lesbian barrister Allison Bailey, the hearing has concluded but no judgement has been published yet.

Public and private organisations have been leaving the Stonewall Diversity Champions scheme in droves, including the Bristol, North Somerset and South Gloucestershire NHS CCG, the Department for Health and the Department for Education. The House of Commons and the House of Lords have also left Stonewall, as have the BBC.

We call on Bristol City Council to echo the decisions of numerous Government Departments, media and civil society organisations, as well as neighbouring council Bath and North East Somerset, and end its expensive allegiance with Stonewall.

Refs:

List of organisations affiliated to Stonewall, and those who have left

<https://sex-matters.org/stonewall-champions-list/>

On Leaving Stonewall

<https://www.thetimes.co.uk/article/stonewall-dropped-by-health-department-6tzlzxqq8>

<https://www.theguardian.com/media/2021/nov/10/bbc-quits-stonewall-diversity-scheme-impairity-concerns-transgender-issues>

<https://www.bbc.co.uk/sounds/brand/p09yjmph>

Allison Bailey

<https://www.independent.co.uk/news/uk/stonewall-lgb-alliance-clerks-london-b2074893.html>

<https://www.telegraph.co.uk/news/2022/05/10/lesbian-barrister-allison-bailey-claimsemployer-crushed-spirit/>

<https://www.theguardian.com/law/2022/apr/29/barrister-allison-bailey-stonewall-discriminated-against-for-gender-critical-views-tribunal-hears>

With regard to

- Trans Actual UK 'Trans Lives Survey 2021: Enduring the UK's hostile environment'

Media Transphobia:

This report's [ <https://www.transactual.org.uk/trans-lives-21>] description of recruitment within its methodology section (p13) section reads: "Recruitment took part via social media as well as through trans community groups. There were 702 responses to the survey, however 5 responses were ineligible. Four individuals were under 18, and one reported identifying as a hippo. This report relates to the 697 eligible respondents."

This is not a representative sample because of the varied and self-selecting recruitment methods. The report does not define what is meant by transphobia, despite the word appearing 131 times in the document.

Definitions matter in this area; transphobia has been used in recent times to describe anything from women's rights, any discussion of proposed changes to the Gender Recognition Act, accidental mis-gendering, or stating that homosexuality is defined as same-sex attraction.

With regard to:

- Just Like Us Report 'Growing Up LGBT+' (2021)

The "Just Like Us report , while independently commissioned, does not provide a definition of transphobia or transphobic bullying. ie. transphobic bullying" can mean all sorts of things

According to a recent Times article, "Children as young as 11 — including those with learning disabilities' — are being bullied in Scottish schools for questioning transgender ideology and failing to use appropriate pronouns.

Safeguarding Our Schools Scotland (SOSS), a campaign body, said dozens of parents had raised concerns in recent months over pupils being ostracised by their peers and branded "transphobic".

It said the cases it was aware of did not include malicious behaviour towards trans children but involved young people who struggled to understand and accept the decision of their peers to switch 'gender'."

Refs:

<https://www.thetimes.co.uk/article/b41f87ca-fa46-11ec-9dc9-dea4f592180c?shareToKen=01e6eae1a3121bf7355bbef79986d83e>

Full text version: <https://archive.ph/ohvYN>

<https://www.justlikeus.org/wp-content/uploads/2021/11/Just-Like-Us-2021-report-Growing-Up-LGBT.pdf>

With regard to:

- Galop's 'Hate Crime Report 2021

This report's methodology (p62) states: "An online survey was created and

distributed via Galop's social media accounts on Twitter and Facebook and through partner organisations. The survey was live for 4 months from the start of April through to the end of July. It received 1123 responses. However, only 723 had been a victim of anti-LGBT+ violence or abuse and were therefore eligible to complete the remainder of the survey.

A further 200 respondents did not reach the end of the survey, resulting in 523 complete responses. In addition to the survey, 15 qualitative interviews were conducted with victims of anti-LGBT+ violence and abuse, who were recruited via Galop's social media accounts. There were also a number of qualitative questions on the survey.

This self-selecting survey distributed via social media is not a representative sample.

With regard to:

- Stand Against Racism & Inequality (SARI), based in Bristol

It should be noted that a recent 'Trans Toolkit' written by SARI was rejected by Bristol, North Somerset and South Gloucestershire NHS Clinical Commissioning Group after the CCG carried out an Equality Impact Assessment and noted it discriminated against other groups: The SARI toolkit was found to have a negative impact on the protected characteristics of age, disability, religion/belief and sex.

Without disaggregating this data by group, it is not clear how many of these individuals required support because of a trans identity. For example if the 40 referrals were 25 gay men and 15 lesbians who were not transgender, then this data would not be relevant to this Motion.

Refs:

<https://bnssgccg.nhs.uk/get-involved/surveys-and-consultations/engagement-equality-impact-assessment-supporting-trans-people-best-practice-guidance/>

<https://www.bristolpost.co.uk/news/health/health-chiefs-not-endorse-trans-5628804-consultations/engagement-equality-impact-assessment-supporting-trans-people-best-pbnssgccg.nhs>

With regard to:

- The National LGBT Survey (2017)

While the UK Government states in its report "The prevalence of conversion therapy in the UK" on October 2021

[<https://www.gov.uk/government/publications/the-prevalence-of-conversion-therapy-in-the-uk/the-prevalence-of-conversion-therapy-in-the-uk>], "There is no representative data on the extent of conversion therapy in the UK. The National LGBT Survey provides our best evidence of the proportion of LGBT people having been offered or receiving conversion therapy over their lifetime. Like the majority of the international studies, it uses a self-selecting sample." It goes on to say "These findings, along with some of the available international evidence, suggest that transgender people are

more likely to be offered and receive conversion therapy than non-transgender people. However, it is not possible to infer why this is the case.

None of the surveys with transgender respondents asked whether respondents were offered or received conversion therapy because of their sexual orientation or gender identity. This can further obscure a fuller understanding of the true picture of the nature of conversion therapy.”

No definition of conversion therapy was provided in the survey: “The National LGBT Survey 2017 asks the question “Have you ever had so-called ‘conversion’ or ‘reparative’ therapy in an attempt to ‘cure’ you of being LGBT?” and so respondents will have responded with their own view of what they considered to be conversion therapy.” The survey did not ask respondents when their experiences took place.”, so there is no way to know from this data, which are currently the best we have, if these practices are currently being experienced.

Associate Professor Michael Biggs from the Department of Sociology and Fellow of St Cross College at the University of Oxford has thoroughly analysed the statistics quoted to uphold this section and they lack integrity. As far as one can tell, no academic social scientist was involved in this research. It was overseen by Richard Matousek who is an ‘independent researcher’ at a marketing research company, Kantar. He has only one other research project listed on the website.

The respondents were not sampled from a defined population, as in a proper scientific survey. Instead, they were recruited online by the same organisations that are campaigning for legislation. The pamphlet does not provide the questionnaire completed by the respondents, as is standard in scientific research.

A study by Professor Biggs found that children with autism, depression or anorexia are many times more likely to take their life than a child with gender identity issues. A US study in 2018 found that LGBT children experience a higher rate of suicides from the very low base of heterosexual boys, but the biggest issue was whether they were female or not: transgender, lesbian and bisexual females all saw a similar rate.

Ref:

<https://www.transgendertrend.com/conversion-therapy-gender-identity-survey-analysis/>

<https://www.transgendertrend.com/suicide-by-trans-identified-children-in-england-and-wales/>

## **STATEMENT PS 11**

**Submitted by Wendy Stephenson**

**Title: Statement with regard to Full Council agenda item: SILVER MOTION: TRANS RIGHTS ARE HUMAN RIGHTS**

It has come to my attention that there is a motion for Tuesday's Council meeting entitled "Trans Rights Are Human Rights". Motions received for 5 July FC.pdf (bristol.gov.uk)

I am writing to ask you to review this motion from a legal perspective and ensure that it is withdrawn before it reaches the Council Chamber. I have set out below in the letter that I have written to several councillors the potential legal pitfalls of the proposed motion.

Of course, trans rights are human rights, that is indisputable, but I do not believe that this motion advances the cause of trans rights and only serves to drive a wedge between the rights of trans identified people and others, particularly women.

The following has been written with advice from a legal professional.

The Public Sector Equality Duty (as set out in section 149 of the Equality Act 2010) requires all public authorities in the exercise of their function, to have due regard to the need to: eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Protected characteristics are:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation
- marriage and civil partnership

You will note that gender identity is not a protected characteristic. Far from fostering good relations and advancing equal opportunity between people, this motion seeks to promote the rights of people who subscribe to a particular ideology over and above those who believe in biological reality.

The motion contains many factual inaccuracies. Not all information sources within the motion are referenced. Lack of time prevents me from addressing each point in the motion but I must take issue with the following.

## Suicide

The motion states:

“More than two in five trans young people (45 per cent) have attempted to take their own life.”

This is not true.

This frequently repeated claim that 41% of 6,450 transgender respondents said they had attempted suicide at some point in their lives is taken from the National Transgender Discrimination Survey.

However, a 2021 paper notes that the participants were recruited through transgender advocacy organisations and subjects were asked to “pledge” to promote the survey among friends and family. This recruiting method yielded a large but highly skewed sample. By targeting transgender advocacy groups, the survey underrepresented the experiences of transgender individuals who are not politically engaged. Also, a very high number of the survey participants (nearly 40%) had not transitioned medically or socially at the time of the survey, and a significant number reported no intention to transition in the future.

More information on this subject can be found at [statsforgender.org/mortality](https://statsforgender.org/mortality) including a link to a report that investigates how this statistic has affected conversations about the injustices transgender identifying people face.

## Schools

I am a member of Bristol Education Research Group (BERG) which is concerned with the wellbeing and safeguarding of children. We have been contacted by parents of children at several Bristol schools who are worried that their children are being taught gender identity ideology as fact. This, despite 2020 government guidance Planning Your Relationships, Sex and Health Education that states under the section Ensuring Content is Appropriate:

“You should not reinforce harmful stereotypes, for instance by suggesting that children might be a different gender based on their personality and interests or the clothes they prefer to wear. Resources used in teaching about this topic must always be age-appropriate and evidence based. Materials which suggest that non-conformity to gender stereotypes should be seen as synonymous with having a different gender identity should not be used and you should not work with external agencies or organisations that produce such material.”

School staff with no mental health or clinical experience are facilitating the social transitioning of children.

Councillors will be aware of the Interim Cass Report which acknowledges that social transitioning carries significant risk for children. It is “an active intervention...It is not a neutral action” (Interim Cass Report 5.19) and it warns that taking this step could set vulnerable children on a pathway to more serious and irreversible treatments.



The Lib-Dems' motion proposes the development of a 'Trans Inclusion Toolkit' for schools. Oxford County Council withdrew such a toolkit in 2020 after legal action was taken. Other councils such as Doncaster, Essex, Shropshire and Warwickshire followed suit.

The motion calls for the Council to "act on any known instances of anti-trans literature or propaganda being sent into our schools." Are we to surmise that the belief that sex is binary, immutable and important is considered anti-trans propaganda by the Lib-Dems? Following the judgment in *Forstater v CGD*, Councillors will be aware that this belief is protected under the Equality Act 2010.

### Conversion Therapy

The motion calls for the Council "to work with all four Bristol MPs to help coordinate joint cross-party initiatives within parliament to bring forward a full ban on conversion therapy that includes gender identity."

The Interim Cass Report states:

"at primary, secondary and specialist level, there is a lack of agreement, and in many instances a lack of open discussion, about the extent to which gender incongruence in childhood and adolescence can be an inherent and immutable phenomenon for which transition is the best option for the individual, or a more fluid and temporal response to a range of developmental, social, and psychological factors." (Interim Cass Report 1.7)

Cass also states:

"...it is standard clinical practice to undertake a process called differential diagnosis. This involves summarising the main points of the clinical assessment, the most likely diagnosis, other possible diagnoses and the reasons for including or excluding them, as well as any further assessments that may be required to clarify the diagnosis and the treatment options and plan. This is important when a medical intervention is being provided on the basis of the assessment, so the process is robust, explicit and reproducible. These considerations need to be applied to the assessment of children and young people presenting with gender-related distress. In mental health services, practitioners may also undertake a diagnostic or psychological formulation, which is a holistic summary of how the patient is feeling and why, and how to make sense of it, and a plan for moving forward with management or treatment." (Interim Cass Report 5.18)

A full ban on 'conversion therapy' which included gender identity as promoted by the Lib Dems would close down the range of options open to therapists and only allow for the 'affirmative model' of treatment which leads to any child presenting with gender distress being set on an irreversible transition pathway.

### Transphobia

Much of the motion relies on the use of the word 'transphobia'. This is not defined. However, if it refers to the belief that sex is binary, immutable and important, this belief is

protected in law (see above). This belief is commonly held, as is the belief that women are adult human females and have the right to single sex spaces, sports, short-lists and awards. Men and women cannot change sex. Sex is a biological reality, observed in utero and recorded at birth. Gender is a social construct. It is not 'transphobic' to say so.

It would be wrong to even consider this motion without first defining terms, undertaking a thorough fact checking exercise, and an Equality Impact Assessment.

# Full Council – 5 July 2022

## Agenda item 6 b

### Public questions



#### Procedural note:

##### Questions submitted by members of the public:

- Questions can be about any matter the Council is responsible for or which directly affect the city.
- Members of the public who live and/or have a business in Bristol are entitled to submit up to 2 written questions, and to ask up to 2 supplementary questions. A supplementary question must arise directly out of the original question or the reply.
- Replies to questions will be given verbally by the Mayor (or a Cabinet member where relevant). Written replies will be published within 10 working days following the meeting.



\*point of explanation - where a person has asked two questions on the same topic they are on the same line. Where topics are different they have different lines.

<b>Ref No</b>	<b>Name</b>	<b>Title</b>
PQ01	Stephanie French	Bristol Tree Replacement Standard
PQ02 & 03	Jessica Stewart	Clean Air Zone
PQ04	Kaz Self	SEV Nil Cap
PQ05 & 06	Tom Bosanquet	St Luke's Road Crossing
PQ07	Mark Ashdown	Marksbury Road
PQ08 & 09	Anthony Negus	Mayoral Ways of Working
PQ10 & 11	Railfuture Severnside	Accessible Railways
PQ12	Helen Faye	Marksbury Road



## QUESTION PQ 01

**Subject: Bristol Tree Replacement Standard**

**Question submitted by: Stephanie French**

Dear Mr Mayor,

Question: I should like to know if there has been a change in Policy with regard to the Bristol Tree Replacement Standard (BTRS) which is being implemented by the Planning Department but which has not been published.

Background: Since 1st January 2013 a Policy to mitigate for the loss of trees felled to facilitate development has been in place. The number of trees required to be planted as replacement trees for those felled to facilitate development depends upon the trunk diameter of the “lost” trees.

The replacement trees should be planted either on the piece of land being developed, if there is space, or within a mile of the development on public land. In this latter case they will be planted and maintained by the Council, and a financial contribution will be made by the developer to pay for that planting. The Policy is set out in BCS 9 and DM17 of the Core Strategy, and the table of the number of trees required and the size of the financial contribution can be found in the Planning Obligations document as well as in DM17.

On 14th May 2021 I commented upon a Planning Application (21/02301/H) because, if permitted, there would be the loss of a Walnut Tree on the land, and under the terms of the BTRS, there should be replacement tree planting in mitigation, either on the remaining land or nearby.

On 17th February 2022 I was sent notification of the Decision for this Application, which permitted the building development, but to my surprise went on to say “The proposed development would require the removal of an existing 6m T1 Walnut Tree. The stem diameter of this tree was measured at 36cm.” and “The tree officer recommended that due to the small size of the garden and available planting space it is suitable to reduce the Bristol Tree Replacement Standard mitigation from 3 trees to 2 trees in order to offset the loss of the existing T1 Walnut Tree”.

This is a new interpretation of the BTRS. According to the BTRS a third tree in mitigation was required, which, if there was no land at the development site to accommodate it, should have been planted on public land, albeit at a charge to the householder of £765.21 or £3,318.88 depending upon whether or not the tree would be planted in grass or in hard standing. With the loss of a tree at 36 cm diameter the requirement for three trees and not two was not “at the margin”.

I have been trying without success to discover from Planning Officers why this decision was made and to ascertain if the Policy has changed.



**QUESTION PQ 02 & PQ 03**

**Subject: Clean Air Zone**

**Question submitted by: Jessica Stewart**

Dear Mr Rees,

Although it is good that you have pledged to improve air quality in Bristol, the Clean Air Zone is likely to make matters worse for people living on the edge of it, such as the pupils at Victoria Park Primary School, where the road outside is predicted to have hundreds more vehicles per day, likely to be dirty vehicles seeking to avoid paying the charge. At the school we need a budget of £5000-£6000 to install air purifiers to protect children's' lungs and indeed their ability to learn, which is also affected by poor air.

Q1: How much of the £42million budget for supporting people with the effects of the CAZ has been invested, and is there a predicted underspend?

Q2: Is there any provision for air purifiers in schools on roads likely to be affected, and if not can any underspends be used?



**QUESTION PQ 04**

**Subject: SEV Nil Cap**

**Question submitted by: Kaz Self**

With reports that a decision will soon be made with regards the proposed nil-cap on SEV's, will the consultation results be made available beforehand for the decision makers and the citizens of Bristol to see?

And a follow up if answer is no:-

What was the point of the consultation if those in charge at Bristol City Council are just going to sweep the results under the table? The people of Bristol were asked for an opinion, their voices should be the ones listened to when the decision is made.



**QUESTION PQ 05 & PQ 06**

**Subject: St Luke's Crossing**

**Question submitted by: Tom Bosanquet**

Mr. Mayor.

We're a year further on down the line & still without any progress on getting the funded and much needed crossing on St. Luke's Rd, a route that many children & families use daily to get to school & Victoria Park and which continues to be either clogged with motor vehicles or plagued by speeding motorists.

You've wrung your hands & promised progress/updates many times, including back in November last year when a large number of local children challenged you to provide updates. I'll also note that you've also not replied to my latest email for updates sent in the middle of May. It continues to be very tiring & depressing - local residents feel daily the lack of attention to giving proper priority & safety to people walking & cycling. When local issues are brought to you they are so often met with an air of disdain, as though the important details are below your lofty position. There is, of course, some truth in your proclamations about the role of city leaders globally, but the lack of attention local details here in Bristol certainly feels like a major part in the general dissatisfaction voters have with you and the role of Mayor in general.

I would ask for updates, but I have a distinct fear that we'd simply be kicked down the road yet again. I would ask whether the sense of dissatisfaction resonates in any way with you, but feel that this would only be stirring an already depressing pot.

I would ask who I should pressure for movement on this issue, but know that my excellent councillors are already finding that clear answers are elusive.

I would ask how it is acceptable that pedestrians & cyclists still get so little attention compared with the users of private motor vehicles, but imagine that you'd highlight the minor priority & infrastructure gains typically focused on Bristol City Centre that have appeared in the last few years, while also bemoaning a lack of central funding (something I certainly agree is a major issue).

So it feels that there aren't many helpful questions possible! What a state of affairs..  
I'm still going to try though:

**Question 1) Can you give us a clear update on progress for the St. Luke's Rd crossing and a date for when we will get our crossing?**

**Question 2) How many other CIL funded projects remain outstanding around Bristol?**





**QUESTION PQ07**

**Subject: Marksbury Road**

**Question submitted by: Mark Ashdown**

On 5 October 2017 Bristol City Council transferred land registered under title BL95371 (described as Land on the east side of Brixham Road Bristol) to Alex Fry Properties Ltd for a consideration of £6,009. The transfer was subject to the following covenant:

Restrictive covenants by the Transferee (include words of covenant)

For the benefit of the Retained Land the Transferee (with intent to bind all persons in whom the Property shall for the time being be vested but so as not to be personally liable for the breach of any restrictive covenant after the Transferee shall have parted with the Property) hereby covenants with the Transferor in manner following (that is to say):-

Not at any time to carry on or permit to be carried on upon the Property any trade or business whatsoever nor to use or permit the same to be used for any other purpose than as garden or amenity use ancillary to the use of 149 Marksbury Road Bedminster Bristol BSB SLD as a house for residential use nor to do or suffer to be done in upon or to the Property any act or thing which shall or may be or become a nuisance or annoyance to the Transferor or any person for the time being owning or occupying any adjoining or neighbouring property

A planning application has been made for the demolition of 149A Marksbury Road and the erection of five single storey dwellings on land to the rear - 21/00843/F | 149/149A & Land to rear Of Marksbury Road Bristol BS3 5LD. This is the same site as that described under the title and plan of BL95371. If this planning application is granted any attempt to develop the site in accordance with the consent sought will be in breach of the above covenant.

Question:

**If this planning application is granted and the developer proceeds to develop the site, will the Council proceed to enforce the benefit of its covenant to prevent this?"**



**QUESTION PQ 08 & 09**

**Subject: Mayoral Ways of Working**

**Question submitted by: Anthony Negus**

1. Will the mayor explain how he is adapting his method of working to respect the clear result of the people's vote for a more democratic decision-making process in Bristol?
2. Has the mayor learned from a prominent parallel national saga that loss of popular support shared by a substantial proportion of party colleagues is properly addressed here in Bristol by a signposted statesman-like transition to a genuine engagement with citizens and their elected representatives?



**QUESTION PQ10 & PQ11**

**Subject: Accessible Railways**

**Question submitted by: Railfuture Severnside**

Question 1

Will the city mayor Marvin Rees agree that whilst we welcome the investment in Bristol Temple Meads and Temple Quay and an upgraded railway station interchange and new housing hotels schools and the upgrading of the London Paddington to Bristol parkway and Cardiff Central and Chippenham. That with modernisation of the signalling central from Bristol to Didcot the use of helicopter and Drones and 4 track on Filton Bank to Bristol Temple meads from Bristol parkway. But with a modern railway work force.

The real issue for the Department for Transport is to work with Bristol City Council, West of England Mayoral Combined Transport Authority and North Somerset Council. Metro Mayor Dan Norris and Western gateway transport Board and Grant Shapps Secretary of State for Transport. To finish off Electrification from Chippenham to Bristol Temple Meads and Bristol Parkway/ Patchway. To reopen the Bristol Temple Meads to Pill and Portishead metro west Bristol Temple meads to Henbury via Ashley Down, Filton Abbey, Filton North and Henbury. Opening Portway parkway. Charfield, Salford, St Anne's Park and Ashton Gate stations. To making all local stations fully accessible in the city region.

Questions 2 .

With the equalities plan. Does the city mayor Marvin Rees agree that we still need to make progress on access to stations at Lawrence Hill, Stapleton Road, Parson Street, Bedminster, Nalisea and Backwell, Weston super mare, Oldfield Park. And need to progress a fully accessible public system in the city region in partnership with the west of England mayoral combined transport Authority, Dan Norris metro mayor and North Somerset council. Including buses, coaches, interchanges and Harbour ferry services and ferry stops and interchanges like Bristol Temple meads.



**QUESTION PQ12**

**Subject: Marksbury Road**

**Question submitted by: Helen Faye**

In 2017 the land to the rear of Marksbury Road/Lydford walk/Dawlish Road was sold by the council with the assurance that that was being done with a covenant, that protected it from any use apart from agricultural purposes and definitely prohibited from being built on. As residents we didn't object to this. Unfortunately we find ourselves in a position of trying to prevent planning permission being agreed - which by its very nature suggests a possibility that if granted would give credence to the covenant being challenged by the developer. It was also clear at the time that the land would be maintained and my question is what has the council done/or plan to do to ensure this is complied with?

By maintaining I don't mean just bulldozed indiscriminately with wildlife not considered and with piles of vegetation just left until it eventually rot back down and the vegetation grown back (as has happened on a couple of occasions, leaving an eye sore for many months until it renews. As owners of the land the council had a duty of care to us to ensure this land was dealt with appropriately.

**So will you ensure the covenant remains in place, protecting the land and its inhabitants and advise the owner of the duty to maintain the land appropriately?**

