



The Rt. Hon. Kemi Badenoch MP
Secretary of State for Business and Trade
Minister for Women and Equalities
House of Commons
SW1A 0AA

2nd January 2024

Dear Secretary of State,

I am writing to you regarding the concerns about your ability to adequately fulfil your duties as Equalities Minister. As a result of the Gender Recognition Order statement, your appearance before the select committee and your wider conduct, I have significant concerns about your ability to adequately fulfil your duties as Equalities Minister. These instances have led me to write to you, to set out in detail these concerns and why they must be addressed.

You recently said, "We have to do better than this." I agree with you completely. But that must start with ourselves [1].

This letter will base itself on statements by you and the claims you have made and actions you have taken. If any of these are inaccurate, I will be happy to publish clarifications and hope you will seek a clarification/retraction from the outlet of origin which published said article. As these have been available for some time, without correction, I believe they represent an accurate picture.

Before I set out my concerns regarding your ability to fulfil your duties. I begin this letter by clarifying what I refer to when I use the phrase 'culture wars' (for the benefit of others and clarity). I will also explain why they are harmful, why I believe you have engaged in and imported them from the US. I then bust the myth that culture wars are vote winners before setting out why they are harmful to society. Then I will move onto the main subject matter, namely my concerns regarding your ability to adequately fulfil your duties.

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What are 'Culture Wars'?

The term "culture wars" itself has been in existence for a while. The modern culture wars are a new invention. They have recently been created and intensified, beginning in America and imported here through fringe media outlets and politicians jumping on a bandwagon. For those who aren't aware of the term, as you or I will be, the most concise definition is 'disagreements about social/cultural beliefs between groups' [2]. For a more rounded view, it describes 'A conflict between two irreconcilable world views, usually fought on single issues' including questions on morality, who we are as a people, how we live together' [3 & 4].

For some time now, in my view, you have been engaging in these culture wars. I know that you will try to unpick any criticism which uses evidence that does not reference what you have said in your own words. So that is what I will do.

During the 2023 Conservative Conference, you said "The left accuses us of fighting a culture war. But we will not apologise for fighting for common sense" [5]. You also said, "We have been in the grip of an underlying economic, social, cultural and intellectual malaise" [6]. You warned those advocating identity politics are seeking to 're-racialise society' [7]. You also wrote to the museum of London regarding a study you found concerning on ethnicity and the plague [8]. These are just a snapshot of comments you have made and topics which you have diverted attention to.

Your next criticism will likely be, 'They are not culture wars but common sense' or you were purely 'acting on concerns.' You may phrase it however you wish, however it is not 'common sense' when it is not something widely shared until people feel the need to bow to peer pressure. It is not 'acting on concerns' to seek an inspection on the taxpayer because someone made a vague claim or statement. You have waded into issues that are supposedly 'divisive' because you believe it is a vote winner, I will set out why this belief is misguided and wrong. This can only lead to the conclusion that someone who would behave in this way has sought not to improve this country, but to weaponise issues to further their own career at the expense of vulnerable groups of people. This is not Conservative. Conservatives seek to serve, not self-serve.

Vote winner or loser?

Culture wars are seen by some, as a vote winner, something that 'most ordinary working people' support. This is not only wrong, it is deeply insulting and patronising to 'ordinary working people' and makes them seem as simple and small-minded as culture war proponents when they are anything but. Based on your own words, I believe that you see them as something to utilise, to try to be the voice of the people and standing up for 'common sense' [9]. I also believe you see them as a way to further your career and to attack rivals within your own party. I believe based on your statements that you see yourself as a moral crusader.

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A majority of people say politicians' focus on these issues is negative for society and is done primarily for political benefits [10]. A real-world example is Scott Morrison, who is no longer the Prime Minister of Australia. He, and his party, tried to go down this route in an election - the public did not care for it. They voted for the left-wing Labour party, which spoke to them on the issues they cared about such as the economy and healthcare [11 & 12].

We as Conservatives may disagree with left-wing parties on areas such as the economy. However, when it is the primary concern of voters, and we ignore it to talk about issues that don't affect them and ones they do not care about, we lose. I do not want that to happen, as I am sure you will agree. For a more concise example, Trump lost in a landslide victory for President Biden, for precisely the same reason. Instead of learning the lesson, republicans are doubling down [13]. I do not want us to suffer the same fate because we did not learn the lessons either.

Above all that, one article which might particularly interest you is one by your ally, Michael Gove [14].

The myth of culture wars being a vote winner has well and truly been busted at all elections where they have been put at the centre of a party's campaign. Culture wars have been shown, not to represent the people. Those who push culture wars and make it their primary focus, are not successful.

Why are 'Culture Wars' harmful?

Culture wars are harmful due to their very nature and the harm can be exacerbated easily. They are designed to reduce issues to a binary, to create an us VS them narrative with no in-between, to rile people up with emotion based on opinion not fact, and to utilise the newest moral panic to further an agenda. They are harmful because they divide society and are designed to be outrage factories, by pitting two sides of something against one another. The sole purpose is to generate views, engagement, sell adverts, and make money. They have little regard for the harm to society and individuals and put the designated target of the current moral panic at risk.

The creation of a new moral panic based on trans people is a newer culture war. Trans people are the most likely group to experience discrimination, violence and harassment [15] whilst also being more likely to be victims, not perpetrators [16]. Whilst I don't engage on whether the 'positive' or 'negative' labels are accurate, I use these for statistical purposes. The Daily Telegraph, in the first month of 2016, published 10 articles on trans people. In 2023 it was 75 - a 650% increase. It's a similar story for the Daily Mail. In the first month of 2016, it published 22 articles, in 2023 it was 115 - a 733% increase. This coincides with a clear shift in attitudes, which did not begin to shift until coverage started to increase [17].

There is a high level of toxicity and division, predominantly in the media, on social media and particular special interest/lobby groups. Most people don't care about culture wars, they care about food not being on the table, struggling to get a job or reliable public transport. This isn't a priority because it's not an issue for voters. Polling suggests more than half of voters believe politicians invent culture wars to distract from other issues and do not rank it as one of their top issues [18].

Now that I have set out what culture wars are, how you have engaged in them and described the harm they cause, I move on to my concerns regarding your ability to fulfil your duties

Concerns regarding your ability to fulfil your duties.

You said during a select committee appearance, "We have to use facts" and "we can't just make stuff up" [19]. This is deeply troubling given your claims and statements, coupled with the absence of any attempt to correct the record or retract.

Leadership Contest (Summer) 2022.

During the summer leadership contest debates, you made a number of incorrect statements in regard to Penny Mordaunt. It is a reasonable assumption, in my view, to say that this was done to further your own chances by tearing down an ally to LGBT+ people. When corrected, you did not apologise and retract them. Based on your response to similar criticisms of you, I know that you will ask what I refer to, so I will quote your own words.

In an article, you said, "I'm not going to call [Mordaunt] a liar, I think it's very possible she genuinely did not understand what she was signing off because it's a very complex area" [20 & 21]. This is not only a deeply patronising statement, particularly in regard to someone who held an office significantly more senior to you, but in regard to someone who is highly capable and competent. In the Channel 4 debate, you asserted that the previous minister wanted self-ID and that was something you reversed. Your assertion was that Penny was responsible. Not only is this incorrect because Penny was not the previous Minister to you. It was Baroness Williams and Victoria Atkins who preceded you as junior ministers and Amber Rudd preceded Liz Truss as the minister of state.

Penny went on to correct you by saying "That's not correct and this will all be on record in government." You doubled down, with a lack of an apology or retraction, instead telling Liz Truss to "tell the truth Liz, tell the truth." Based on your inability to accurately identify who your predecessors were, how can we be certain your assertions on who was responsible for what, are any more correct? [22].

You were challenged again on this in the following ITV debate. https://www.youtube.com/live/JL2GPPuxjn4?si=xhYG-e92Xga6_BcA (37.00 - onwards) [23]. Despite being corrected, you continued with your claims and smears against Penny. You said, "When I took on the role of equalities minister we had to change existing government policy which previous ministers had put in place." To the best of my knowledge, no policy or plan of action to implement it had been formally announced or confirmed to the public at that point. You continued by saying "I don't know how that would be the case [that Penny didn't agree with the policy] if she had been the previous minister." Penny then corrected you for the second time on this matter, and informed you she "wasn't the previous minister." During the course of her rebuttal to your incorrect statements, you said, "I'm just telling the truth, I'm telling it as I saw it."

Despite repeated corrections of your claims, which were based on an inaccurate recollection of who your predecessor was, you persisted. I can only conclude that the purpose of this, was to tear down and smear a dedicated public servant, a hugely talented cabinet minister and a decent woman - for the sole reason that she refused to lower herself to the indignity of the culture wars you engage in. If this was not the case, you would have apologised privately and publicly. I am not aware of any existing public apology, you of course could choose to apologise at any time.

Wasting taxpayer money

The second concern, regards the waste of taxpayers money as a result of a request from you, for an Ofsted inspection due to safeguarding concerns. This was because a child allegedly identified as a cat and pupils were supposedly punished for refusing to accept that. You requested this despite the school's denial that any pupil had identified as a cat [24 & 25]. Whilst all safeguarding concerns should be duly investigated, due to the concerns regarding your ability, I cannot be certain that you treated this with the due care that you were required to. The inspection found the concerns that led to the inspection, didn't reflect the pupil's normal experiences at the school and the school itself said no children identified as animals. It praised the school for teaching in an impartial way, its culture of kindness and its handling of relationship and sex education [26, 27 & 28].

As far as I am aware, you have not apologised to the public for causing Ofsted to waste taxpayers' money on an inspection, carried out, based on concerns that have not been substantiated. Nor have you, as far as I am aware, apologised to the school for your part in this or for subjecting them to the unnecessary stress of an inspection. You are also welcome to apologise for the extra press coverage and unwarranted attention as a result of your position and for the reputational issues that could have arisen. You would also be welcome to congratulate the school for passing the inspection with the same enthusiasm with which you called for it to be inspected.

Statements made by yourself

During your appearance before the Women and Equalities Select Committee on 13th December 2023, you descended into bickering with a fellow MP, because they raised the issue of likening being trans to a disease. You attempted to shut this criticism down, but you did previously use the word 'epidemic' [29]. Contrary to your claim you didn't liken it to a disease, by using the word epidemic, you did so, even if inadvertently. This is what I believe Kate Osborne would likely have been referring to. Whilst that may not have been obvious to you or others at the time you said it, to LGBT+ people, who've heard that word thrown at them over and over again throughout history, it felt familiar territory of a time when LGBT+ was associated with disease and epidemics. It was dog-whistle politics.

On Twitter, you tweeted "No one loves children more than their parents" [30]. Whilst it is true in the vast majority of cases to say parents love their children, some parents will disown their children for being LGBT+ and some will abuse them. It is also deeply insulting to foster and adoptive parents who have so much love for their children, and to teachers and other professionals who have chosen to devote their careers to serving children. This tweet whilst well-intentioned, ignores the very real threat to LGBT+ kids who come out to their parents and face a bad reaction or have not come out because they fear one.

In the same Twitter thread, you also said "No child is born in the wrong body" [31]. If you agree that trans people exist, then this statement is false. Whilst some may argue children should be secondary school age before any interventions other than talking are considered or the topic discussed, and whilst that approach may be reasonable, to say that children cannot be born in the wrong body means you cannot believe trans people exist. Every adult would have been a child at some point, including trans adults.

Safety

I begin setting out this concern, by stating the obvious which has sadly become necessary to avoid attacks from certain sections. Very few people disagree that single biological sex spaces are important, particularly for women who've experienced domestic abuse and other violent crimes. A lot of people will point out, however, that trans people who've also experienced those crimes as victims, also need support in keeping them safe and protected from perpetrators. It isn't one or the other. Those convicted of violent crimes should not be placed in prisons opposite to their biological sex. However, where there is disagreement is where they should then be placed. A trans woman, shouldn't be placed in a women's prison, or a trans man in a men's prison, and equally neither should they be placed with other prisoners. Those convicted of violent crimes pose a risk to other inmates, whatever prisons they are in, they should be isolated away from others.

One of your central points is keeping women and kids (including girls) safe, something everyone agrees is the priority. Your policies surrounding trans people, do not keep them safe. In fact, they misidentify the threat. The threat does not come from trans people, but mostly from men. It is mostly men who pose a threat to not just women and girls, but LGBT+ people who are demonised in these discussions. To say that men shouldn't enter women's bathrooms is an obvious one, but stating so does not solve the problem. It promotes the idea that single-sex bathrooms stop bad men from being bad - they do not. There is also no link between bathrooms being used by trans people and safety [32].

You claim this policy of 'cracking down' on unisex bathrooms will keep women safe [33]. As I have already argued, your policy does not achieve that. Referring to Dame Angela Eagle's question to you, do you think trans men, who are visibly male, in women's toilets would make them feel safe? If this glaringly obvious consequence of your policy was not foreseen, how can we be sure that this policy has been carefully considered?

Referring to predators exploiting 'loopholes' such as self-ID - predators will not be stopped by simple statements by you or others. A bad man will not be stopped by a sign on a toilet door - he will be stopped by being taken out of society and imprisoned for longer than is currently the case. A bad man will be stopped when behaviours are changed, when behaviours that pose a threat to any individual or make them unsafe become socially unacceptable, whether the target of those behaviours are women, LGBT+ people or individuals from BAME groups.

What we are yet to see from you, are what policies will actually keep women, girls, children and LGBT+ people safe. If you insist this is a priority for you, as it should be for everyone, why do you lack any policies to achieve this? We need actual solutions, not soundbites designed to make people think something is being done. The Home Office's recent measures on spiking is one policy that will make a difference - yet you persist with a bathroom policy that will not. Making people feel safe, does not make them safe.

Safety - 'guidance' for schools.

The recent so-called guidance issued by your government is a direct threat to the safety of kids. I include this guidance due to your defence of it, as already discussed and your reported involvement in its formation [34]. Contrary to your justifications of keeping kids safe and protecting women and girls, this guidance does the exact opposite. This guidance is effectively a directive to 'out' kids if they disclose information about who they are, to someone they trust. (Outing means to disclose an LGBT+ person's identity without their consent.) Breaking this trust so early on in their development, can and will cause issues later in life, with a lack of trust to other professionals or those in positions of authority such as doctors. I'm sure you'll agree that is unacceptable and a foreseeable consequence.

This guidance instructs the outing of kids because it tells teachers to inform parents. It tells them to do so except in extraordinary circumstances [35]. However, there is no clarification on what that means or how a vulnerable child, who is already struggling, is supposed to prove that. Outing kids also puts them at risk from families who may either disown them, abuse them or physically harm them. This guidance effectively sanctions causing harm to kids, something no self-respecting person would create and no self-respecting teacher, politician, organisation or individual would support. As Equalities Minister, you should not only have stopped this, you should not have wanted this. It was your duty to ensure this didn't happen, and you have fallen short.

Safety - Hate Crime & Rhetoric

There is an impact on the safety of LGBT+ people, particularly transgender people, of the rhetoric used and policies proposed. With the culture wars being imported by fringe media, and politicians utilising them in the false belief they win votes, there has been an increase of hate crime. Hate crimes against Transgender individuals rose 11% in the last year, with the home office itself admitting it may have been fuelled by politicians [36]. As Equalities Minister, you should be focused on tackling this. Instead, in my view, based on your own words and the admission by the home office, believe that along with others, you have contributed to this. Whether inadvertent or not, I do not believe you have fully considered the language you have used.

You may ask why I believe so. Here are a series of articles using quotes from you. These are articles where certain words and phrases are used such as "predators" [37 & 38], "harmful" [39], & "protect from / women and girls at risk" [40 & 41]. This is typical of the broader discussion. Many politicians frame it as protecting or safeguarding children, because they know that anyone who tries to unpick their real point will be attacked for putting children at risk. This is deeply problematic, and children shouldn't be used as human shields by MPs to engage in dog whistle and culture war politics - so that they cannot be criticised for their real intentions.

Whilst I do not assert that you have done so intentionally, or that these headlines label trans people as a threat or predatory, by putting them in the same sentence they are associated with one another to the reader or listener. Readers and listeners absorb the words together, creating an unconscious coupling and association of the words. This is problematic when the public is being radicalised on this topic by fringe media and politicians.

Gender Recognition Order Statement (6th December 2023)

This is the part which led me to write to you and was symbolic of my concerns - namely, your conduct in the Gender Recognition Order Statement session, on 6th December 2023. For this section I will cite from the recorded coverage of the statement [42]. <https://www.bbc.co.uk/iplayer/episode/m001t8f5>

You said “We are united on this side of the house” (10.04) [42], in regard to gender recognition - this is not correct. Many colleagues, inside and outside of the house, have campaigned to improve things for transgender people and do not support the rhetoric and change of approach spearheaded by MPs in the radical wing of the Conservative Party. Many of us in the Conservative Party, believe trans people deserve equality and better protections under the law, not less.

You said you are “keen to stop the Labour party from using this issue as a political football” (10.30) [42] - however, based on your words, that is precisely what I and others believe you and MPs in the small radical wing of our party are doing. During this statement and subsequent questions, you repeatedly commented on the tone of LGBT+ MPs, commenting that they either do not take it seriously, criticising MPs for saying they are traumatised and praising the tone of those less critical to you.

In response to a question from Ben Bradshaw, you began your response including an assertion that members opposite ‘do not take this seriously’ (23.01) [42]. Whilst Labour’s historical record sadly falls short as well as ours, there are many MPs of all parties that do take this seriously. This is deeply insulting to LGBT+ MPs, and I’m sure that you do not seriously believe they, who have direct experience, take this less seriously than you, who does not possess any direct experience.

In response to Sir Chris Bryant saying he felt more unsafe as a gay man today, citing your rhetoric as one of the reasons, you challenged him on what rhetoric made him feel chilled to the bone (28.10) [42]. Whilst some of the rhetoric I have cited in this letter may or may not be what he was referring to, I can say I fully agree with him on this point.

You also cited the case of Keira Bell, yet I do not recall a similar meeting or one being cited by you, with trans individuals who are thriving as a result of being given the care they needed. You have seemingly only met with people from a small number who have reversed their transition and agree with you. You have not met with people from the vast majority of trans individuals who disagree with you and do not regret transitioning.

You asserted in the same answer, “We are seeing an epidemic of young gay children being told that they are trans” (30.00) [42]. I have already outlined why I believe the use of the word ‘epidemic’ is harmful and irresponsible, but I have not seen any evidence presented by you to justify this statement.

You said if members “are saying how they are traumatised, this is not serious policy-making” (31.45) [42]. I am certain you would like to apologise for this. Your statement ignores the deep trauma some LGBT+ MPs have experienced as a result of their identity and how traumatising it may be to see other LGBT+ people being treated.

On social transitioning, you asserted “It is a relatively new phenomenon” (39.25) [42]. This is not true. To obtain a GRC (Gender Recognition Certificate) you must have lived in your affirmed gender for at least two years [43]. This means, socially you must live as the gender to which you intend to transition and you have to provide evidence of this. Why then, as the Equalities Minister, do you claim social transitioning is a new phenomenon, when it is legally required to obtain a GRC? It is alarming that you are not aware of a fundamental requirement of this process. Surely, this is a part of your brief and one which you should be aware of?

You thanked an MP for “the very measured tone in which he asked his question, it is a model I think for members on the other side of the house” (42.25) [42]. It is not up to MPs with no direct experience, to police the tone of LGBT+ MPs (and allies) who raise concerns regarding the policies or rhetoric of either yourself or other politicians.

You asserted that you believe transitioning has become “a new form of conversion therapy.” (44.20) [42]. This is ill-informed, lazy, wrong and deeply troubling. How are the public, and myself as a staunchly conservative member, able to trust that you will or can adequately ban ‘conversion therapy’ when you make this claim?

Dame Angela Eagle raised a valid point with you about your policy of defining sex in law as biological. She asked if a person’s biological sex would dictate what they had to do - meaning you would have “trans men having to use female toilets” unless they had a GRC (47.30) [42]. You responded by saying “People should use toilets based on biological sex in the vast majority of cases” to prevent predators from exploiting what you called a ‘loophole.’ I refer back to my point on safety as to why this is problematic - namely male presenting individuals who were born female, in women’s toilets.

Personal

Whilst I am not transgender, some individuals who think I am, have given me abuse. Whilst comments and stares are something I'm used to and are standard, what is new, is the boldness that some seem to approach their hatred. From being followed by a man who made lewd comments, after waiting for me to leave a station alone after a friend had headed home - to a bunch of thugs who filmed me and jumped out at me whilst I was walking along a narrow train platform.

These types of incidents are new. These people feel emboldened because of politicians and media outlets legitimising the dehumanisation of trans people which has a knock-on effect on other LGBT+ people. And as the Home Office admitted, whilst you have not instructed this, I believe this is an unintended consequence of the language used by media and politicians on this topic, including yourself.

Further Questions

After outlining my concerns and before my conclusion, I have further questions I believe to be pertinent.

- You also confirmed during the statement on 6th December that you or your department consulted with LGBT+ groups - but you did not name them. Major LGBT+ charities have confirmed they have not consulted with you on this. Will you provide a list of LGBT+ groups that you have consulted with on your gender recognition changes and guidance for schools, and when you consulted them? Will you also provide a list of LGBT+ groups that you have met with since you became a minister in the equalities brief in 2020?
- Further to that, will you promise to meet with trans people and groups, who are thriving and do not regret their transition - so that you can be educated on how the right care can drastically improve the lives of trans people?
- What do you intend to do, to repair the damage done to the UK's reputation on this and the reputation of our Conservative Party on LGBT+ people? (You will recall the 'Safe to be Me' conference was cancelled due to a boycott by LGBT+ organisations and groups, because of the UK's approach to LGBT+ people.)
- To what extent were you involved in the harmful guidance issued regarding transgender children in schools, and did your involvement lead to the guidance going further than it was intended to? [44].

- If LGBT+ people do not have faith in you or others, how can you adequately fulfil your duties and remain in your brief when there is a complete breakdown of trust?
- Lastly, there are a number of things that I believe you ought to apologise for as outlined in this letter. Will you undertake to make those apologies, including to your colleagues?

Conclusion

Whilst I am of course happy to meet with you to discuss my concerns and to hear your response to them, I turn to my conclusions based on the facts I have outlined in this letter.

Based on these facts, my concerns regarding your ability to adequately fulfil your duties as Equalities Minister lead me to believe you are wholly unfit to hold that office. I applaud you for entering public service and devoting your time to serving your constituents and country. Whilst I believe you may be a decent person, as a member of the government, you have additional responsibilities. In the interests of those who fall under your brief, in the interests of the country, and the right thing for our party, you should resign this position. It is a deep shame that as a talented minister in your brief as Business Secretary you have proven you can be effective and deliver. However, in your Equalities brief, you have sadly not shown the same determination, skill and ability. This I regret deeply, for the material damage not only done to our party's transformed reputation on LGBT+ people but to LGBT+ people themselves - this is the biggest regret of all. I urge you, for those reasons, to do the right thing and resign as Equalities Minister - so that someone who believes in the brief and can deliver, can take up office.

Yours sincerely,



Casey Byrne

Sources

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