

UK

# LGB Alliance retains charity status as Mermaids loses legal challenge

Jul 06 • Written by Amelia Hansford

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A tribunal into the charitable status of LGB Alliance began hearings in late 2022. (Getty)

## A tribunal has handed down a decision on the charity status of the

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## controversial anti-trans organisation LGB Alliance.

The LGB Alliance will remain a registered charity after a tribunal dismissed a legal challenge led by trans youth charity Mermaids and supported by several other LGBTQ+ non-profits on Thursday (6 July).

Mermaids argued that the LGB Alliance doesn't truly serve lesbian, gay or bisexual people, as it claims to, and that it did not comply with two key criteria for charitable status under the Charities Act 2011.

The tribunal ruled however that Mermaids did not have legal standing to bring the appeal. Though both parties had asked the tribunal to give a hypothetical conclusion on whether the LGB Alliance is a charity in the event that it found Mermaids did not have standing, it declined to do so, as the two members of the panel hearing were split on the issue.

The tribunal said: We are conscious that this case was regarded by some as being about the rights of gender diverse people or about the rights of gay, lesbian and bisexual people, but it is not; the focus of this decision is upon a small part of the Charities Act 2011 and what it means, applied in the circumstances of this case."

Following the judgement, Mermaids said: "Because they found against us on standing, the tribunal didn't have to rule on the main issue in the appeal - namely whether or not [the LGB Alliance] should have been registered as a charity to begin with.

"But the two judges indicated that they had given that question careful consideration and had been split on the answer. That is, one of the judges agreed with us that [the LGB Alliance] should not have been registered as a charity, and one disagreed.

"We don't know the details of their reasoning, but we think that is a really significant outcome. Had we been found to have standing, there is a chance that the tie would have been resolved in our favour and we would have won the case."

Mermaids said it is taking legal advice on whether to appeal the ruling.

The LGB Alliance applied for charity status in 2020, a year after

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its formation in 2019. The group is notorious for campaigning against gender recognition reform and other advancements to trans rights

A petition published on 29 March, 2020 supporting an appeal against its **charity status appointment** reached over **44,000 signatures**.

During the tribunal hearings, representatives of Mermaids told those in attendance at London's General Regulatory Chamber that they believed it would be "fanciful" to suggest the LGB Alliance serves lesbian, gay and bisexual people.

Legal counsellor Michael Gibbon argued that, while he accepted that a charity serving LGB people would "benefit ... a sufficient section of the public", he believed that the LGB Alliance did not comply with two key criteria for charitable status under the Charities Act 2011.

These two objectives include that an organisation's objectives "give rise to tangible, legally recognised benefits that outweigh any associated harms", and that they "benefit the public or a sufficient section of the public".

During hearings **Paul Roberts**, CEO of the LGBTQ+ umbrella group Consortium, **gay SNP MP John Nicolson**, and Belinda Bell, the chair of Mermaids' board of trustees, argued that the LGB Alliance does not serve LGB people, and instead focuses on anti-trans campaigning.

Witnesses for the LGB Alliance denied this. Chair of trustees, Eileen Gallagher, was asked why projects to help the community, such as a promised helpline, hadn't materialised.

"We really have no staff and no resources", Gallagher said, adding: "Because we've been labelled as a hate group, it's very hard to get people to give us money".

"Trust me," Gallagher added, "we have really good intentions and we will get round to it."

After the ruling, the LGB Alliance said: "We are delighted that the tribunal found in our favour and that Mermaids and the LGBT Consortium have failed in their bid to remove our charitable status."

The Charity Commission said: "We welcome this judgment. As the judges confirm, it is not the Charity Commission's role to regulate public debate on sensitive issues on which there are deeply held, sincere beliefs on all sides. Our role is to apply the law, and we consider that we did so in registering LGB Alliance as a charity.

“All charities, ultimately, must deliver on their purposes for the public benefit. We understand both charities hold opposing views, but when engaging in public debate and campaigning, they should do so with respect and tolerance. Demonising and undermining those who think differently is not acceptable behaviour from any charity on our register.”

Paul Roberts, Consortium’s chief executive, said: “We maintain that the LGB Alliance’s practice are fundamentally incompatible with the Charity Commission’s guidelines on how charities should provide a public benefit. We will continue to support our members across the LGBT+ sector to work for a more inclusive society, and not one that seeks to divide and spread misinformation.”

## What is the LGB Alliance and who do they represent?

The **LGB Alliance** was formed by co-founders Bev Jackson, Kate Harris, Allison Bailey, Malcolm Clark and Ann Sinnott after an open letter published by **The Sunday Times**, signed by 22 people, accused Stonewall of having “undermined women’s sex-based rights and protections” by supporting trans people.

It purports itself as an organisation committed to “freedom of speech and biological definitions of sex” and has associated with several so-called ‘gender-critical’ pundits, including Graham Linehan, Rosie Duffield, Joanna Cherry, and many more.

Its main office is located at **55 Tufton Street** in Westminster, London – a building best known for hosting several right-wing lobby groups, pro-Brexit think tanks and climate denial organisations.

Since its formation, the LGB Alliance has been accused of publishing “misleading” information regarding its work, including a claim made on Twitter that it was the only registered charity in the UK “set up to protect and promote the rights of people with lesbian, gay, and bisexual (LGB) orientation”.

Shortly following the claim, the **Fundraising Regulator** found that the organisation had made the claim “within the context of a wider ideological debate around sex and gender”, but found that it had breached the Code of Funding Practice (CFP).

“The CFP requires that fundraising materials must not mislead anyone, or be likely to mislead anyone, either by leaving out information or by being inaccurate or ambiguous or by exaggerating details,” the rule continued.

“We found that the tweet posted by the charity breached the code because it was misleading, and the charity was unable to provide evidence to prove its claim.”

The group was also criticised after it was revealed that officials held multiple “[private meetings](#)” with the Equality and Human Rights Commission (EHRC) – itself becoming the subject of controversy in recent years.

According to leaked emails obtained by [Vice World News](#), senior members of the Commission held meetings with anti-trans lobby groups, including the LGB Alliance and Fair Play For Women.

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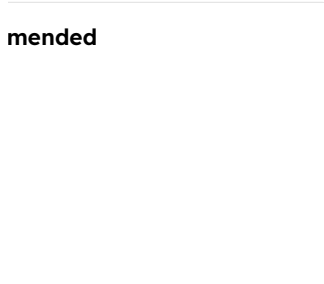
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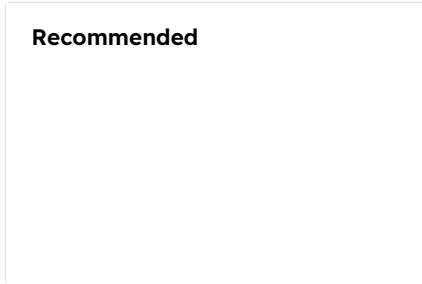
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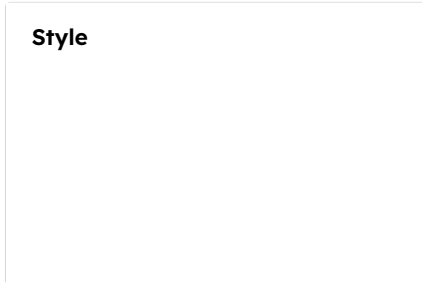
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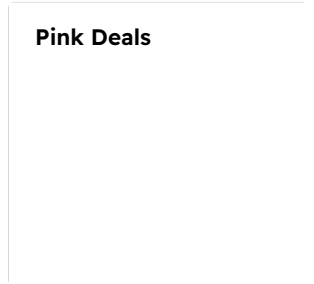
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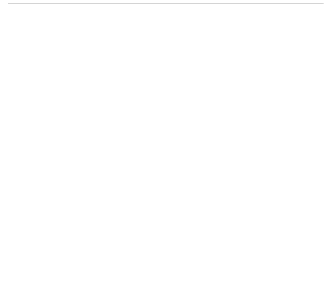


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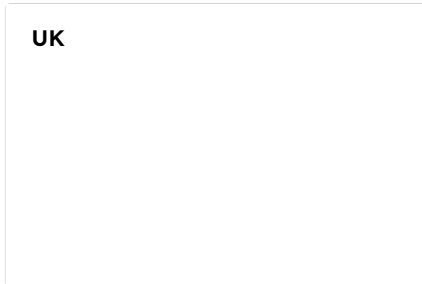
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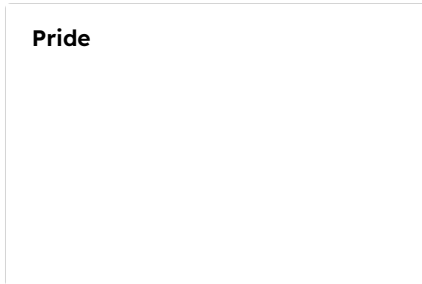
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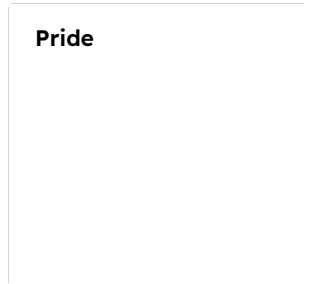
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