

# **Cherry hits back after appearance at The Fringe cancelled**

**Joanna Cherry, KC, MP for Edinburgh South West, was invited to appear at the New Town Theatre on 10 August this year in one of a series of lunchtime political chats set up at The Stand Comedy Club's venue on George Street during Edinburgh Festival Fringe.**

**But now that invitation has been rescinded.**



Joanna Cherry, KC, MP PHOTO © Martin P Mcadam

Anas Sarwar MSP is also on the guest list at a similar event which remains on the programme. The MP explained that she had received an email just last week from the promoter, Fair Pley, saying that The Stand wanted to cancel the show. She said: "The email said that The Stand were "unable to provide adequate staffing for it, as a result of a number of The Stand's key operational staff, including venue management and box office personnel, raising issues in relation to Joanna, and not being comfortable working on the event".

She said that what she would like to happen now is that The Stand might reconsider their position because what they have done is "wrong and discriminatory as it's unlawful to discriminate against people on the basis of their beliefs, or indeed, their sexuality". She suggested they have three months to find staff who do not discriminate against who can and cannot perform, and hopes that "the situation will be resolved without the need for me to take legal action".

She said: "I'm hoping that the Edinburgh Fringe will perhaps

intervene. The whole point of the Fringe is that it's supposed to give a platform to anyone who wants to perform, and the foundation of the Fringe is that it is a people's festival, open to everyone. I'm hoping that other politicians will also support me here. Mark Lazarowicz who used to be the Labour MP for Edinburgh North and Leith tweeted last night that he hoped that all Edinburgh MPs and MSPs would support me in this, and I'd like to see them do that as well."

I countered that it was up to the venue who they signed up or not, but Ms Cherry replied: "Well they signed me up and now they're deplatforming me, because I'm a lesbian who doesn't accept gender identity ideology. You can't withhold services to people because you don't like their sexuality, or their beliefs. We've got laws against that in Scotland in the United Kingdom, and quite rightly so."

## Bethany Black

The cancellation of the event involving Ms Cherry may also be in reaction to English comedian Bethany Black who tweeted recently that she was cancelling a Glasgow gig at The Stand since they were "platforming" Ms Cherry who, she claims, has "dedicated the last few years of their public life trying to exclude people like me from public life".

Ms Cherry told The Edinburgh Reporter this morning in an exclusive interview that she would not want to "exclude Bethany or indeed anyone who is trans". She does not believe trans people should be discriminated against, and she confirmed she would "be very happy to speak to her, and to have a respectful discussion about my views and her views, and to put her right that I have absolutely no desire to exclude trans people from public life – quite the reverse".

*Gutted to have to announce this [pic.twitter.com/30DcK1qTbq](https://pic.twitter.com/30DcK1qTbq)*

*– Bethany Black (@BeffernieBlack) [March 31, 2023](#)*

Ms Black describes herself as transsexual and lesbian, and is best known for talking about controversial subjects. She had a guest role in one episode of Doctor Who, and was the first trans actor to appear in the series, and appears as a stand up comedian all over the UK.

Ms Cherry is openly lesbian and has been outspoken in her support of free speech, and her beliefs that “sex is binary but gender is fluid”. She denies that speaking out for women’s sex-based rights under the Equality Act makes her in any way transphobic. She has pointed out that the Equality Act 2010 mentions men and women – and that this is the way sex is defined.

Cherry believes that if this is recognised then laws can be made which are inclusive of trans and non-binary people, without removing legislation which protects women and lesbians from discrimination. She has admitted that the “the consequences of the erasure of the biological reality of womanhood from legislation are often attacked and misrepresented”.

## **Gender Recognition Reform Bill**

In December she spoke out against the Gender Recognition Reform Bill which was passed at Holyrood by a large majority of MSPs from all parties, and which was subsequently stopped in its tracks by the UK Government who used the never-before-used Section 35 of the Scotland Act. This has had the effect of preventing the Presiding Officer from sending the bill forward for Royal Assent. The Scottish Government has stated that it will petition for a judicial review of this use of Section 35.

We [asked several Scottish politicians in April for their views](#) on the proposed petition.

Ms Cherry said on the day the bill was passed at Holyrood that

the government should go “back to the drawing board” with it, claiming that opposition to the legislation across Scotland was “deep, widespread and overwhelming”.

Today she confirmed to The Edinburgh Reporter that she believes the Gender Recognition Reform Bill as it was proposed “would threaten women’s dignity and privacy”. She continued: “I don’t support self identification of sex. I do think that trans people should be able to get a gender recognition certificate, but I don’t think people should be able to self identify. I don’t think a man should be able to self identify as a woman with no safeguards, because I think that brings risks for women’s safety, but also women’s dignity and privacy.

“I’m a lesbian because I’m attracted to other women same sex attracted, not same gender attracted, I’m not attracted to someone because they say they are a woman, I’m attracted to somebody because they are a woman. Equally, as a feminist, and somebody who spent three years as a specialist sex crimes prosecutor, I’m very aware that predatory men could abuse a system of self identification.

“We saw that they could be in a women’s prison as with Isla Bryson – even Humza Yousaf thinks Isla Bryson’s “at it”. So I’m worried to people who are “at it” will abuse the system. But I’ve never said anything hateful about trans people.”

## **Polarised debate**

She explained the polarisation of public discourse around these matters in this way: “In this space of debate, there has been a determined attempt to silence anyone who doesn’t agree with gender identity ideology, by wrongly portraying us as transphobic. And many organisations including Stonewall, which used to be a human rights organisation, have openly said they support a policy of no debate.”

And she explained that she had proposed a solution to the polarisation of the debate. She said: "A long time ago, I, together with a trans woman constituent, proposed to The Scottish Government, that they hold a Citizen's Assembly as a way of trying to detoxify the debate and find a way to reform gender recognition in Scotland without impacting on women's rights or LGBT rights."

The GRR bill caused division among members of the same party and also between parties in The Scottish Parliament. The legislation was intended to simplify the process by which someone who is trans must go through to obtain a gender recognition certificate. It would have removed the requirement under existing legislation for a medical diagnosis of gender dysphoria. The government maintained that the new law would not have any effect on the Equality Act (which excludes trans people from single sex spaces) and once in place the legislation would lower the minimum age for anyone wishing to obtain such a certificate to 16.

The Edinburgh South West MP is Chair of the UK Parliament's Joint Committee on Human Rights and used to be the party spokesperson on Justice and Home Affairs until a reshuffle in 2021.

Cherry was a party in the action against the UK Government at the EU Court of Justice which decided that Article 50 could be revoked by one side of the agreement only. She is an advocate at the Scottish Bar and took silk in 2009. She specialised in prosecuting sex crimes in the National Sex Crimes Unit.

<https://www.thestand.co.uk/performances/1596-14902-in-conversation-with-joanna-cherry-20230810-new-town-theatre/>

The Stand has been asked for comment. Tommy Sheppard MP who has or had a controlling interest in the company declined to comment as he had "not been involved in this".

Anas Sarwar has been asked for comment.





Protest outside Queen Elizabeth House against the UK Government's proposal to block the Gender Recognition Reform legislation passed by The Scottish Government using S.35 ©2023 The Edinburgh Reporter