

Joanna Cherry warns of possible legal action against The Stand

Levy & Macrae, a Glasgow legal firm, has threatened court action against The Stand Comedy Club on behalf of their client Joanna Cherry, KC, MP.

After a Fringe event featuring Ms Cherry was cancelled last week, she has now instructed her lawyers. The cancellation of the 10 August date at the New Town Theatre on George Street – a venue run by The Stand – was in direct response to their staff who refused to work at the event.

Ms Cherry now claims that the club has defamed her, and that unless they issue an apology, acknowledge that their actions are unlawful and apologise to her then the lawyer and MP will instruct Levy & Macrae to take “whatever court action is necessary”. She has said that she believes that it is a result of her opposition to the Gender Recognition Reform Bill passed at Holyrood in December 2022, that she has been “cancelled and no-platformed”.

She has unusually released all the correspondence from her solicitor, the opinion from Senior Counsel, Aidan O’Neill, KC which is all copied below.

The text of the Statement from Levy & Macrae is as follows:

Joanna Cherry statement re The Stand

This statement is being sent on behalf of Joanna Cherry KC MP in relation to the recent cancellation of the Stand “In Conversation with Joanna Cherry” event previously scheduled for 10th August. Our client can be quoted as follows:

Joanna Cherry said: “In January, I accepted an invitation from The Stand to speak at an event in The Fringe this coming August. To my disappointment, and after initially backing the event, the Board of The Stand cancelled the event, citing concerns expressed by staff who were unwilling to work at it. The event has been running for four years and has a wide and diverse range of speakers, including from various political backgrounds.

“I immediately required to defend my reputation. I said last week on BBC Radio Scotland:

“I’m being cancelled and no-platformed because I’m a lesbian, who holds gender-critical views that somebody’s sex is immutable.

“I’ve made those views clear over a number of years. I have never said that trans people should not have equal rights.

“Because a small number of people don’t like my feminist and lesbian activism, I’m being prevented from talking about these things and others in my home city where I’m an elected politician.

“I think it says something’s gone very wrong in Scotland’s civic space.

“Small groups of activists are now dictating who can speak and what can be discussed.”

“In the last few days, I have been greatly heartened by the support I have received. Many well-informed people have made it clear that they consider the decision of The Stand to be both unacceptable and discriminatory. Despite those views, and my stated desire that the Stand ‘see sense’, there has been no reversal of the decision.

“Accordingly, I decided to seek legal advice on the issue and on my options.

“I have received the opinion of the eminent and leading human rights advocate, Aidan O’Neill KC who considers that The Stand have acted unlawfully. My solicitor David McKie of Levy & McRae agrees with that view and has today written to The Stand on my behalf. Given the very public statements which have been made about me by The Stand and in the press and on social media, some of which have been threatening and/or abusive, I have decided to release both my solicitor’s letter and the opinion of senior counsel.

“The actions of the Stand and all that has followed thereon are symptomatic of a wider problem in our society. I am very

concerned that those who hold perfectly legitimate views on a variety of issues, including women like me are regularly being misrepresented, de-platformed and, in some cases, facing damage to or the loss of our livelihoods. This is often accompanied by online abuse and threats. The debate on gender self-identification is a very important one which must be allowed to take place, but I am a woman of many parts who was engaged to talk about my political life in general and I see the cancelling of my one-hour event as the thin end of the wedge.

“I am prepared to take whatever legal action is necessary to vindicate my right not to be misrepresented and not to be discriminated against. This is not about money. My primary goal is to have the actions of the Stand acknowledged as unlawful and to ensure the event proceeds. I have asked The Stand to apologise to me too. If they don't agree with my reasonable requests, I intend to ask the court to decide on the issue. I hope that my actions in defending myself will give courage to everyone particularly women who wish to express views on legitimate issues of public interest. That, after all, is the very job of a politician and one of the reasons I entered politics in the first place.”

Letter from Levy & Macrae to The Stand



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Opinion of Aidan O'Neill, KC

Mr O'Neill is an advocate and King's Counsel with considerable experience in matters relating to human rights. Ms Cherry is Chair of the Joint Committee on Human Rights at Westminster, and describes herself as a human rights lawyer.




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Events of last week

The club issued a statement on Twitter on 1 May: “Following extensive discussions with our staff it has become clear that a number of The Stand’s key operational staff including venue management and box office personnel are unwilling to work on this event.

“As we have previously stated we will ensure that their views are respected. We will not compel our staff to work on this event and so have concluded that the event is unable to proceed on a properly staffed, safe and legally compliant basis. We advised the show producers, Fair Pley Productions, of this operational issue and they advised Joanna Cherry that it is no longer possible to host the event in our venue.”

Shows involving other politicians including the leader of Scottish Labour, Anas Sarwar, are still listed on the Fringe website.

Ownership of The Stand Comedy Club

The Stand Comedy Club in Edinburgh was set up by Tommy Sheppard MP for Edinburgh East. He has said to The Edinburgh Reporter that as he was not directly involved in the matter he had no comment. The club is owned by Salt ‘n Sauce Promotions and Sheppard is listed as an active director, although he confirmed when he was elected as an MP that he would step back from any day to day involvement. The confirmation statement that the company was due to lodge with Companies House by 27 April 2023 is now overdue.



Joanna Cherry, KC,MP. Photo © 2023 Martin P. McAdam
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