

Amina Shah and Drummond Bone

**National Library of Scotland**

By email

13th August 2025

Dear Ms Shah and Sir Drummond Bone

Sex Matters is a registered human-rights charity with a particular focus on the Equality Act 2010. Two of our staff members, Fiona McAnena and Nicole Jones, contributed chapters to the book *The Women Who Wouldn't Wheesht*, as did two of our advisory group members, Joanna Cherry KC and Shereen Benjamin.

We are dismayed that the book has been excluded from the "Dear Library" exhibition on discriminatory grounds.

Your Equality, Diversity and Inclusion Strategy commendably says that "the Library is dedicated to being a place of inclusion, welcoming people of all identities and beliefs". *The Women Who Wouldn't Wheesht* is a book of "gender-critical" essays. Many of the chapters are personal testimonies to the harassment and discrimination faced by women who express this belief in Scotland today. Gender-critical belief is covered by the protection against belief discrimination in the Equality Act under Section 10.

As an employer and service provider you have a legal obligation not to subject your staff to harassment or discrimination on the basis of their beliefs, and not to subject members of the public who may use the library or visit its exhibitions to direct or indirect discrimination based on their belief.

**Unlawful harassment** under Section 26 of the Act refers to unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment, and is linked to a specific characteristic. Displaying books that individuals may disagree with or even find offensive is not harassment; it is core to the job of a library. However, refusing to display a book in an exhibition of books nominated by the public because it relates to a protected belief is an action that could well meet the test for harassment in relation to your gender-critical staff.

**Direct discrimination** under Section 13 means treating a person less favourably than you would treat others because of a protected characteristic.

The internal documents about the decision about the book released under freedom of information<sup>1</sup> reveal that this is exactly what you did: you decided to exclude this book, which was nominated by four members of the public, from the exhibition after a group of staff claimed – without evidence – that there were groups behind it that were "exclusionary", and that including it would cause the book would cause those staff "severe harm". They threatened "to notify LGBT+ partners" if you went ahead with the original plan to include the book in the exhibition.

Imagine if a small group of staff complained about the inclusion of a book by black authors about their

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<sup>1</sup> <https://ethelwrites.com/censorship-the-women-who-wouldnt-wheesht-and-the-national-library-of-scotland/>

experience of racism, a book by gay authors about their experience of homophobia or a book by Jewish authors about their experience of antisemitism. You would have had no difficulty recognising this as a call to discriminate based on a protected characteristic.

Instead your managers sympathised with those members of staff's disappointment and capitulated to their threats, saying that including the book would create "significant risks to the Library's relationships with authors and other stakeholders" and recommending and agreeing that the title be excluded "not due to the content of the book itself or the views expressed, but to the potential impact on key stakeholders and the reputation of the Library".

You justified this discrimination by undertaking a sham equality impact assessment (EqIA), leaving out the characteristic of belief. As your website shows,<sup>2</sup> the NLS typically undertakes EqIAs for projects, policies and events – not for individual books. As far as we can see no other book in the exhibition got this treatment. This in itself is discriminatory.

The message this process and the exclusion of this book sends to gender-critical staff and visitors is that people who share the protected characteristic of belief with the book's authors and the four people who nominated it are not welcome. **This creates a hostile environment for gender-critical staff based on the protected characteristic of belief. It also discriminates against gender-critical members of the public who, unlike other visitors to this exhibition, are denied the chance to see a single book celebrated which relates to their protected characteristic.**

The ongoing exclusion of the book from the exhibition following the discriminatory process is a continuing act of harassment and discrimination **against gender-critical staff, visitors and potential visitors.** By 18th April 2026, when the exhibition closes, you could be facing thousands of claims under the Equality Act. There is no financial loss associated with this harassment, but judicial guidance on the appropriate level of awards for injury to feelings in discrimination cases gives a range of £1,200–12,000 for less serious cases. It is clear that your current EDI processes are inadequate, from the fact that you used a tool that is meant to help you identify and mitigate risks of undertaking unlawful discrimination as a device for discrimination.

We recommend that you immediately place the book in the exhibition as originally planned (without denigrating it with a sign calling it divisive), agree to meet with the editors, Susan Dalgety and Lucy Hunter Blackburn, apologise to the authors, the nominators, your gender-critical staff and gender-critical members of the public, and consider what other reasonable steps, such as training, you could take to prevent future harassment based on gender-critical belief and to build a true culture of inclusion.

We look forward to hearing by return that you recognise the seriousness of this issue. We request a response to this letter indicating the initial steps you plan to take within 14 days.

Yours sincerely



Maya Forstater  
CEO



Helen Joyce  
Director of Advocacy



Fiona McAnena  
Director of Campaigns

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<sup>2</sup> <https://www.nls.uk/about-us/plans-and-policies/corporate-documents/>