

WESC Submission on behalf of LGB Alliance Cymru

Executive Summary

- **Language:** the conflation of SEX and GENDER is a major issue: Women are discriminated against because of their SEX, not some subjective sense of identity. Definitions of terms need to be clearly laid out and explained to avoid any confusion. We do not share the belief that 'transwomen are women' because this statement has no legal, scientific or medical basis; it erases the distinction between the material reality of sex, and the subjective belief of gender identity. It is quite simply wrong – although saying so could cost you your job.
- **Sexual orientation:** the eradication of sex erases the reality of lesbians and gay men. Our boundaries are being attacked every day by the conflation with gender. It is false to say 'same gender attraction' as this would change our lives and the rights we have so recently won. Further, the erosion of sexual boundaries directly compromises **consent**: intimacy coerced by social manipulation is not freely given.
- **Fairness and safety:** sports are already compromised by allowing men who identify as transgender to compete in women's events.
- **Protection of women's single sex spaces** and their right to privacy, dignity and safety are/would be compromised by allowing access to men who identify as transgender. These legal protections need to be reinforced - not ignored.

1. Introduction

LGB ALLIANCE CYMRU is a volunteer-led grassroots organisation that supports the rights of lesbians, gays and bisexuals in Wales. We are very concerned that gender ideology is breaking down the definition of sex, and of same-sex attraction; it is having a serious impact on young people and the boundaries of consent. It is compromising women's sex-based right to single sex exemptions, which particularly affects lesbians. Gender ideology is also failing to promote fairness or safety in sports. We are submitting evidence because we have serious concerns that self ID and gender identity ideology undermine our human rights as LGB people, with a disproportionate negative effect on (women and) lesbians. Gender ideology, based on regressive and sexist stereotypes, is deeply homophobic.

2. Comments on Government's response to the GRA consultation:

- A **fee** for obtaining a Gender Recognition Certificate (GRC) should be retained.
- The requirement for a **diagnosis of gender dysphoria** should be retained. People with this distressing condition need help and support, and a diagnosis will assist this.
- The requirement for individuals to have **lived in their acquired gender for at least two years** should be retained. This term needs to be clearly defined, as it seems to be mainly about presenting as a gender stereotype.
- The **age limit** at which people can apply for a Gender Recognition Certificate (GRC) should *not* be lowered. Better it be *raised* to protect teenagers from making serious lifechanging decisions while their brains are still developing, and to allow time for counselling support. "Evidence suggests that the majority of children left alone reconcile their identity with their biological sex; the feelings of 60-80% of children with a formal diagnosis of gender dysphoria remit during adolescence" (*Sex, gender and gender identity: a re-evaluation of the evidence by Griffin, Clyde, Byng, Bewley in BJPsych Bulletin (2020) p.2*) The **BBC Newsnight** program on the Tavistock Centre (June 2020) revealed that staff had serious concerns that young people were being uncritically pushed onto puberty blockers (and thence cross-sex hormones) based on an affirmation-only approach. On 16 September 2018, the Telegraph noted the **4400% increase** in young girls wanting to "change sex" did raise enough questions to prompt an inquiry. We may ask what role does social media and promoting transgenderism in schools play in encouraging even young children to question if they are a boy or girl.

At **LGB Alliance Cymru** we are all too aware that for many of us, had we been growing up in the current climate, we would more than likely have been on the "transition train", being offered experimental drugs and unreliable surgical treatments to resolve our non-conforming gender expression (now defined by Stonewall as "trans") and our same-sex sexual orientation.

3. Concerning transgender equality and current legislation:

- Are there challenges in the way the Gender Recognition Act 2004 and the Equality Act 2010 interact? For example, in terms of the different language and terminology used across both pieces of legislation.
- Are the provisions in the Equality Act for the provision of single-sex and separate-sex spaces and facilities in some circumstances clear and useable for service providers and service users? If not, is reform or further guidance needed?

We address both these questions together.

The primary issue here seems to be the nonsensical conflation of 'sex' and 'gender' which essentially leads to the erosion of women's sex-based rights and protections, including their access to single sex services and spaces. This is even more of an issue for lesbians.

Written evidence submitted by LGB Alliance Cymru (GRA1474)

More accurate guidelines are needed to ensure understanding of women's legal rights and the importance of maintaining our lawful boundaries. For example, conflicts over sex and gender conflation occur most distressingly in settings where women are most vulnerable: in refuges, prisons, rape crisis centres, homeless shelters, and psychiatric wards. The general impact is apparent in the loss of single-sex toilets for so-called 'gender neutral' toilets, more correctly known as 'mixed sex' toilets. Allowing men who identify as transgender to use women's toilets is a breach of the Equality Act, even if they hold a GRC. However, to even question a man's right to be in a women's toilet is now deemed "transphobic".

In schools, girls who are unhappy that boys are allowed to access their toilets are often told to use a different toilet if they are uncomfortable. We have heard accounts of girls reducing their liquid intake to reduce the need to use the toilet. However, menstruation cannot be refused and the embarrassment and loss of dignity girls are forced to suffer as they rinse out their bloody underwear or menstrual cups in mixed sex toilets is a serious matter.

In healthcare, considerations that can include privacy, decency, cultural and religious sensitivities, or psychological vulnerabilities are seen as crucial in providing single sex services for women. One (lesbian) member felt she had to submit to a breast exam from a male doctor as she was too shocked and intimidated to refuse. We need single sex wards in hospitals, and women have the right to feel safe.

The six legal exemptions in the Equality Act to support women's right to single sex spaces are: women-only services, women-only clubs, all-women shortlists, occupational requirements, communal accommodation, and competitive sports. Further guidance (and enforcement) is clearly needed as we see a proliferation of men competing and winning in women's sports. Unfair and unsafe no-one would dispute, but somehow the notion of 'inclusivity' now seems to trump the law. Members have commented on their reluctance to use sporting facilities including gyms and swimming pools, if they have to undergo the indignity and loss of privacy of their women-only changing rooms admitting men.

- The Equality Act adequately protects trans people through their protected characteristic of **gender reassignment**. We completely support trans-identifying people's right to live their lives free from discrimination or harassment, and they should be encouraged to access support, including mental and sexual health and social care services.

Conclusion:

We call for a strengthening of the provisions in the Equality Act 2010 to protect the single-sex exemptions and access to women-only spaces to be for (natal) women only, as per the intention of the Act.

We also call for the Committee to take note of the levels of abuse women are subjected to for standing up for their legal rights.

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