

Written evidence submitted by Rachel King [GRA1801]

Thank you for providing the opportunity to respond to the Women and Equalities Select Committee on the issue of reform of the GRA.

I would like to respond to the following section.

Wider issues concerning transgender equality and current 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?

My concern is for the preservation of single-sex spaces and services for women and girls, to allow women and girls their dignity, privacy and safety at times when they are likely to be vulnerable. Spaces include public toilets, changing rooms in clothes shops, changing and showering facilities at sports centres, toilets and cloakrooms in schools, hospital wards, and refuges for female victims of domestic violence. Services include health care, particularly the provision of intimate services to women such as smear tests and mammograms, and social services such as the provision of counselling to female victims of rape and domestic violence.

Although there are many areas where the erosion of single-sex spaces for women and girls will have an impact on our dignity, privacy and safety, I would like to focus on just one area, the provision of single-sex toilets in schools. It seems that a number of mixed-sex schools have decided to, or are considering, adopting a policy of making toilets unisex.

<https://www.transgendertrend.com/gender-neutral-toilets-schools/>. This policy may be based on the notion that single-sex toilets are in some sense old-fashioned, or schools may be fearful of falling foul of confusing legislation which uses the words “sex” and “gender” interchangeably. This is unsurprising, as many schools have been advised by Stonewall that “A trans young person may wish to use the toilets and changing rooms of their self-identified gender rather than of their assigned sex. Schools and colleges should make sure that a trans student is supported to do so and be aware that this is a legal requirement under the Equality Act.” <https://www.stonewall.org.uk/supporting-young-trans-person-school-or-college>

At a time when the UK government’s own evidence shows that sexual assault “between children” (this phrase seeks to obfuscate that the vast majority of these assaults are made by boys, and the vast majority of the victims are girls) it seems extremely negligent of schools to take away girls’ single-sex toilets.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719902/Sexual_violence_and_sexual_harassment_between_children_in_schools_and_colleges.pdf

As well as the issue of safety, there is also the issue of girls’ shame about their normal bodily functions, including menstruation. It would be wonderful if girls and women didn’t feel embarrassed about menstruation, but many or even most do feel an intense desire to be extremely discreet. To give you an example from my own life; I was at a girls’ secondary school, so there was never any danger of there being a boy in the toilets, but I was still too embarrassed to unwrap a pad or a tampon in the toilets if there was another girl in there. I

Written evidence submitted by Rachel King [GRA1801]

would have to wait until I knew I was on my own to be able to deal with my period. I can't even imagine how I would have felt if there might have been a boy in the toilets. Plan UK's recent research suggests that this situation is no better now than it was for me in the late 1970s, with so many girls experiencing teasing about menstruation. Single-sex toilets are very important for the dignity, privacy and safety of girls at UK schools. <https://plan-uk.org/media-centre/one-in-five-uk-girls-teased-or-bullied-because-of-their-period-new-survey-finds>

I would strongly urge the Women and Equalities Committee to contribute to the EHRC as it develops guidance which will encourage schools to feel confident about providing lawful separate sex facilities for girls, and making it clear to those girls and their parents that their dignity, privacy and safety is of paramount importance to the politicians who govern this country. Our girls are a precious resource and we should be protecting and cherishing them, and nurturing their strength and self-belief. This is only possible in environments where they are given the right to those three vital things – dignity, privacy and safety.

November 2020