

## Written evidence submitted by Socialist Feminist [GRA1907]

### Submission to the Women and Equalities Select Committee (WESC)

I am a retired college principal, a grandmother, feminist and Labour party branch chair. I worked for some years in a London women's aid refuge and then Women's Aid nationally. This submission is sent in a personal capacity.

#### Executive summary

The Equality Act does not need reform.

However, further guidance is urgently needed on the single-sex exceptions, because they are not properly applied at present.

1. Will the Government's proposed changes meet its aim of making the process "kinder and more straight forward"?

Yes.

2. Should a fee for obtaining a Gender Recognition Certificate be removed or retained? Are there other financial burdens on applicants that could be removed or retained?

*Government proposals for reduction in fee are generous and fine.*

3. Should the requirement for a diagnosis of gender dysphoria be removed?

*No, it is a privilege to change the record of your biological sex, and to enjoy the additional safety of women's rights, and should not be given away lightly. Men being able to change their sex to that of women, is such a potential hazard for the safety of women and girls, that it needs to be managed and regulated.*

4. Should there be changes to the requirement for individuals to have lived in their acquired gender for at least two years?

*No. It should not be shortened. So many young people, especially girls, regret their transition and wish to reverse it after less than two years, it would be ridiculous to ask them to go through obtaining another new GRC just to regain their original sex identity in a short period of time.*

5. What is your view of the statutory declaration and should any changes have been made to it?

*No comment.*

6. Does the spousal consent provision in the Act need reforming? If so, how? If it needs reforming or removal, is anything else needed to protect any rights of the spouse or civil partner?

*No. But transwidows need to be listened to on this topic. Their lives, and those of their children, can be massively damaged by the transition of their male partners, especially where autogynephilia is involved, or coercive control.*

7. Should the age limit at which people can apply for a Gender Recognition Certificate (GRC) be lowered?

*The BBC Newsnight programme exposed alarming failings in the current approach of GIDs:*

## Written evidence submitted by Socialist Feminist [GRA1907]

<https://www.youtube.com/watch?v=zTRnrp9pXHY&feature=youtu.be>

*The Care Quality Commission (CQC) inspection report on GIDs is also due soon. However, I am not hopeful that it will be accurate or fair. The recent doubling down of CQC in its insistence that its replacement of the word sex with gender is more inclusive, is grounds for concern about their fitness to inspect a gender identity service. To inspect this service, they need to understand the distinction between sex and gender.*

8. What impact will these proposed changes have on those people applying for a Gender Recognition Certificate, and on trans people more generally?

*N/A*

9. What else should the Government have included in its proposals, if anything?

*The Government should issue a reminder that there are 9 protected characteristics under the Equality Act 2010, and that public bodies which replace the word sex with other invented categories such as gender or gender identity, are not complying the Act.*

10. Does the Scottish Government's proposed Bill offer a more suitable alternative to reforming the Gender Recognition Act 2004?

*No. Please check out the response from <https://forwomen.scot/> and also Labour Women's Declaration. Both gave excellent responses to the Scottish GRA Consultation. <https://labourwomensdeclaration.org.uk/wp-content/uploads/2020/04/LWD-response-to-Scottish-gender-reform-consultation.pdf>*

### **Wider issues concerning transgender equality and current legislation:**

11. Why is the number of people applying for GRCs so low compared to the number of people identifying as transgender?

*Transgender has become a catch-all word to encompass all sorts of gender non-conformity. Many identifying do not need or want a GRC. Because of the worsening of sexism, many people have been led to believe that not conforming to sexist stereotypes (which is of course a good thing) means that they should identify as transgender.*

12. 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.

*Yes, but others commenting on this topic have more precise information, for example Labour Women's Declaration. Many commentators, for example Professor Robert Wintemute of Kings College London, now believe the GRA was generous. Other commentators with useful evidence on this issue include Sex Matters, Legal Feminist, and Maya Forstater.*

## Written evidence submitted by Socialist Feminist [GRA1907]

13. 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?

*The Equality Act does not need reform.*

*However, further guidance is clearly needed, because the SSEs are not properly used.*

*The Labour Party's 2019 manifesto committed to the single sex exceptions (SSEs) being "understood and enforced in service provision".*

*In response to the recommendations of the last WESC the Government committed in July 2019 to issue guidelines on the SSEs*

*<https://publications.parliament.uk/pa/cm201919/cmselect/cmwomeq/96/9602.htm>. However, this has not happened.*

*When the Equality Act 2010 was enacted, it was recognised that there could be conflicts of rights between protected groups. An example quoted in the explanatory notes describes a woman recovering from the trauma of male violence as someone who may legitimately object to a male-bodied transwoman being part of a women only counselling group. For this reason the SSEs were included in the Act.*

*However, due to the massive policy capture of so many institutions by the Stonewall Diversity Champions programme and other similar campaigns, (including of the Government's Legal Service, the GEO, EHRC, NHS etc) there is universal confusion about whether it is correct or legal to continue to use the SSEs. "Gender neutral" facilities are being introduced, without consultation with women or other affected protected groups. Stonewall is advising its Champions to word their policies inaccurately, in advance of any law change.*

*This move towards removing single sex provision, whether in NHS Wards, prisons, or provision for women recovering from male violence, is being influenced by those who wish to deny the real risks to women from male violence. Sexual assault and violence is primarily enacted by men upon women. This is why that risk has to be mitigated and girls and women allowed to object when male bodied people enter safe women's spaces.*

14. Does the Equality Act adequately protect trans people?

*Yes.*

*If not, what reforms, if any, are needed N/A*

15. What issues do trans people have in accessing support services, including health and social care services, domestic violence and sexual violence services?

*Women in the 1970s campaigned and fundraised to set up women's aid and rape crisis services, running provision in squats, our own houses, and using whatever money we could find. However, it is acknowledged that current levels of provision are not sufficient for the number of women*

## Written evidence submitted by Socialist Feminist [GRA1907]

*needing it. If additional provision is needed for trans victims of male violence, then there is scope for similar campaigning and fundraising and establishment of new provision. To demand that existing provision for women should extend itself to accommodate an additional category of people, or to threaten to remove funding if it won't, is profoundly sexist and unfair and damaging to the many women who need services.*

16. Are legal reforms needed to better support the rights of gender-fluid and non-binary people? If so, how?

*No. Departure from sex stereotypes should be celebrated, and everyone who is gender non-conforming should be, and is, protected from discrimination by the Equality Act. "Gender fluid" has no separate meaning from gender non conforming. Non-binary is a contradiction in terms. Biological sex is binary, just as human mammals are bipedal.*

### RECOMMENDATIONS

*The Terms of Reference for this current inquiry are lacking any reference to women. This mistaken omission means that extra care needs to be taken to listen to women's response.*

*The Previous WESC listened to many well-funded lobby groups advocating transgender ideology, but found no time to hear from women, a fact which its Chair Maria Miller has partially apologised for.*

*This time it is important for the committee to hear from the unheard voices. These include: detransitioners and their supporters Transgender Trend <https://www.transgendertrend.com/>, transwidows, lesbians (including <https://lgballiance.org.uk/>, Lesbian Labour, Lesbian Strength) and feminists including all the political party women's pledge groups – Labour Women's Declaration <https://labourwomensdeclaration.org.uk/>, plus the SNP, Conservative, Libdem, Greens and WEP women's groups. They can all be contacted via the umbrella group Women Uniting - [womenunitinguk@gmail.com](mailto:womenunitinguk@gmail.com)*

*Please also invite the veterans of the newly resurgent Women's Liberation Movement – A Woman's Place UK <https://womansplaceuk.org/about/> and <https://fairplayforwomen.com/>.*

**November 2020**