

Written evidence submitted on behalf of Women-Uniting

1. Who are you and why are you sending us this evidence?

Women-Uniting seeks to retain Women's sex-based rights and has 3 main functions:

1. WU is a network of 7 autonomous party political women's pledge groups in the UK.
2. WU is the founder of a public petition regards sex-based rights.
3. WU connects other Women's organisations, such as WPUK and Filia, concerned about retaining women's Sex-based Rights.

[Women-Uniting](#)

[Green Feminists Women and Girls Declaration](#)

[Liberal Democrats' Women's Sex-based rights Declaration](#)

[Women's Equality Party Sex-Based Rights Caucus](#)

[SNP Women's Pledge](#)

[Labour Party Labour Women's Declaration](#)

[Conservative Party CUP Women's Pledge](#)

Women-Uniting was formed in late 2019 as members and supporters of (then) six political parties came together to pledge our support for women's sex-based rights. Collectively, our pledges have been signed by over 13,500 people which we believe is a sign of the growing concern about the erosion of women's hard won rights and protections. Women-Uniting amplifies the concerns of women from across the political spectrum. We connect the autonomous working groups in Conservatives, Labour, LibDem, Greens, SNP, WEP and the Communist Party where sadly, regardless of the party, the rights of women are being ignored and undermined by factions of very disruptive and violent activists.

Upon realising that our concerns were not unique to political parties, in March this year on International Women's Day we launched a petition aimed at the general public calling on Liz Truss to apply the recommendations made by this committee's predecessors regards guidance and clarity on single-sex exemptions. Over 7700 have signed it showing clear concerns in their comments that they agree about the need for such clarity and guidance.

The Change.org petition is [here](#).

We call upon the government, specifically the Rt Hon Elizabeth Truss MP, Minister for Women and Equalities, to commit to the following;

- 1. Clarify and further enshrine in law the legal definitions of 'Woman' and 'Sex' in order to make current legislation clear and unambiguous and ensure data used to inform government policy is correctly recorded.**
- 2. Publish guidance explaining and enforcing the single-sex exemptions in the Equality Act 2010. A new statutory Code of Practice must help everyone be clear on what “single-sex” means, as recommended by the Women and Equalities Select Committee in July 2019.**
- 3. Ensure all new laws, amendments, and policies are assessed for their impact on 51% of the population, women and girls.**

Although we are an independent self-funded organisation, more recently we have begun to establish a network between other Women's rights groups such as WPUK, Fair Play For women, the Institute of Feminist Thought and Filia taking joint action when required.

2. Executive summary

The original GRA 2018 'consultation' was notable for its complete lack of consultation of Women's groups. Women make up 51% of the population and are the largest group impacted on by any proposed changes to the GRA. Specifically, Women as a sex-class are drastically affected by any legal redefinition of the word Woman. Any apparently innocuous changes in legal terminology, like the replacement of the word SEX (referring to immutable biological sex) with GENDER, will have far reaching consequences for those who are oppressed on the basis of their biological sex i.e. Women and girls.

The continued conflation of sex and gender has been part of a strategy seeking to redefine language in law and thus undermine female rights and protections fought for the last 50 years of the Women's movement, all under the auspices of 'progress'.

More than half the country's population were systematically disenfranchised and intentionally sidelined in favour of special interest lobby groups representing approximately 0.5% of the population. Efforts to make more Women aware of the impact of proposed legal changes to the law have been met with bullying, [intimidation](#), violence and [acts of terrorism](#). Women who have had the courage to speak out on this issue have been [violently assaulted](#) and then subject to violent [threats on social media](#). It is unconscionable that this consultation was allowed to take place. The wider media have not only failed to report, but have been complicit in their silencing.

The amount of institutional policy capture is staggering. Women's rights, single-sex spaces, and the important single-sex exemptions are still the law of the land. Women as a sex-class

are protected by the Equality Act 2010. Yet, [clandestine parliamentary lobbying](#)¹ and collusion between the [Prison Service](#)², [Police](#)³ and [Judiciary](#) have resulted in thousands of organisations pre-emptively implementing Self-ID as de facto legislation, when it is anything but.

The discrimination experienced by women stems from the physical and social consequences of being born female and yet this has been continually and intentionally conflated with gender to the detriment of the rights of women as a sex-class.

The abuse that many Women receive, both directly and indirectly, at the hands of activists has terrified so many that even anonymous consultation documents cannot be shared for fear of reprisals which take the form of physical and verbal attacks and the wanton destruction of many women's gainful employment and livelihoods.

The language used throughout this call for evidence is seriously difficult to relate to; none of the following terms have any legal definition, nor do they even have a settled definition among the general public: 'trans people', 'gender-fluid', non-binary.

#SexNotGender

¹ Dentons - "Another technique which has been used to great effect is the limitation of press coverage and exposure....In Ireland, activists have directly lobbied individual politicians and tried to keep press coverage to a minimum in order to avoid this issue."

² Notts-Health Leadership in Trans Equality - "We have also delivered sessions in a number of prisons, where our staff provide physical and/or mental healthcare, to both healthcare and prison staff." "Another good example (food for thought) – if a female (who was once male and has a past history of sexual assaults on women) needed admission to a female ward then she should be treated as any other patient and a thorough risk assessment be carried out."

³ The Times - "Male sex offenders can skew crime statistics and put women at risk by claiming to be female when arrested, it has emerged."

The Government's response to the GRA consultation:

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

We have seen no evidence that the process is unkind, in fact there is evidence that it is ['swift, professional, and respectful'](#):

We refute the suggestion that the process is not both kind or straight forward. The NHS undergoes specific diagnostic pathways and treatment which is for the benefit of the patient, not the practitioner.

We also believe that recently "kinder" and "be kind" have been weaponised in this context as another tactic to bully and intimidate women into not speaking out about their own rights.

Why is it always women who are expected to [be kind](#)?

4. 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?

No. A very much reduced fee is already available to many, and even the full fee is less than the cost of a television licence.

We recommend retaining the fee in order to show it is a serious undertaking and to maintain some gatekeeping.

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

No. We do not allow patients to self diagnose any other condition.

Individual adults (potentially extending to children) who have complex physiological and psychological needs are dictating diagnosis to professional healthcare practitioners. It is, in effect, a medicalised pathway which does not include any medical oversight, supervision or due diligence from a healthcare professional to ascertain if there is any comorbidity, underlying issues. This would be an astonishing admission for the Government and would be unconscionable if it were applied to any other diagnostic treatment.

Rene Jax is a US based Trans Woman who became the first openly Transgender police officer in the World. Here, Jax speaks at Gender Identity Forum in Manchester, New Hampshire describing the [anomaly of patient led diagnosis](#) for health conditions,

Whilst gender dysphoria is an uncomfortable position and we would wish to support any individual suffering from it as much as possible, there is a danger that it could be used as a tool to fundamentally alter women's rights and the definition of what a woman is. If we can't define 'woman' in legislation how can we protect them adequately?

We recommend a diagnosis of severe 'gender dysphoria', unalleviated by any other therapeutic intervention, should be the only justification for the GRC process.

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

It should be retained as a minimum. Given the effect a change of 'gender' has on everyone within society, particularly on women and children, then the least people should do is only undertake such a course after much contemplation and therapeutic intervention.

However we would dispute the fact that anyone can live in an 'acquired gender'; what does this mean? We are women, we were born female, were raised as girls, matured, and became women, adult human females. How else does one 'live as a woman'? Surely we are not to rely on sex stereotypes, such as names, clothes, hairstyles?

There needs to be greater clarification around what [living as the opposite sex](#) actually means, particularly as there are a number of 'transwomen' who choose to retain their male privileges at home by having a wife who takes care of the children, cleaning and household budgeting. Can we really say that these individuals are living 'in role' as a woman?

<https://www.libdems.org.uk/helen-belcher-ppc>

We recommend no change to this requirement but we would also urge the Government to consider repealing the GRA and replace it with something that meets modern day needs (given same-sex marriage and pension equality, two of the original drivers of the GRA, are now moot).

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

If we are going to continue down the path of issuing documents that create a legal fiction then there has to be some capacity for censure if people break the rules.

We recommend retaining it, but there must be circumstances in which a GRC can be rescinded and a process for doing so. If a serious crime is committed, for example, like sexual assault or rape.

8. 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?

The Spousal consent does not need reforming.

8.1 Spousal Consent - Analysis of current legislation

Marriage is a legal contract. If one of the partners changes the terms of that contract there needs to be an opportunity for the remaining partner to end that marriage contract without penalty.

Removal of the spousal veto in practice means the non-transitioning female partner would not be able to cite their husband having gender reassignment surgery as reasonable grounds for divorce.

<http://genderapostates.com/transwomen-and-narcissistic-rage/>

8.2 Spousal Consent - Relevance Disparity to male/female spouses

If the Spousal Consent is removed it is likely the vast majority of those disadvantaged would be Women and not men. There is a fundamental disparity between the Mean/median Transition Age (MTA) of both male and female subjects.

Female to male transition: mean (average) age was [26 years](#)

Male to female transition: median (most frequently occurring) age was [42 years](#).

If this is then correlated with the data according to the 2017 [Office of National statistics](#) the sex-based disparity on which sex class are disproportionately affected by the Spousal Consent becomes clear:

The average age of marriage for men: 38.0 yrs 4 years BEFORE MTA

The average age of marriage for women: 35.7 yrs nearly 10 yrs AFTER MTA

An analysis of [Age-Related Differences for Male-to-Female Transgender Patients Undergoing Gender-Affirming Surgery](#) shows those patients who had GAS [Gender Affirming Surgery] past the age of 35 years were significantly more frequently married and had fathered children.

Because of the nearly 20 year age gap between male and female MTA it is far more likely that a male partner, rather than a female partner will transition post marriage. Therefore it is statistically likely that a trans man would already have transitioned prior to marriage, whereas a Trans Woman would not and the likelihood of Women being disproportionately impacted by the Spousal Consent is drastically increased.

In this instance it would be heterosexual Women who would be most impacted by the removal of Spousal Consent, which redefined them, in law, into a homosexual marriage.

8.2 Spousal Consent - Redefining Spouse as Homo/Hetrosexual Without Consent

Although the example given is for heterosexual couples the reverse is also true for homosexual couples. Same-sex marriage [became legal](#) on 29 March 2014 in the UK a partner who entered into a consensual homosexual marriage would have their sexuality redefined, in law, by the continuation of the marriage of a gay or lesbian partner

In this instance it would be homosexual men who would be most impacted by the removal of Spousal Consent, which redefined them, in law, into a heterosexual marriage.

8.4 Spousal consent - Financial Implications of 'Fault' Divorce

Even with the advent of 'no-fault' divorces commencing in Autumn 2021 this still requires BOTH partners to accept there was no individual partner at fault.

8.5 Spousal Consent - Pension contributions

[NOW: Pensions](#) by the Pensions Policy Institute stated the national average female pension pot was £24,444, compared with a male average of £40,084. This is more than double the disparity of the gender pay gap, the discrepancy between the average salaries of men and women, which stands at 17.3 per cent.

Technically, this would also apply to a female to male transitioning partner but since the Women have on average 39% less pension than men, the sum saved towards retirement by a woman in her 60s is £51,100, while men of that age have put away £156,500, Women would be disproportionately affected by this outcome.

Men who transitioned would suddenly not receive the average pension contribution of Women and the reverse is also not true. This disparity of income would then be held against the female non-transitioning partner.

8.6 Spousal Veto Summary

- Spousal Consent is continually weaponised by activists as a cruel process that empowers one partner to 'block the transition of another. However, in reality, Spousal Consent is a vital legal safety net to protect Women's right to a no-fault divorce after they have entered into a marriage contract where the male partner subsequently transitions.
- The reason the sex-based disparity of impact of the Spousal Consent is not highlighted by activists is that the vast majority of those affected by its removal are women and the vast majority of those who benefit from it, and are thus demanding its removal, are men.
- The campaign to remove the spousal veto highlights the regressive and shockingly sexist motivations of the activists and the historic and continuing financial disenfranchisement of Women.
- Women would have no grounds for divorce if they were no longer attracted to their partner because they were now identifying and presenting as female.
- Hetrosexual Women who objected to a legal redefining of their own sexuality as homosexual would automatically be at-fault in any divorce proceeding and therefore disadvantaged in any subsequent financial settlement.
- Women who had given up their career and independent income to raise children would be doubly impacted from having a lower pension contribution.
- There is [no evidence to suggest](#) that a transitioning male to female partner would take on the majority of the unpaid labour and emotional capacity of typically gendered female roles. Substantial anecdotal evidence suggests behaviour is comparable with typical males.
- Women entering their twilight years could be blackmailed or coerced into staying in a marriage or face severe financial hardship.

We strongly recommend consulting with [Trans widows](#).

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

Absolutely not.

Young people are already under enormous amounts of pressure to claim a 'gender identity', often due to the presence of lobby groups in schools and the use of their educational materials that imply everyone has a 'gender identity' and that children can be born in the 'wrong body'.

Even the BBC have been complicit in this, saying there are more than '100 genders' (LINK?)

We recommend the government actually gets on with [delivering the research it promised](#) over 2 years ago, into the explosive increase in children, particularly girls, being referred to GIDS.

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

No comment.

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

The Government needs to start properly consulting women about proposals that directly affect them.

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

No.

It proposes reducing the age limit and allowing 'Self ID' with no legal or medical gatekeeping. This would be disastrous for the sex-based rights of women.

Wider issues concerning transgender equality and current legislation:

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

This question is misleading and impossible to answer.

The language and definitions around this issue is highly contested and the very issue that needs to be addressed by the Government in clear and concise guidelines including an acknowledgement of the existing definitions and the conflation of sex with gender.

However it is worth noting the uptake of GRCs has substantially correlated to the approximately 5000 transsexuals they were designed to apply to.

14. 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.

Multiple challenges; the use of 'sex' and 'gender' as interchangeable terms is causing complete confusion for service providers and the general public.

There appears to be a disconnect in the public perception between the transsexuals whom many people believe to be the only 'trans' and the change within the trans movement itself which is now seeing a rise of many individuals who do not wish to have SRS, but still believe they are entitled to women's spaces and [places on all -women shortlists](#).

It appears that even where equality has not been achieved for women, validating identity and [allowing women's places to be taken is paramount](#).

A key part of the new Transgender movement appears to be that many of the individuals self-identifying as transgender do not experience gender dysphoria but can be perceived as using it as form of [further dominance and control over women](#).

We recommend the removal of the term 'gender' when they actually mean 'sex' from all official documents, and a public information campaign to do the same across the whole of the UK.

We recommend anyone issued with a GRC is told very clearly that their sex has not changed, and they are not entitled to the rights of the opposite sex.

15. 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?

No.

Recommendations were made by the previous WESC in 2019 that made this clear; (see items 14 and 15 attached). These have never been acted upon. The [Government](#) should do so as a matter of urgency.

We also recommend a public information campaign should be instigated to inform women that they DO have a right to single-sex spaces, services, sports, and intimate care, and that ALL males, however they identify, can be excluded

16. Does the Equality Act adequately protect trans people? If not, what reforms, if any, are needed?

The Equality Act [2010] protects those with the characteristic of gender reassignment. As such it renders the Gender Recognition Act redundant.

The often quoted protection of 'gender' under the Equality Act [2010] does not exist and is a complete fallacy. However, this 'protection' is often asserted and subsequently weaponised by activists who are attempting to conflate the terms of sex and gender with the specific political aim of [exchanging them in the legislation](#).

Terms are meaningless without clear and concise definitions.

The government needs to clarify the language and the terms around this issue before it can hold a genuine and meaningful discussion on how to protect trans people under the law.

The government needs to clearly define a trans person before being adequately positioned to protect them.

The protected characteristic of sex is based upon immutable biology, regardless of gender expression or presentation. Trans people are defined in terms of their physical biology being incongruent with their sense of self-identity. This definition becomes meaningless once you remove the underlying biology.

A woman is an adult human female.

If you cannot define what a Woman is how can you protect them?

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

Perhaps the committee should listen to the testimonies of female service users and the issues they have with accessing services when males are allowed access. There are very serious issues around this but women are never asked.

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

Again, no definitions so impossible to answer.

We recommend the Government considers legal reforms to enshrine the rights of people to resist compelled speech, and not to be forced to affirm or agree with anyone else's means of self-expression.

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