



A Woman's Place

Who are we?

We are a group of people from a range of backgrounds including trade unions, women's organisations, academia and the NHS. We are united by our belief that women's hard won rights must be defended.

What are we for?

We are against all forms of discrimination. We believe in the right of everyone to live their lives free from discrimination and harassment. Women face both endemic structural and personal inequality. This is reflected, for example, in the high levels of sexual harassment, violence against women and girls; the gender pay gap; discrimination at work. This is why sex is a protected characteristic in the Equality Act (2010) which we believe must be defended.

We are calling for:

1. Respectful and evidence based discussion about the impact of the proposed changes to the Gender Recognition Act to be allowed to take place and for women's voices to be heard. Too often women are silenced, threatened, trolled, harassed and even physically assaulted for daring to engage in a discussion about the possible consequences of a legislative change. The accusation of "transphobia" should not be used to shut down women's voices.
2. The principle of women only spaces to be upheld – and where necessary extended. In subsequent briefings we will set out the reasons why these spaces are needed.
3. A review of how the exemptions in the Equality Act which allow for single sex services or requirements that only a woman can apply for a job (such as in a domestic violence refuge) are being applied in practice. We believe that the Women and Equalities Select Committee inquiry and its recommendations have had a chilling effect on many service providers and employers who are now not sure if it is lawful to apply these exemptions.
4. Government to consult with women's organisations on how self-declaration would impact on women only services and spaces.
5. Government to consult on how self-declaration will impact upon data gathering – such as crime, employment, pay, and health statistics - and monitoring of sex-based discrimination such as the gender pay gap.

Why now?

The Government Equalities Office has [committed to consult](#) on changes to the existing Gender Recognition Act.

The current process requires that you are over 18; have been diagnosed with gender dysphoria (*defined by the NHS as a condition where a person experiences discomfort or distress because they believe there to be a mismatch between their biological sex and gender identity*); that you've lived in your acquired gender for at least 2 years and that you intend to live in your acquired gender for the rest of your life. You must also have an original or [certified copy](#) of your birth certificate and copies of any official documents that show your birth name has changed to your current name; proof you've lived in your acquired gender for the required time (*2 years for standard route, 6 years for alternative route*); any medical reports and proof you're living in your acquired gender (*passport, driving licence, payslips or benefit documents, utility bills or other documents of an official nature*)



The proposed change to the law would simplify the process to gain a GRC with the likely introduction of a simple statement of intent as in Ireland:

"I do solemnly and sincerely declare that I:

- i. have a settled and solemn intention to live in the preferred gender for the rest of my life,
- ii. understand the consequences of the application,
- iii. make this application of my own free will." [Gender Recognition Act, Ireland, 2015](#)

The Equality Act 2010 allows for those with a gender recognition certificate to be exempt from some services, occupations or spaces where there is a "*proportionate means of meeting a legitimate aim*". These exceptions are not general but must be justified on a case by case basis:

"A service provider may have a policy about providing its service to transsexual users, but this policy must still be applied on a case-by-case basis. It is necessary to balance the needs of the transsexual person for the service, and the disadvantage to them if they are refused access to it, against the needs of other users, and any disadvantage to them, if the transsexual person is allowed access. To do this may require discussion with service users (maintaining confidentiality for the transsexual service user). Care should be taken in each case to avoid a decision based on ignorance or prejudice." [Equality and Human Rights Commission Guidance on the Equality Act](#)

Transgender people should have the same rights as anyone else to be free from discrimination, to access the services that they need and to be treated with dignity and respect.

However, moving to a process of self-declaration risks unintended consequences for the safety and wellbeing of women and girls. If the government were to go ahead with the proposed simplification of the gender recognition process, and move towards a self-declaration system, it would mean that violent male offenders could demand access to women only spaces and services such as refuges, sexual violence centres/services and prisons simply by claiming to identify as a woman, whether or not this was the case. There is [already evidence that](#) this is happening in the prison service in the UK. There is evidence from both the UK and internationally of people who were born male entering women only spaces dressed as women and going on to assault women.

Whether or not these offenders are transgender is irrelevant since the recommendations in the report would facilitate this type of offending by making access to women only spaces dependent on an individual's declaration that they identify as a woman with no need for any process of social or medical transition.

Trans people have the right to access the services that they need and there are real concerns about the safety of transwomen, in particular if they are housed in the mainstream prison population in line with their biological sex. However, the Committee's recommendations in these areas are not the best way to address these issues and threaten the safety and wellbeing of women and girls.

How can you get involved?

- Join our campaign
- * Read and share our briefings
- Discuss the proposals with other people
- Write to your MP