

sex matters

Campaign For **The Right To Choose** Single Sex

Calling for businesses and providers to invoke the Equality Act sex exemptions and give users the choice of single-sex provision, to stop the march towards universal unisex inclusion.

This campaign is for the right and freedom to choose.

To have the category, choice and provision for single sex.

To not have that right taken away as part of universal unisex inclusion.

Who does it affect?

Anyone who wants or needs to have same-sex services and spaces for any reason.

Particularly people who are vulnerable, such as those with disabilities, homeless women, people who are sick in hospital, people with mental illnesses or traumatised by rape or domestic abuse.

Also children and adolescents learning boundary-setting and issues of consent, and needing particular protection from predatory adults when accessing public services.

And anyone who simply feels uncomfortable or that their life choices will be limited because they, for reasons whether religious, cultural, personal or safeguarding, prefer or can only use, single-sex services and facilities.

The principles of the right to choose single sex are:

1. Single sex means all participants are the same sex and separate from the opposite sex.
2. The inclusion of even just one member of the opposite sex, means that for the duration of their participation, single sex ceases and instead becomes unisex inclusion.
3. Campaigning for the right and freedom to choose single sex is not a campaign to end unisex inclusion for those who prefer and choose it. We support a range of options.
4. Where unisex inclusion exists, but numbers of willing participants are low, those who choose and prefer single sex provision must not be forced into unisex inclusion.

What about people who don't want to access single-sex services and facilities?

This campaign is for the option for single sex provision, so people who prefer unisex inclusion can have that option too.

Why are sex categories and the right to choose single-sex provision important?

1. Sports

For fair competition which takes into account the clear advantages and disadvantages of chromosomal sex differences, for increased participation of women and girls in sports, and for the safety of participants in contact sports. **This includes sports teams, leagues, competitions and games.**

2. Facilities, services and accommodation

For privacy, safety and dignity where participants are vulnerable, in states of undress, tending to matters of puberty, menstruation, pregnancy, miscarriage, birth, breastfeeding, other matters of primary and secondary sex function and health, or tending to matters of excretory organs. Also in circumstances where they are asleep or unconscious, where they conduct personal care, grooming or medical procedures, or any other situation where participants are vulnerable to voyeurism, exhibitionism, sex assault or impregnation.

This includes hospital wards, prisons, changing rooms, gyms, baths, personal care assistance, conveniences, school trips and shared overnight accommodation.

3. Retreat and same-sex support

Where participants are being harassed, stalked, intimidated or threatened by a member of the opposite sex.

This includes specific services such as Rape Crisis Centres and women's refuges as well as informal places such as women's conveniences.

4. Monitoring and addressing sex difference

For gathering accurate sex-based data which is relevant to health, education, employment, salaries, political representation, births, deaths and crime, in order to tailor sex-specific provisions and redress inequality.

This includes health planning, analysing specific patterns of offending and victimisation and all-women shortlists.

But is the right to choose single-sex provision important even where most people don't mind unisex?

1. Learning, education and development

Some children and adults thrive more in single-sexed education and recreational activities.

This includes single-sex schools, Girl Guides and women and girls in STEM subjects.

2. Sanctuary, privacy and recovery

Single-sex spaces mean participants can be confident they will be free from potential harassment, voyeurism, intrusion, domination or embarrassment by the opposite sex, which can be an important option for a number of reasons:

i) It can be preferable when politically organising around legitimate aims.

This includes meetings, conferences, festivals and peace camps.

ii) It can enable lesbian and gay people to meet privately.

This includes lesbian or gay 'date nights', clubs and bars.

iii) It can allow for open discussion of personal issues, private engagement in intimate activities, informal same-sex support for victims of sex-based violence or oppression and enable those in fear of the opposite sex, or those with cultural restrictions, greater social participation.

This includes support groups, fellowship and friendship activities such as bookgroups, choirs or holiday camps, also facilities for intimate or personal grooming such as beauticians, barbers or stylists¹.

The category, choice and provision for single sex, enables us to exercise our rights to choose privacy, safety, fairness and participation, particularly for women and girls. Being forced into universal unisex inclusion will effectively mean losing these rights and widen sex inequality.

Don't we already have the right and freedom to choose single sex?

We do currently have the legal right to choose single sex where there is a 'legitimate aim' according to the Equality Actⁱⁱ, but the wording is confusing and there has been a cultural shift towards unisex inclusion by businesses, institutions and service providers. For example:

- Topshopⁱⁱⁱ and Primark^{iv} already have taken the option for single sex provision away from customers, making their changing rooms unisex, even though many of their customers are teenage girls.
- Public pools are adjusting their guidelines to allow members of the opposite sex into changing rooms and single-sex sessions^v.
- Schools are removing the right for pupils to access single-sex toilets^{vi}, changing facilities, residential accommodation and single-sex education.
- Girl Guides have become unisex and removed the right for parents to choose single-sex groups for their children^{vii}
- Many people feel uncomfortable about sharing toilet facilities with the opposite sex at work^{viii}, but feel afraid to complain to their employer.
- Patients are placed in mental health wards^{ix} with the opposite sex^x.
- Male offenders, including sex offenders^{xi}, are imprisoned with women prisoners.

This reluctance to invoke the 'sex-based exemptions' in the Equality Act, and increasing inclusion of participants of the opposite sex in all sex-segregated services and facilities, effectively takes away our freedom to choose single sex.

Why the right to choose single 'sex' and not choose single 'gender'?

Sex is the fixed biological description for male and female bodies and there is no definitive meaning for what gender is.

Some people use the word gender interchangeably with the word sex, others use gender to mean sex roles and sex stereotypes and others use it to describe an inner 'identity' by which someone defines themselves.

This campaign is concerned exclusively with the right to access provisions that segregate males and females according to biological sex and therefore only uses this term to avoid confusion.

What reasons are there for accessing the specific services and facilities designated for the opposite sex?

1. Non-conformity

Some people prefer to present and behave according to expectations and stereotypes associated with the opposite sex and fear their non-conformity will bring hostility if they enter spaces designated for their own sex.

2. Activist stunts and validation

A significant and growing movement of anti-biology activism targets single-sex services and facilities to validate a belief that sex is not determined by biology.^{xii}

3. 'Gender'/body dysphoria

A rare psychological condition where people feel very 'wrong' as their own sex. Although many sufferers would prefer to use unisex facilities or the appropriate ones for their sex,^{xiii} some dysphoric people seek to use the spaces and facilities designated for the opposite sex.

4. Sexual gratification

Many types of sexual fetish involve the clothes, rituals and paraphernalia of the opposite sex, such as dressing as or convincing others one actually is, a member of the opposite sex.^{xiv} Additionally, there are many examples of sex criminals such as voyeurs,^{xv} exhibitionists^{xvi} and rapists^{xvii} seeking out victims of the opposite sex in single-sex facilities.

5. To cheat or provoke

In sports some males choose to compete in female leagues and teams, achieving prizes unattainable when competing with their own sex^{xviii}. Within prisons^{xix}, it is feared that some male inmates claim in bad faith to have dysphoria, in order to have an 'easier time' in the female estate, or to cause prison staff inconvenience.

None of these reasons can justify the impact of forcing non-consenting participants into unisex inclusion, or how we are losing our right to choose single-sex services and facilities and losing our right to access the safety, privacy, dignity, inclusion, fellowship and support they provide.

We are calling for businesses and services to invoke the Equality Act sex exemptions and give users the choice of single-sex provision to stop the march towards universal unisex inclusion.

Politicians have their part to play in this too. A further cause for concern is the Women and Equalities Committee's current proposal to enable people to legally register themselves as the opposite sex very simply, in the near future – a process which will be wide-open to criminal abuse.

As part of this measure, concerningly there are discussions of removing the sex exemptions from the Equality Act. This will mean an end to the legal right to single sex and give us no right to challenge people of the opposite sex in spaces nominally designated for our own.

In countries where this has already happened

- Women and children have been sexually assaulted in public facilities.^{[xx](#)}
- Women have been seriously injured in contact sports playing with males^{[xxi](#)}.
- School-children feel humiliated having to use unisex toilets, changing facilities and being made to stay in mixed overnight accommodation.^{[xxii](#)}
- Males have sexually assaulted women in refuges.^{[xxiii](#)}
- Males are taking sporting opportunities^{[xxiv](#)} from females.^{[xxv](#) [xxvi](#)}

We are calling on politicians to drop this proposal and to strengthen, clarify and protect the sex exemptions in the Equality Act to protect **our right to choose** single sex.

Facts About Biological Sex

- Humans are a dimorphic species, meaning that we are born either male or female and human reproduction can only be achieved by the male and female's gametes (sperm and ova) successfully uniting and growing in the womb and body of an adult female.
- Being biologically male or female is determined by our sex chromosomes in our DNA within every cell of our body, shaping not just the reproductive system we are born with, but our bone structure, cardiovascular system and other biological factors, such as the risk of specific health problems.
- Because the 'blueprint' of our sex chromosomes is in our DNA, our sex can be known through examining any of our cells, our blood, saliva, even our bones long after our death.
- Rare chromosomal and gestational anomalies can cause some people to be born with 'intersex' conditions where the sex organs are ambiguous or not fully formed, which can compromise their reproductive capability.
- These rare anomalies do not mean humans are not sexually dimorphic, just as rare anomalies in the development of the lower limbs do not mean humans are not a bipedal species.
- Our biological sex was shaped by our chromosomes and DNA from our conception and it does not change from female to male or vice versa if our reproductive system is only partially functioning, or has been removed by surgery or lost by injury.
- Our sex and reproductive organs are sexed. Female sex organs are the ovaries, uterus, vagina and vulva and the male sex organs are the testes, prostate, scrotum and penis, by definition, so there can be no such thing as a 'female penis' or a 'male vagina'.
- Hormone blockers, cross sex hormones and cosmetic surgery can change the appearance and specific functioning of the sex organs, but does not result in a person changing biological sex.

About us

We are a group of over 500 people (and growing) who came together on Mumsnet, although not all of us are parents, sharing the same concern that our rights and choices are being eroded as part of a cultural shift towards denying human biology on the part of decision-makers, businesses, services and the media.

We have views spanning the political spectrum. We come from a range of socio-economic backgrounds. We include academics, scientists, doctors, social workers, teachers, lawyers, shop workers and stay at home parents. We are women and men including those who identify as trans.

We believe that sex matters.

www.sexmatters.org.uk

info@sexmatters.org.uk

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- ⁱ <http://www.prideofbritain.com/history/2017/katie-walker>
- ⁱⁱ <http://www.legislation.gov.uk/ukpga/2010/15/contents>
- ⁱⁱⁱ <http://www.independent.co.uk/life-style/fashion/topshop-removes-women-only-changing-rooms-shops-policy-single-sex-high-street-gender-neutral-a8043771.html>
- ^{iv} <https://www.express.co.uk/life-style/style/583724/Primark-official-guidance-transgender-changing-room-use>
- ^v <http://www.swimming.org/swimengland/guide-engaging-trans-people-swimming/>
- ^{vi} <http://www.kentonline.co.uk/maidstone/news/schools-apology-to-transgender-pupil-104081/>
- ^{vii} <https://www.girlguiding.org.uk/making-guiding-happen/running-your-unit/including-all/lgbt-members/supporting-trans-members/>
- ^{viii} https://www.mumsnet.com/Talk/womens_rights/2898009-I-was-surprised-by-my-reaction-to-using-a-gender-neutral-toilet-today
- ^{ix} <https://www.lancasterguardian.co.uk/news/lancaster-mum-with-fear-of-men-locked-on-hospital-ward-with-transgender-patient-1-8963648>
- ^x https://www.cqc.org.uk/sites/default/files/20150710_cqc_mh_bulletin_may_2015.pdf
- ^{xi} <https://www.thetimes.co.uk/article/number-of-transgender-prisoners-rises-by-80-7stz2bfvl>
- ^{xii} <http://uk.businessinsider.com/topshop-just-got-rid-of-gender-specific-changing-rooms-2017-11>
- ^{xiii} <https://www.thetimes.co.uk/article/transgender-women-criticise-reform-xtp9n6mn0>
- ^{xiv} <https://www.crossdressers.com/forums/showthread.php?256599-Underdressing-In-Public>
- ^{xv} <https://www.thesun.co.uk/news/5082261/sex-pest-who-hid-secret-camera-in-starbucks-womens-toilet-to-spy-on-customers-is-spared-jail/>
- ^{xvi} <http://www.kentonline.co.uk/kent/news/shopper-flashed-at-girl-in-holli-a63394/>
- ^{xvii} <https://www.chroniclelive.co.uk/news/north-east-news/rapist-attacked-woman-toilets-donnies-12935560>
- ^{xviii} <http://www.cbc.ca/sports/olympics/laurel-hubbard-new-zealand-transgender-bids-for-gold-1.4431149>
- ^{xix} <https://www.thesun.co.uk/news/1689964/fury-as-transgender-killer-is-allowed-to-live-as-a-woman-on-female-only-prison-wing/>
- ^{xx} <http://womanmeanssomething.com/targetstudy/>
- ^{xxi} <http://www.cagepotato.com/after-being-tkoc-by-fallon-fox-tamikka-brents-says-transgender-fighters-in-mma-just-isnt-fair/>
- ^{xxii} https://www.buzzfeed.com/dominicholden/high-school-transgender-lawsuit?utm_term=.fbPAOEKDM#.eyV74vw8W
- ^{xxiii} <http://torontosun.com/2014/02/15/a-sex-predators-sick-deception/wcm/127b4003-d06d-489d-9679-861651dd3160>
- ^{xxiv} <https://www.theblaze.com/news/2017/06/06/transgender-freshman-sprinter-born-a-male-wins-two-girls-state-championships>
- ^{xxv} <https://pbs.twimg.com/media/DNYfLZ9UEAA4sJd.jpg>
- ^{xxvi} <https://www.facebook.com/handsacrosstheaisle/photos/a.1833018056952790.1073741828.1824675184453744/1951115858476342/?type=3&theater>