

Petition to protect biological sex in law reaches 85,000 signatures in time for International Women's Day

A petition to make clear that, when it comes to equality law, men are male, and women are female has reached over 85,000 signatures, and looks set to trigger a parliamentary debate.

The petition, started by Maya Forstater, the researcher who was supported by JK Rowling when she lost her job for tweeting about sex and gender, has been climbing steadily since it was launched in November. Forstater said:

“We are calling on the government to clarify the Equality Act to protect single-sex services, single-sex schools, sports and associations. There are two sexes. Everyone knows that. The law should be simple and clear.”

The petition has received support from athletes.

Olympian Daley Thompson said: “ I’ve just signed this and would like to say out loud. SEX is REAL.”

“We must protect women's sport so women and girls at all levels have fair competition.”
Amelia Strickler, two-time British shot-put champion.

Broadcaster Dame Jenni Murray said:

“Equality Act protects women and trans people but only if it’s made clear that sex means biological sex. I’ve signed the petition demanding clarity.”

The Equality Act 2010 includes provisions on sex discrimination, and defines sex as being male or female. But there is confusion about whether someone who has legally transitioned by acquiring a gender-recognition certificate (which does not require any medical treatment or surgery) is considered to be the opposite sex for the purposes of the Equality Act.

The Equality Act allows for single-sex services, such as women’s refuges, saunas and gym changing-rooms, accommodation such as youth hostel dormitories, single-sex schools and associations like Girlguiding. It also permits female-only sports for safety and fairness.

However research by Sex Matters, a human rights organisation co-founded by Forstater, has found that confusion and uncertainty about the law means that many organisations are afraid of setting clear sex-based rules.

- UK Athletics has said that, based on scientific evidence, it recommends that male athletes who identify as transwomen should be included in an “open” category, which would replace the current male category, while the women’s category should remain for female athletes (those born female) “so that they can continue to compete fairly”.

However, UK Athletics is afraid that the Equality Act does not allow this arrangement, and has called for legislative change.

- Girlguiding says that roles such as unit leader, which are open only to women, can be held by “trans women”, and that these people are under no obligation to tell girls or parents that they are in fact male. Parents may be told that their daughters are being supervised on trips away by female leaders who are in fact biological males.
- Primark has recently re-introduced “women-only” changing rooms, but has shied away from saying that this means female, and says that it will not ask for proof of sex if someone identifies as a woman.
- Edinburgh Rape Crisis Centre employs a male CEO who identifies as a woman. A Brighton rape crisis centre is currently being sued by a woman who found herself in a women-only counselling group with a man who identified as a woman.
- The Prisons and Probation Service is considering whether it should allow prison officers with a gender-recognition certificate to strip-search prisoners, visitors and staff of the opposite biological sex.

Notes for editors:

For further information and quotes, contact Maya Forstater 07966676465

The petition is hosted by the UK Parliament official petition site

<https://petition.parliament.uk/petitions/623243>

Further information on the petition:

<https://sex-matters.org/take-action/make-the-equality-act-clear/>

UK Athletics statement

http://www.uka.org.uk/wp-content/uploads/2023/02/UKA-Trans-Position-Statement_FINAL-03.02.23.pdf

Girlguiding policy

Primark policy

<https://corporate.primark.com/en-gb/a/news/corporate-news/important-changes-to-fitting-rooms-uk>

Edinburgh Rape Crisis

Sussex Rape Crisis case

Prisons and Probation Service

More from Naomi Cunningham, chair of Sex Matters, on single-sex sports and the Equality Act:

<https://www.legalfeminist.org.uk/2020/07/07/sex-gender-and-fair-competition-in-sport/>

About Sex Matters

Sex Matters is a human-rights organisation co-founded in 2021 by Maya Forstater, who is its director, to campaign for sex-based rights. It lobbies for clarity on sex in law and institutions; publishes research, guidance and analysis; supports and mobilises people to speak up; and holds organisations accountable.