



Sex Matters is a human-rights organisation campaigning for clarity about sex in law, policy and language.

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# Women's services: a sector silenced

This report by Matilda Gosling and Sex Matters examines the effects of gender-identity beliefs on the women's sector, based on interviews with leaders of organisations providing services to women who have experienced male violence.

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# 1. Forewords

Single-sex services provided by the women's sector are a lifeline for women recovering from domestic and sexual abuse, and therefore have a key role to play in any meaningful strategy for tackling violence against women and girls. This report is important in being the first that explores the impacts of the ongoing debate on sex and gender on their provision, and is informed by the experiences and expertise of leaders in the field. It reveals how the polarisation of the debate has created real problems on the ground, making it harder to provide and run women-only services, and ultimately harming vulnerable women.

To be effective, specialist services must be tailored to the needs of different groups, and this is recognised in and allowed for by the Equality Act. The report highlights the work that needs to be done to ensure ongoing and adequate provision by giving women's services the confidence they need to continue to operate, and the assurance that doing so is legitimate, lawful and fair.

*Tonia Antoniazzi, MP for Gower*

Male violence against women and girls is no longer brushed under the carpet, as it used to be – in large part because women have organised, spoken out and demanded change. Among those on the front lines have been leaders in the women's sector – women, often survivors themselves, who set up charities, refuges and support groups on a shoestring, and demanded that the government and criminal justice system listened to their expertise on what traumatised and vulnerable women want and need.

The sector is still seriously underfunded, and these organisations still face all these challenges. But in recent years a new, particularly insidious one has come to the fore: the challenge posed by trans activism, which argues that “woman” is an identity that can be adopted by men, not a biological reality. Trans lobby groups demand that female-only spaces are opened to men who identify as women – and pressure commissioners and donors to withdraw funding if providers refuse. The result, as this important report shows, is a sector where bullying and coercion have become rife.

Women's organisations need to speak out urgently against this new threat. Commissioning bodies in local and national government need to pay attention, and produce robust guidance making crystal clear that female-only provision is not just acceptable in law, but often the best way to meet women's particular needs.

*Anne Jenkin, Baroness Jenkin of Kennington*

Violence against women and girls is a difficult topic to raise – in part because many people don't like to hear that most of the perpetrators are men. You'll still hear sometimes that "she drove him to it" or that "it's six of one, half-dozen of the other", or sometimes simply that "men are victims too". Yes, they are, but the figures are clear: most of the perpetrators are men.

Making progress means facing down the age-old tendency for people to obfuscate when faced with male violence. It means speaking openly and clearly about women and men. Yes, "not all men", but tackling this huge societal problem means facing awkward truths about the two sexes. It means collecting sex-differentiated statistics so the scale and pattern of the problem are clearly understood.

It is obvious from everything we know about trauma and recovery that women survivors need single-sex spaces. Other groups need specialist services, too. Getting this right won't only help women; it'll help all victims, both male and female, and those who identify as trans as well as those who don't.

*Thalia Marrington, Cornwall councillor and parliamentary candidate for Camborne, Redruth and Hayle*

For a woman who experiences domestic or sexual abuse, it is often a huge step to report it – or even to talk about it at all. If she screws up her courage to seek help, only to discover that a service has a policy of inclusion on the basis of self-ID – that biological men and their needs are being described as "female" – then how can she trust that her personal and distressing experiences, which perhaps she has never before voiced aloud, will be properly understood? And if she encounters a man in a setting she was led to believe is women-only, she's likely to conclude that the provider doesn't even understand the very different needs of men and women. In such situations, she is very likely to self-exclude.

When it comes to refuges and counselling, single-sex services are essential. Almost all the violence that women experience is at the hands of men. That means we need separate, male-free spaces in order to feel safe to disclose and discuss these experiences. We shouldn't have to justify this any further – though it's true that women from certain religious or cultural backgrounds face even more barriers accessing mixed-sex services. We are more than half the population. We have every right to expect that some services are available exclusively to us as a sex, and that these services are sufficiently funded to meet our needs.

*Rosie Duffield, MP for Canterbury and survivor of domestic violence*

Those of us working in the women's sector face many challenges, among them increasing financial and political uncertainty. Despite some progress at a societal level in recognising the impact of male violence, many women still struggle to get the right help at the right time. On top of that, all too often women are subjected to victim-blaming, stigma and the pain of being denied justice for crimes against them.

Even as we struggle to do our work in this turbulent scenario, we must continually reflect upon our practice and make the time to understand what constitutes safe and effective provision. It's important for everyone in the sector to be able to talk about issues concerning sex and gender in a balanced, compassionate and nuanced way, while always centring the needs and experiences of the women we serve.

*Hannah Shead, sector leader, writing in a personal capacity*

I know how important single-sex services are to vulnerable women from my experience as a former nurse and prison governor, and now as a member of the board of directors of Beira's Place, a proudly single-sex rape-crisis service in Edinburgh. And so I am dismayed at how quickly and easily transactivists have imposed their extreme ideology on the women's sector, and angry at the capitulation of craven politicians and journalists – especially those on the Left.

It seems that the idea that “woman” is a category men can identify into at will has totally captured policy-makers within the Scottish Prison Service. Many women – and men – working across the criminal justice system are appalled at the transfer to the female estate of trans-identifying men who have committed vile crimes against women. I believe that if they, and thousands of others working with vulnerable women in a range of settings across the United Kingdom, were able to speak out about the need for single-sex services, and the harm being done by gender ideology, the capture of public and voluntary services would be ended overnight.

In the meantime, I am grateful to organisations such as Sex Matters for speaking on their behalf. I welcome this report and urge politicians and the media to read it carefully and disseminate its findings.

*Rhona Hotchkiss, former prison governor and member of the board of directors of Beira's Place*

Protecting women-only spaces is essential for the most vulnerable women in society. In four decades working with prisons and community programmes, I met probably thousands of women service users and staff. Women in the criminal justice system are fragile and have usually been victims of male violence and exploitation.

Women's prisons today do not look like the Victorian jails we see on television. Often, they have single cells around a central leisure space. In such spaces, women are at a disadvantage because of men's greater strength and their expectation of women's subservience. Some women's prisons have wings that are locked at night, but within them the women can move freely into each other's cells. It is totally inappropriate to have men with access to these women at night.

We should stop sending women to prison on remand or for short sentences. Instead they should be supported by women's centres, which can help them with housing, jobs and healthcare. Publications like this one are an essential part of women exercising our right to debate and assert our need to be together with other women. We must fight for the women who are not able to fight for themselves.

*Frances Crook, former chief executive of the Howard League for Penal Reform, writing in a personal capacity*

## 2. Introduction

This report examines the effects of gender-identity beliefs on the women's sector. It is based on interviews with leaders of organisations providing services to women who have experienced male violence.

The provision of women's services is based not only on the practical need to provide services to men and women separately, nor even on the need to keep women physically safe from men who might attack or exploit them, but on the fundamentally different experiences, disadvantages and needs of women, both as victims of male violence and as offenders.

Men tend to experience public, isolated incidents of violence at the hands of strangers. Women, by contrast, are most commonly abused in the private sphere by a man they know and on an ongoing basis. This abuse is often sexual.

Women's specialist services include rape-crisis centres, refuges, domestic-violence outreach projects and support for trafficked women and women in prostitution. These organisations offer multiple services in response to the wide-ranging needs of women and children who have experienced trauma at the hands of men. Some are "by and for" organisations, focused on women with particular characteristics of religion, ethnic group or disability.

Women's services also include those that engage with women as offenders, encompassing women's prisons and probation services, and women's centres offering liaison, diversion and resettlement programmes for women involved in the criminal justice system. There is significant overlap between serving women as victims and as offenders because most women who have offended have also been victimised. Women in the criminal justice system have typically suffered far worse crimes than they committed: histories of violence and abuse, relationship problems and coercion by men feature strongly in women's pathways into crime, alongside addiction and mental-health problems. More than two-thirds of women in prison have experienced domestic abuse, and more than two-thirds of women who are convicted of criminal offences have suffered head injuries, with the overwhelming majority caused in adulthood by male partners.<sup>1</sup>

Services take the form of listening and counselling, providing information and advice, helplines, groups, training, support in engaging with the legal system and statutory services, accommodation, and support for survivors to become activists themselves. Organisations support women who have experienced violence in the past as well as those currently experiencing violence, and their children. Those in the voluntary sector were often set up – and are still partly governed and staffed – by women who are themselves survivors.

Providing women's services has always been a battle. Demand chronically outstrips supply. Women's welfare is given too little attention by police and local authorities. Funding is precarious, often short-term and insecure. Underfunded services struggle to build capacity, plan for the future and recruit and retain staff. They face fierce competition in bids for public contracts from housing associations and large contractors, which may be more commercially efficient but are less responsive and less empowering and have less understanding of particular communities. Some local authorities are commissioning "gender-neutral" domestic-abuse services, leading to specialist women-centred services losing their contracts.

In recent years, the sector has also faced a new challenge: the idea that people have gender identities that are unrelated to their physical bodies and more important than their sex. It is argued by those who promote this belief that "transwomen" (males who identify as women) are women and should be treated as women for all purposes, including within services that would otherwise be female-only. This belief, packaged as inclusion, has become influential across many parts of the public and voluntary sectors, and



is often accompanied by calls for legal self-ID (allowing people to change their sex for legal purposes simply by saying so).

This report explores the practical effects of this belief on the sector, the people who work in it, and the women whose lives and well-being depend on the support the sector is able to provide.

## 2.1. The sector in numbers

### Women's specialist domestic-violence services

- Last year **131,342** women in the UK accessed domestic-violence services.<sup>2</sup>
- **94%** had experienced abuse at the hands of men.<sup>3</sup>
- **92%** accessed community-based services, and **8%** used refuges.
- There are **5,238** refuge spaces in the UK.<sup>4</sup> This is nearly **1,500** too few.<sup>5</sup>
- **49%** of refuges in England received no statutory funding in 2022.<sup>6</sup>

### Women in the criminal justice system

- Women were sent to prison on **5,164** occasions in England and Wales in the past year.<sup>7</sup>
- Women make up **4%** of the prison population.<sup>8</sup>
- **58%** of prison sentences given to women in 2022 in England and Wales were for less than six months.<sup>9</sup>
- **53%** of women in prison report having experienced emotional, physical or sexual abuse as a child.<sup>10</sup>
- **Half** of women left prison without settled accommodation in the year to March 2023.<sup>11</sup>

### Sexual offences

- **1 in 5** women are victims of sexual assault (or attempted assault) in their lifetime.<sup>12</sup>
- Just **2 in 100** rapes recorded by police between July 2022 and June 2023 resulted in someone being charged that same year.<sup>13</sup>
- **98%** of adults prosecuted for sexual offences are men.<sup>14</sup>

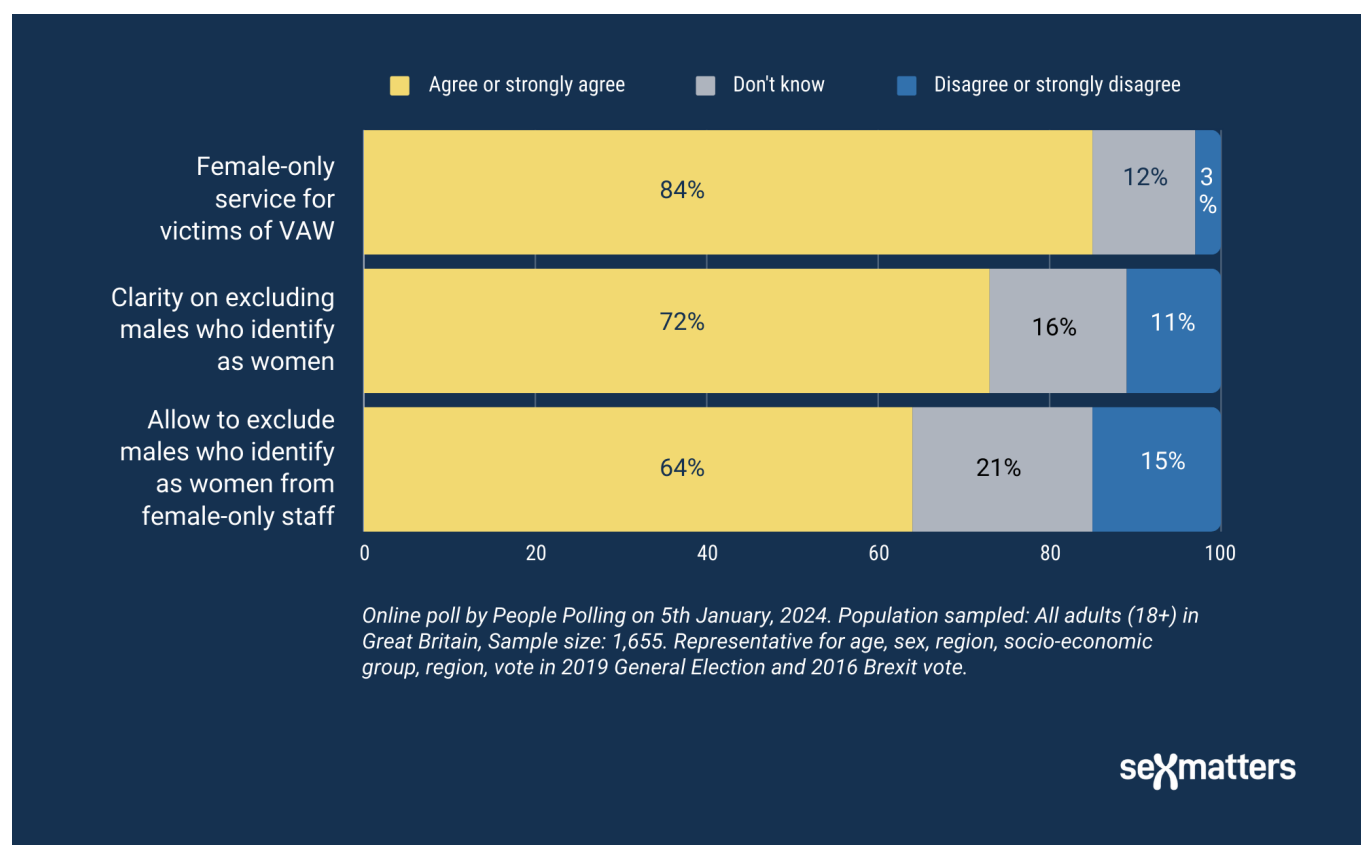
## 2.2. The public supports women's services

In January 2024 Sex Matters commissioned [an independent poll](#) of a representative sample of the public. This revealed that the British public overwhelmingly supports the provision of female-only services for women who have been the victims of rape, sexual assault or domestic violence. There is also strong support for those services to be clear that they exclude all males – including males who identify as women.

**8 in 10** agree that women who have been the victims of rape, sexual assault or domestic violence should be able to access support in a female-only environment.

**7 in 10** agree that services for women who are victims of rape, sexual assault or domestic violence should state whether they offer a female-only environment or include male people who identify as women.

**6 in 10** agree that services for women who are victims of rape, sexual assault or domestic violence, when advertising for female support workers, should be allowed to exclude men who identify as women from applying.



## 2.3. “No problem”?

We commissioned this research in part to respond to the narrative advanced during debates about legal gender self-ID: that the women’s sector sees no conflict between women’s rights and the interests of men with transgender identities, and is unaffected by laws allowing people to change their sex as recognised by the state.

- In 2018, Stonewall and nfpResearch published a report on trans inclusion in domestic and sexual-violence services. It carried the logos of key women’s-sector organisations and painted a picture of a sector that accepts that “woman” is a term based on self-identity, not biology. It implied that female survivors of male violence experience no negative impacts when they share support services with males who identify as women.<sup>15</sup>
- In Scotland, a joint statement published by Engender, Scottish Women’s Aid, Rape Crisis Scotland and others said: “All violence against women organisations that receive Scottish government funding provide trans-inclusive services. The requirement for trans inclusion plans has been in place for six years, and has not given rise to any concerns or challenges of which we are currently aware. Rather, trans women have added to our movements through their support, through volunteering, and as staff members of our organisations.”<sup>16</sup> Edinburgh Rape Crisis is run by a transwoman.
- More recently, a group of Scottish NGOs wrote to the UN Special Rapporteur on Violence Against Women and Girls reprimanding her for intervening in the debate on self-ID in Scotland, saying: “All rape

crisis services in Scotland are inclusive of transwomen and have been for 15 years. In those 15 years, there has not been a single incident of anyone abusing this.”<sup>17</sup>

- The Women’s Equality Party adopted a motion supporting the right of transgender people to self-determine their gender and to obtain gender-recognition certificates on that basis, while also reaffirming its support for single-sex services to be provided “as allowed by exemptions under the Equality Act, as long as they do so lawfully”.<sup>18</sup>

But women using these services are in a vulnerable position that allows them little pushback against the way that services are delivered: they know they risk losing access if they provide any challenge.<sup>19</sup> Those providing them are subject to funding pressures, career pressures and social pressures. Many tell us they are concerned but are afraid to speak up.

It is particularly concerning that many of the public bodies with statutory obligations under the Victims’ Codes for England and Wales, Scotland and Northern Ireland are past or present members of the Stonewall Champions or Workplace Equality Index schemes and have been trained, ranked and incentivised by Stonewall to adopt its approach, which is that transwomen are women and should be treated as women for all purposes.<sup>20</sup>

The work of Dr Shonagh Dillon and Dr Karen Ingala Smith, both leaders and experts in the women’s sector, has done a great deal to discredit the claim that this approach causes no problems, and to challenge those who say there should be no debate. Dillon conducted interviews with people with a range of views on sex and gender for her PhD. She found that even proponents of legal self-ID recognise, in many cases, the value of female-only services.<sup>21</sup> She interviewed five people whose organisations participated in the Stonewall and nfpResearch project, and found their views to contradict the Stonewall findings. “What was clear was they wanted to be able to support trans clients in a safe environment, but not necessarily in the same space as women.”<sup>22</sup>

In her recent book *Defending Women’s Spaces*, Ingala Smith refutes the implication of the Stonewall and nfpResearch project that female survivors experience no adverse impacts when they share support services with transwomen. She argues that risk assessments cannot allow for the safe admission of males into female spaces, and that women who have been subject to male violence may have a trauma response to the presence of males, however those males identify. Being forced to accept men as women is a form of gaslighting that may compound the harms these women have already experienced.<sup>23</sup>

Professor Jo Phoenix has researched and written about the importance of single-sex provision for women in the criminal justice system, and argues that conflating women and transwomen does not serve the needs of either group.<sup>24</sup> Ex-prison governors Kate Donegan, Rhona Hotchkiss and Ian Acheson, and Richard Garside of the Centre for Crime and Justice, have also highlighted the vulnerability of women in the criminal justice system and argued for female-only settings.<sup>25</sup>

One of the first women’s refuge providers to openly and proudly defend single-sex services in the face of challenges to the definition of woman was Nia.<sup>26</sup> In March 2022, The Women’s Resource Centre<sup>27</sup> and the Women’s Aid Federation released statements defending the provision of single-sex domestic-abuse services. The Women’s Aid statement was condemned by Galop, an LGBTQ+ charity, which said that it was

“inaccurately conflating trans women with perpetrators of abuse and violence”.<sup>28</sup> When the Equality and Human Rights Commission raised concerns about the proposal to enact legal self-ID in Scotland, including its effect on practices within the criminal justice system, the response by Stonewall was to declare the commission “not fit for purpose” and seek censure by the United Nations.<sup>29</sup>

During debates on the Gender Recognition Reform Bill in Scotland, concerns were raised about the adverse effects of legal self-ID on the ability to provide women’s services by the EHRC and the UN Special Rapporteur for Women and Girls, as well as groups such as For Women Scotland, Murray Blackburn MacKenzie, Fair Play For Women, Keep Prisons Single Sex, Woman’s Place UK and Sex Matters. Those who raise such concerns face intimidation, threats and violence.<sup>30</sup>

These concerns, presented by the UK government in its reasons for blocking the bill, were upheld in December 2023 as reasonable by the Court of Session.<sup>31</sup>

We know from hundreds of hushed and fearful conversations with those working at the frontline in the women’s sector that there are similar dynamics at play both within the sector and inside organisations. In her research, Dillon reports that some interviewees “felt silenced and unwilling to enter the debate because of the aggressive nature of transgender ideology”. We commissioned this research to capture and amplify some of those voices.

## 2.4. The Equality Act and the Istanbul Convention

We also commissioned this report to explore with leaders in the women’s sector the practical importance to them of the definition of sex in law, specifically in relation to the Equality Act, and whether clarifying that it means the objective, biological categories of male and female would make a difference.<sup>32</sup>

The Equality Act makes it unlawful to discriminate against or harass people on the basis of their sex, while also making provision for single-sex services (which by their nature involve discriminating on the basis of sex). The public-sector equality duty requires that public authorities must have due regard to the need to advance equality of opportunity between those who share a relevant protected characteristic and those who do not. This means they have to consider how policies impact on women (and men) and on transgender people, as well as on other groups.

The question of what defines people as a member of the group “women” for the purposes of the Equality Act has been uncertain. There are three possibilities:

- **Actual sex.** Woman means someone who is female (i.e. born female).
- **Self-identified gender.** Being a woman is a self-defined status.
- **Certified sex.** The Gender Recognition Act allows people who meet certain criteria to change their sex for some legal purposes.

Guidance given for several years amounted to self-ID by stealth,<sup>33</sup> encouraging service-providers to consider self-identified gender instead of sex. Dillon’s research suggests that many within the sector perceive self-identification into women’s spaces to be “already law”.

Our research was undertaken while the legal interpretation of the Equality Act was being considered by the courts. In December 2022 the Scottish Court of Session declared that sex in the Equality Act means a person's natal sex, unless they have a gender-recognition certificate.<sup>34</sup> This means that sex does not equate to self-identified gender, but nor does the law recognise that biological women as a group share a protected characteristic. This judgment was upheld in the Inner House of the Court of Session in November 2023.<sup>35</sup>

Biological males who have become "legally female" through the acquisition of a gender-recognition certificate (GRC) can still be excluded from a women-only service provided this is a proportionate means of achieving a legitimate aim.

This complex legal situation and history of incorrect guidance mean that services do not always feel comfortable offering services that are truly single-sex. In 2019 the Women's Resource Centre published a report that highlighted a lack of confidence in using the Equality Act to provide single-sex services.<sup>36</sup> Fair Play For Women also highlighted that organisations fear using the single-sex exceptions for fear of legal challenges and loss of funding.<sup>37</sup>

This research aims to identify how these legal issues affect the ability of people working in the sector to do their jobs effectively, as well as the effect on their organisations, on female survivors of men's violence and on women prisoners.

While single-sex services (that exclude males even with a GRC) remain lawful, the complexity of the situation over the definition in law will exacerbate and further embed the hostile environment for women's-sector organisations.

While the Equality Act concerns formal equality between men and women and is symmetrical in its protections, it has long been recognised that substantive equality depends on protecting women in particular. Treating women in the same way as men – especially in relation to criminal justice – ends up reproducing violence.

The UK has ratified the Istanbul Convention on preventing and combating violence against women and domestic violence, which is founded on the recognition that "the realisation of *de jure* and *de facto* equality between women and men is a key element in the prevention of violence against women". It recognises that violence against women is a manifestation of historically unequal power relations between women and men, which have led to domination over, and discrimination against, women by men and to the prevention of the full advancement of women. It requires parties to take legislative and other measures specifically to prohibit discrimination against women, and to provide specialist support services to women who are the victims of sexual and domestic violence.

A question we ask at the end of the report is whether the UK *de facto* laws are compliant with the Istanbul Convention. It is clear that the Istanbul Convention relates to women and men as the two sexes.<sup>38</sup>

## A note on terminology

Where this report uses the term **“women”**, it represents women on the basis of their biology, not their identity. This is necessary both for clarity and to reflect the views of the women’s-sector leaders who contributed to this research.

**“Transwomen”** are biological males who identify as women. **“Transmen”** are biological females who identify as men. The contracted forms (without spaces) are used for clarity, so there is no confusion with **“women”** or **“men”**; it should be noted, though, that some people prefer the terms **“trans women”** and **“trans men”**. It was the author’s decision to use the contracted forms.

The phrase **“trans-identifying males”** is used by some interviewees. This has the same meaning as **“transwomen”**: biological males who identify as women.

The **“women’s sector”** encompasses services supporting women who have experienced abuse and violence, such as domestic abuse or rape, and the female prison estate. Almost all of this violence is perpetrated by men. While one expert interviewee uses the terminology **“men’s violence against women”**, most interviewees use **“male violence against women”**. Both terms have been used accordingly.

We have used the term **trans-identifying or gender-questioning (TI/GQ)** to talk broadly about people who have adopted, are considering, or have previously had any kind of trans identity, including those who have desisted or detransitioned, or are considering doing so.

Some interviewees use the term **“inclusive”** to mean services that include both men and women; in other words, those that offer services to people who self-identify as women. While the term is used by these interviewees as shorthand, they tended to be clear that the inclusion of men, however they identify, results in the exclusion of women who need single-sex spaces.

## Methodology

Interviews were carried out by Matilda Gosling, who is the lead author of the report. The introduction, conclusions and recommendations have been written in conjunction with Sex Matters.

Interviews were held between July and September 2023 with 19 sector leaders. A snowball sampling approach was used to identify leaders with concerns about the impact of gender-identity beliefs on the women’s sector.<sup>39</sup> No more than one person was interviewed from each organisation to avoid skewing the findings towards experiences within a single entity; an exception was made for two leaders who were interviewed together. Two subject experts (who also lead, or have recently led, women’s organisations) were interviewed: Dr Shonagh Dillon of Aurora New Dawn and Dr Karen Ingala Smith, recently of Nia. Jess Phillips MP was interviewed as a sector specialist. These experts’ views have been attributed where they relate to general points about the sector; where they relate to more personal experiences, they have been anonymised unless they have requested attribution. All other interviews are reported anonymously to protect the identities and positions of those who have contributed, and to allow interviewees to speak freely. This anonymity was part of the research design.

In a couple of instances, job titles have been amended, an identifying word omitted or a timeframe changed in order to protect participants’ identities. All details have otherwise been presented as they were relayed during the interviews.<sup>40</sup> Interviewees were able to view a draft copy of this report to check that

their stories had been anonymised sufficiently and to make small adjustments to language where necessary.

Matilda Gosling is a social-science researcher specialising in research on issues affecting children and young people. She has worked for governments, charities, foundations and private-sector organisations internationally, and has overseen field research in more than 60 countries. She is in the process of writing two evidence-based parenting books and has written a series of three papers for Sex Matters, aimed at a non-specialist audience, setting out what is known about teenagers and gender identity.

Sex Matters is a UK-based not-for-profit organisation. We have a single mission: to re-establish that sex matters in rules, law, policy, language and culture in order to protect everybody's human rights. We campaign, advocate and produce resources to promote clarity about sex in law, policy and institutions.

Matilda Gosling and Sex Matters would like to extend their deep gratitude to everyone who so generously contributed their time, insights and experiences to this research, as well as to those who helped to facilitate the introductions needed to set up the interviews.

### 3. Key findings



#### 3.1. Services for women are being undermined

- **Female service users are made to feel unsafe.** Women suffer from poorer-quality support and are less likely to talk about their experiences when services assert that anyone who identifies as a woman is one.



- **Women's trust in the service is undermined.** Women are forced to put others' needs before their own, mirroring their histories of abuse and violence.
- **Some women self-exclude if services are not female-only.** Many traumatised women will not attend if services make clear that they may include men.
- **Women's safety and security is compromised.** Incidents of abuse, assault and access obtained on false premises have already happened.

### 3.2. Sector leaders are being silenced

- **It has required great courage to defend single-sex services.** The issue of sex and gender can become another fault line in partnership conversations that may already be very fraught. Leaders who speak up risk their services losing funding and being unable to continue to deliver high-quality services to vulnerable women.
- **Sector leaders who stand up for clarity about sex face vitriolic personal accusations.** They are ostracised, vilified and misrepresented. Many face complaints, investigations, disciplinary procedures and loss of work – any of which can result in devastating effects on their mental health and their careers.
- **Leaders are forced to make compromises that do not protect women or their organisations.** Many leaders respond to the toxic debate by trying to please and placate colleagues, self-censoring, being hyper-vigilant, being publicly neutral or leaving matters up to staff members' personal choice.
- **Pragmatic conversations about how to meet different needs are being suppressed.** The divisiveness of the debate and the forces acting against speaking clearly mean that serious discussions about how to meet different needs are not happening. This is a source of frustration to sector leaders who are concerned about everybody's welfare.

### 3.3. Organisations are in turmoil

- **Decision-makers are hamstrung.** Boards disagree among themselves and, when they do not have clearly written policies, they are vulnerable to ideological capture. There have been board resignations and organisational stalemates.
- **Internal cultures have become toxic.** Tensions about this issue are having a negative effect on staff, many of whom are also survivors. Disagreements between gender-critical and trans-activist staff create fractures.
- **Managing this issue is a drain on scarce time and financial resources.** Boards and leaders spend significant time dealing with tensions and complaints and managing employment conflicts related to this issue.
- **The ability to provide services to meet women's needs is compromised.** Organisations cannot communicate their services clearly or signpost referrals safely; there is an ongoing risk of safeguarding failures and litigation; meaningful data and therefore knowledge about what is needed are lost.

### 3.4. Lack of clarity about purpose makes the sector vulnerable

- **There has been a loss of shared vision and mutual support across the women's sector. Large providers and second-tier organisations – those that do not deliver services directly – have been slow to step up.**



- **Some organisations provide single sex-services but make ambiguous public statements to protect themselves. This leaves their governance, leadership, staff and clients vulnerable to pressure, uncertainty and risk.**
- **Leaders of organisations that state clearly and proactively that they offer single-sex services feel abandoned** and undermined by others in the sector, though there remain pockets of support between women who feel similarly.
- **The ability of the sector to advocate for the value of women-only services** has been undermined; coalitions advocating for women's services stay together by not talking about this issue.

### 3.5. The commissioning environment is hostile

- **There is strong pressure from commissioners and funders to be “trans-inclusive”** by including males who identify as women in what would otherwise have been female-only provision.
- **Organisations that are clear about providing female-only services face competition from those that are ambiguous.** Both are under pressure from competition with generic providers that are not focused on women.
- **Policies in the criminal justice system shape women's services.** The close links between programmes for diversion from incarceration, resettlement and rehabilitation and the women's sector mean that policy decisions about prisons and probation have knock-on effects for the women's sector.
- **The public-sector equality duty and standards that should protect women's needs are being used to undermine them.** Lack of clarity about the meaning of “woman” turns these instruments into weapons which attack rather than defend single-sex services for women.

### 3.6. The needs of TI/GQ service users are not understood or met

- **There is pressure not to recognise difference.** The needs of males who identify as women are different from those of women. Organisations set up to meet the needs of female survivors are not well-equipped to meet those needs.
- **Vulnerable female survivors and prisoners self-identifying as men** are having their identities unthinkingly confirmed by the institutions meant to be supporting them.
- **The needs of transmen and female detransitioners are ignored.** As a subset of vulnerable women, they have particular issues and create challenges for women's services.
- **The ability to collect data is destroyed by a shift to asking questions only about identity,** not sex, so services cannot be designed to meet needs.



## 4. Barriers to provision of single-sex services

**The women's sector has experienced significant and ongoing barriers to the provision of single-sex services.** While many of these barriers are explored in more detail elsewhere in this report – for example, the silencing of women who speak out, and making service commissioning contingent on mixed-sex provision – there are a number of underlying factors that have influenced the development of a widely held perspective that promotes so-called “inclusion” over women's needs.

### 4.1. Uncertainty about the law

Interviewees confirmed that in practice many organisations have replaced sex with “gender”, believing this to be the law:

“Recruiters do it, organisations do it, the public sector does it – every fucker does it, and it's becoming normalised now. Gender is not a protected characteristic, and the more you say it, the more people think it is.”

“We are [currently] having to explain what we mean by women. Everyone knows what it means... It's a navel-gazing rabbit hole. We have all turned into philosophy PhD students. What is a woman?”

They considered that uncertainty and confusion about the meaning of sex in the Equality Act and how the single-sex exceptions work are key problems faced by leaders in the sector.

“The Gender Recognition Act is really confused. I think there was deliberate ambiguity in the drafting of it, as it is such a slippery concept – but it has real-world implications.”

## 4.2. Lobbying and capture

Several interviewees mentioned the significant influence of trans-activist organisations, and Stonewall in particular, lobbying, influencing and capturing the sector. “It is the capture of the debate by extremist trans-activist organisations,” said one. “It is the fact that women cannot claim their rights. They cannot even talk about it. Even I, in one of the most powerful positions, couldn’t talk about it. I couldn’t raise it as an issue. The capture of the debate has been almost total, and it has disempowered the most vulnerable women in the most extreme way.”

The “No Debate” and “Trans Women Are Women” campaigns were geared up from the start to have a silencing effect, according to one person. Questions from leaders about practicalities would be immediately shut down. Another suggested that Stonewall and other organisations are, in contrast to more reasonable activists campaigning for trans rights, extremists. “They are quite frightening, and they are very powerful, and they captured the public debate. It terrified the politicians and the prison service.” The capture has been further facilitated, said someone else, by the “ethereal” discussions between academics and Stonewall that have failed to engage people experienced in working with women.

“Lobbying and challenging are used inappropriately against services that are a lifeline for women.”

This capture led to a great deal of pressure on sector leaders to provide mixed-sex services from funders, commissioners and other leaders operating within the sector. “Our role is to prioritise women, and we don’t always feel able to do so,” said one leader. Trans-activist campaigns have been taken up and amplified by organisations that should be representing women’s interests. An interviewee gave the example of the Fawcett Society, whose position “caused other organisations to retreat for fear of saying the wrong thing or being interpreted wrongly. In the bigger picture of all of this, it’s always surprised me that women’s organisations have been under attack from all sides.”

## 4.3. Fear of repercussions

Avoiding potential repercussions is a natural consequence of institutional capture. Dillon commented, “Women watch what happened to other women – to Maya [Forstater], to JK Rowling, to Julie Bindel. They are not naïve about the debate. They know that women are targeted or labelled as bigots.” Another interviewee said that service managers: “didn’t want to be vilified, ostracised, ridiculed, exposed in the media or attacked by other organisations like Stonewall. They didn’t want to lose their jobs.”

This fear has not been limited to personal repercussions, however. Leaders have also avoided acting due to threats to their organisations’ viability and their ability to offer services to survivors. “You will lose your job, the organisation loses its money and then we will lose the essential services that we need to deliver to survivors. It’s a very difficult environment.”

Phillips saw fear as the key impact on the sector of ongoing debates over sex and gender. “It has caused fear, confusion and worries about litigation, but also fear about getting it wrong,” she said. “These are mainly small organisations that don’t have big management structures... They don’t have teams of lawyers or policy leads. They feel a bit worried. They don’t have the time or capacity to be worried.”

One leader highlighted a difference between organisations focused on service delivery and those focused on policy. “The policy organisations navigated it by avoiding it or talking in code – talking about ‘women’, and ignoring the rest. Those in service delivery were finding it harder, as they were frightened about it if they did, and worried about how to construct language that looked as if it was conforming to the forced inclusivity.”

## 4.4. The sector’s perspective on equality

According to Ingala Smith, “There was a real pressure, for good reason, to side with the underdog and to be aware of people who face additional oppressions. As a sector, we tend to be quite equalities-aware. That has led to a misplaced belief that men with transgender identities are particularly vulnerable, and that’s another false claim that’s been pushed... Talking about suicide rates, talking about increased risks of domestic violence, talking about increased risks of sexual violence and increased risk of homicide – all things that are not statistically supported.”

## 4.5. Staff attitudes

Several leaders mentioned a workforce split in attitudes towards sex and gender: older women are less likely to have been taught gender theory at university, and life experience means they are more likely to have encountered sex-specific discrimination or abuse. Ingala Smith commented: “If you are a survivor yourself and have worked in refuges, I think you tend to have a depth of understanding of what fear and intimidation and control feel like, and what degradation feels like, and you know that real low ebb that you can get to as a women who’s been subjected to men’s violence.”

“By your 40s and 50s, you have had more time for bad stuff and more time to realise your own experience is not just you – it is a pattern, and you need time to notice that. Some people are very unlucky and have to learn these lessons. It takes motherhood or an abusive marriage. It is data. You can do pattern recognition in a way you haven’t [been able to] earlier.”

The consequence of this generational divide is that leaders are often under pressure from their own younger teams to adopt gender theory. “A lot of women’s organisations have young staff teams,” said one interviewee. “It’s a massive issue – leaders being under threat from younger staff who can cause untold issues from within an organisation or outside it.” Ingala Smith believes that the profile of the workforce has also changed as the sector has grown, with the proportion of critically minded feminists being increasingly outweighed by people who have not entered the sector steeped in feminism. Increasing sectoral professionalism has also led to smaller organisations being absorbed into bigger ones that have marketing, media, research or communications teams, members of which may not have experience in frontline service provision.

## 4.6. Trained confusion

Several interviewees mentioned biased training as a key contributing factor to institutional capture. One said: “Stonewall and Mermaids have had a clear run so far. They have delivered inaccurate, contradictory messages that you cannot discriminate against transwomen in any circumstances, which is not true. The police now believe that transwomen are the most oppressed, vulnerable people in the world, because they have looked at the Stonewall statistics. They have lost the analysis of the oppression of women by sex.”

“I can see a large part of what is capturing us is the training.”

“The use of lobbying organisations to educate and train staff is absolutely outrageous, and needs to stop,” according to another leader. Much of the training that has been offered has misrepresented the Equality Act by stating that gender – which can be interpreted as gender identity rather than possession of a GRC – is a protected characteristic. The actual protected characteristics are sex and gender reassignment. This, according to one interviewee, has resulted in many local authorities “bringing in gender identity through the back door”.

It is not just trans-activist advocacy groups who are directly responsible, however. An interviewee mentioned a sector-based training organisation she had encountered whose messages had also been shaped by Stonewall. She said, “If they are offering guidance that goes against the law, it has very serious consequences for victims and the sector.” Training by early-career, university-based researchers is another source of information for organisations that can misrepresent underlying arguments and legal bases for decisions.

“All our trainings were around how to be trans inclusive, and not about how to preserve [exceptions] under the Equality Act.”

## 4.7. Lack of nuance in public debate

The black-and-white nature of discussions over sex and gender has been a contributing factor to the lack of healthy discussion and dialogue that would help to feed into the protection of single-sex services. One leader said that while organisations like Sex Matters, Women’s Place UK and Fair Play For Women were making space for discussion in a hostile environment, that space was still lacking in statutory organisations. “It’s not just our responsibility as a women’s movement. It’s the responsibility of statutory organisations [to hear] people’s different views and opinions, and to have a safe space for those discussions.” Another said that it is impossible to have an honest conversation unless you already know that the person to whom you are speaking shares similar views. “So nothing ever changes. The whole thing is so polarised, and the responses that come from the other side are so extreme – ‘You are denying my right to live’ – which means you can’t have a discussion in this context, so you never find this middle ground.”

## 5. Impact on female service users

“It has taken away a level of transparency for victims and survivors. Most of them are experiencing rape, violence, stalking and degradation. They are not thinking about [people’s identity]. They shouldn’t have to be thinking about it. Then they enter services and they have a male in that service. It is a level of cruelty.”

*Dr Shonagh Dillon*



**There are a number of key negative impacts on women of having trans-identifying men in female spaces.**

## 5.1. Mental-health impacts

One leader had consulted with a range of women using her organisation's services, saying that the overwhelming reason they wanted single-sex provision related to past trauma. Another leader commented, "Survivors are coping with the trauma of what has happened to them... We asked them about their fears, and they expressed fears that men would be there."

Mixed-sex service provision can also erode trust and affect survivors' self-esteem. According to Ingala Smith, "A relationship of trust as a survivor with someone you are working with is very important... The woman can see that it's a man, and the worker says, 'No, no, she's really a woman.' ... How can you expect women to trust you? And what is that doing to their self-belief and self-worth? It diminishes the ability to do the important work around helping women to trust and believe in themselves again."

## 5.2. Risks to safety

"If you believe that men can be women... there is a safety risk – not because he is trans, but because he is a man," said Ingala Smith. This is a particular concern in refuges.

Another leader said that having mixed-sex provision "would open the gates for safeguarding concerns. It would become normalised to see men in women's spaces. I would have real concerns about the opportunities for women to be further assaulted and abused. It would become legitimised as men are accepted into those spaces."

**"We were shocked about a service where they admitted a transwoman who was a sex offender. It has led to people clearing up their policies and their processes."**

### 5.3. Lack of access to services

If services are not single sex, many survivors do not take up the support available. According to a leader, women leave refuges if they encounter intact males, as it is not safe for them to stay there. When support groups are mixed sex, “What do women do? They don’t go. And everyone left behind is congratulating themselves on how smooth the transition has been.” It is not just mixed-sex services that can lead women to self-exclude; they may also avoid using services that are not clear about attendance criteria. While some organisations provide single-sex services under the radar, according to one interviewee: “That’s not good enough for the women who would otherwise self-exclude from services – and there’s plenty of evidence that they do.”

Survivors may also be excluded from services through reallocation of scarce resources towards men. “For every man who comes through the door to use your service, it takes the place of a woman, and services are really, really stretched,” said one leader. Another gave the example of rape-crisis services that “will arrange for men service users to come in on a different day. They are very poorly funded services that can’t run every day of the week so that waiting lists can be reduced.” This implies a knock-on effect on women’s waiting lists.

### 5.4. Poorer-quality support

If survivors are able to access services and choose not to self-exclude, they may be at risk of poorer-quality support when this is offered on the basis of identity, not biology. Three leaders commented on the negative effects on women of sharing their support services, saying that socialisation and gender norms can lead to transwomen taking up the available space. According to one person, transwomen “tend to continue to exhibit typically male behaviours. They may well take over a meeting, take more than their airtime, exhibit physically threatening behaviour, and they threaten legal action.” Another said that women are much less likely to share their experiences if there is someone who is biologically male in the group. “The transwoman dominates the conversation, and the women don’t speak. Transwomen’s expectations are that they will be listened to through gender norms.”

“The way we are socialised, men do take up more space – not just verbally. They are used to women’s attention, and women who have been subjected to men’s violence are very good at putting other people’s needs before their own, and are often very empathetic and don’t want somebody to feel awful. So you can get women who might basically put the transgender person’s needs above their own, not necessarily recognising that they feel silenced.”

*Dr Karen Ingala Smith*

Defining services on the basis of identity also means they are less able to meet women’s needs. One leader described her own experience on a placement in a male young offenders’ institute. “I was very conscious every day that I was female – the way I was looked at, the catcalling, the leering. We have had enough problems around misogyny, and this legitimises it further. For services like ours, would women even use them? Or would they not want to, but have to?”



“The experience of the male body and the male physique is crucial to the experience of partner violence. I had a small ex-husband. I used to be an athlete, but he could hold me up against the wall with one arm. In what world is male physicality not relevant to the social construction of masculinity?”

## 5.5. Ignoring women's preferences

For some leaders, the fact that many female survivors and prisoners do not want mixed-sex services should be sufficient argument without needing to reference the trauma, self-exclusion, negative effects on self-esteem and other impacts they experience. “I hate that we are having to do this on the basis of dignity and safety,” said one. “I did masses of focus groups for [a large public-sector organisation] and asked about women's experiences of women-only services. Women who hadn't experienced it had the reaction of, ‘Yeah, whatever.’ Those who had eulogised about it, and I wish that we were allowed to fight for that.”

One organisation had polled dozens of service users, finding that around seven in ten want women-only spaces, one in ten are happy to have fully mixed provision, and the remaining two in ten have opinions that varied according to context – feeling, for example, that the inclusion of a transwoman who had undergone medical transition is different from someone who had not. Other leaders have polled their service users and found similar results, according to the leader who represents this organisation. “There are outliers – one, for example, in the South of England, where the younger, majority-white women were trans inclusive – but most have found the same.”

## 5.6. Forced compliance

According to one leader, “The expectation has always been that women will put other people's needs first ahead of themselves. The sense of entitlement from trans-rights activists is something that women have been subjected to their entire lives.” Another said, “Women who have been through this trauma want to make you happy. They don't want to bring any more difficulty into their lives. They want to be compliant. In an individual one-to-one environment, they are very clear [that they don't want to share their spaces], but in a group situation, they would be afraid to say that. It's crucial that we provide a safe environment.”

There are also effects on organisations' ability to offer future services; these are covered in [the section on the impact on organisations](#).

**Some leaders mentioned that honesty was paramount in the provision of frontline services.** According to Dillon, “Those people who stand behind the ideological statements – ‘transwomen are women’ – they are linguistic tricks that victims and survivors could be entering services where there is a male present, and that isn't explicitly told to them. It is not trauma-informed. You are meant to be upfront and transparent. You are meant to say, ‘I will share any information if it will put you in danger. Likewise, if you have just been raped or fled from domestic abuse by a man, and you are going into a refuge with another man, I should have to tell you.’”

**It may be frontline workers and sector leaders who are the ones most likely to highlight the impacts mentioned above, as survivors have so much else on their minds.** One interviewee said, “The women that we work with are very traumatised. They are at their most vulnerable. They don't have time to be challenging those gender norms and asking these questions. Neither would we expect them to. We expect



them to be on their journey to recovery.” Someone else said that survivors “are thinking of and surviving the domestic abuse and coming somewhere safe... They have other, more pressing stuff. It’s us workers who are worried about it.”

“Why is the priority on housing the minority group rather than offering the correct care for survivors of domestic abuse? It is not going to be the first thing that is on their minds. They are grabbing the clothes they can find for them and their children, then they leave. But when they get there, if there is a man in that refuge, it is going to have horrible, damaging impacts on those survivors. It is grossly irresponsible of frontline services to put any vulnerable woman in that scenario.”

**Some groups of women are particularly affected by self-identification into services, or have particular needs.** Several leaders, and especially those from northern cities, mentioned religion as a barrier for some; this is explored more under users of refuges below. Language is another key area; this is relevant to guidance, not just direct provision of services – if, for example, organisations state that “people with a cervix” need smears, women who do not speak English fluently may not get the healthcare they need. Services that meet the needs of lesbians are also under-developed.

“It is not just about the protected characteristic of sex. It is also about the protected characteristic of sexual orientation, and that often gets lost. Nobody is talking about the impact of gender ideology on same-sex attracted lesbians, as the organisations that were there to support us have left us. We need to be talking about sexuality as well as sex, and that is of relevance to our service users too.”

## 6. Impact across different types of service

### 6.1. Counselling and support services

**Female survivors accessing community groups, many of which are mixed sex, tend to keep their heads down when it comes to articulating their needs concerning single-sex provision,** according to one leader. “Survivors of domestic violence are very used to this, so it’s replicating those dynamics.” People may simply leave if there is a man in their group. Another leader, who had experienced domestic abuse herself, said that she would leave if she found herself in this situation. “It is partly a physical reaction. I went to a comedy gig. I was sat in the second row, and the jokes were not landing well... The comic started shouting and kicking over chairs. I was surprised by the violence of my reaction... I had my heart in my mouth, absolutely beating. I needed to be out.”

“One service user said, ‘I can’t stand it when I see pronouns in someone’s signature, because it means you are aligned with that way of thinking and I am not, and therefore there are things I can’t say to you.’ She saw a counsellor who said that transwomen are women, and said just how silencing it felt not to be validated in her non-belief in that.”

**Leaders are starting to convert their personal experience of survivors' needs into evidence in order to fortify their positions with funders and commissioners.** One is planning to run a consultation with the users of her organisation's counselling and support services on single-sex services, for example. "The women who we work with tell us – and we do support some males, but they are 5% of our turnover – that they want single-sex spaces. They want to be in an environment with other women, supported by women, where they feel able to disclose... And now we need to prove that. We have to record it and prove it."

"One women's centre has gone overboard in saying all transwomen are welcome, and are now facing a lawsuit... They have bent over backwards and lost the plot. Lots of women's centres are suddenly spending an inordinate amount of time agonising over whether they can support transwomen or not – but they are not looking at transmen. They have been disappeared."

## 6.2. Services for survivors of rape

**Women affected by rape are often incredibly vulnerable and have been abused for years.** "They are likely to be women who experienced a lifetime of this kind of abuse," said one leader. She described a core of difficult, chronic cases accessing rape-crisis services who may have experienced incest and other abuse within the family from brothers, fathers, grandfathers, uncles or friends. Once a childhood pattern of abuse is established, the vulnerability it causes extends into the teenage years and beyond.

"You have this very vulnerable core of people who are often groomed into prostitution. It is not a career choice. They are vulnerable, abused, learning-disabled, maybe autistic, with a chaotic lifestyle and poor health outcomes. These are women who very clearly need to go into a safe space that doesn't have male people in it."

**Inability to use clear language undermines the core model of rape-crisis support.** The same leader described the model of rape-crisis support, which is "to get you to reframe your experience of sexual violence, assault and rape within the social context in which it occurs. It is not about you as an individual, but in a patriarchal society, rape is used as a weapon within toxic masculinity... It is an important way of not seeing yourself as a victim, but understanding you are part of the wider social fabric... Central to this is being able to name what happened to you." This ability to name male violence within social structures is undermined, said this leader, by being told that the transwoman in rape-crisis services is a woman, or that a rape cannot have taken place on a women's hospital ward. Survivors "are being gaslit about this issue".

"In the NHS, the guidance to staff is to tell patients there are no men working [on purportedly single-sex wards], when clearly there are. In closed mental-health wards, it's a big issue, as there's lots of sexual assault – as they are such an easy group to abuse, and if they complain, people think they are mad anyway."

**The impact on women who have been raped of not being able to discuss the truth about men in female spaces includes re-traumatisation, fear of accusations of bigotry and a lower likelihood of reporting rape.** "There is a high attrition rate in rape cases. Women pull out of the process, and very few report in the first place. That experience of not being believed, of the criminal justice system not working in your favour, we are now making even more difficult," said an interviewee. These issues are driven, in part, by rape-crisis services no longer fully centring women in their service design. "Rape Crisis Scotland, in Edinburgh, is run

by a transwoman and is re-educating rape victims. This is completely out of kilter with the way that rape-crisis services have always put women at the centre.”

“There is an impact on women of not being able to speak the truth. How gaslighting this is for someone who has never been able to speak the truth about incest and constant sexual abuse to be put in a so-called ‘safe space’.”

“A woman has challenged NHS Brighton. The hospital had [said], ‘You must challenge the bigotry of women who ask for single-sex services,’ rather than it being a legal requirement that this request must be allowed. This woman was assaulted in her teens, and wrote to request that she had only women care for her. She had a letter saying, ‘We consider this to be bigotry’. It may be that if you have suffered sexual assault, you are re-traumatised – you are asked to open your legs, you go through labour – it can bring back memories. Women might need particular support. People are interpreting the law in a Stonewall way, which means [women who have been raped] may not be getting access to the services they need.”

**This issue affects children who have been raped.** An interviewee warned that these children may potentially engage with police services that have abandoned clear sex-based language. “Police have started recording crimes under the gender the perpetrator prefers. If the police are saying to the child, ‘This person is a woman. You have to refer to her as “she” in the interviews,’ it is very difficult to get the child to open up. The child has to have the legal concept of truth explained to them to help check their competence (what does it mean to make things up?). If at the same time you are told that it was a woman, not a man, who did these things to you, you can imagine how confusing it would be.” This leader’s organisation has asked police what will happen in these situations. “It has been impossible to get them to say what they would do. I would like this question to be raised nationally.”

## 6.3. Refuges

**Women accessing refuge accommodation need single-sex spaces.** This is recognised widely across the sector. “They are the most sensitive space. They are often not staffed 24/7. There are communal lounges, even if they have their own bathroom space. Women are left alone to support each other.” She added, “They would feel worried in intimate, communally shared spaces with someone they perceived to be male.”

“It’s not just Muslim women who want single-sex provision. When we provide single-sex provision in refuges, the women will walk around uncovered. They have freedom to meet and discuss. If we have a male contractor, we give advance notice, and the women disappear or come out fully covered. That’s not a great environment.”

“If you were to say to [women], ‘How do you feel about men who identify as women?’, they would say that they don’t want them living here. What does worry them is children. Children say it as they see it – ‘Mummy, why is that man wearing a dress?’ Those children are being called out for being transphobic, whereas they are just being children.”

**Some leaders referenced an incident that took place at Leeds Women’s Aid, when convicted sex offender Katie Dolatowski stayed in “inclusive” refuge accommodation – in other words, it was made available to**

**both sexes – provided through Leeds Domestic Violence Service.** Dolatowski, who had sexually assaulted a child, was able to access the refuge by changing his name and official documentation to conceal his previous convictions. One leader commented, “The accommodation was very nearby the single-sex service. I found that odd. Why wouldn’t you have an inclusive service away from the single-sex service in terms of managing risk? People who are inclusive would say, ‘What is the risk?’ I would say, there is a risk of men, regardless of how they identify. We won’t allow men on the premises. We would be very alarmed if there was a male on the premises, as they then have access to vulnerable women and children.”

**Religion is relevant to service provision in refuges.** “We have had women saying, ‘I wouldn’t come here as a Muslim woman if we had males here,’” said one interviewee. Another, whose female refuge population is about 50% Muslim, said that service users would have to go home if there was a man present. “It would sit outside what they would be allowed to do.”

**Other groups, such as refugees and asylum seekers, may have particular needs.** One interviewee had conducted research with women who had been through refugee camps. “This discussion is detrimental to those groups, who are very afraid and very marginalised. It will exclude them from a service that is not for women, by women. We are talking about very traumatised women who went through sexual crimes and trafficking within refugee camps. They are already frightened to go into a refuge or an enclosed space – but knowing they are going to a women’s space is reassuring. It is a deterrent if there are men. We need to consider how this affects the most vulnerable.”

**Those whose experience has isolated them from friends and family are likely to need communal provision in place of dispersed accommodation,** according to Phillips. “The best example I can think of where communal refuges are, without doubt, the best environment are for people who have been so isolated that they don’t have any network beyond the people who have abused them,” she said. For these and other women, “the communality of refuge accommodation is often part of the recovery”. Where organisations have a combination of mixed-sex and single-sex refuge provision, dispersed accommodation is likely to be made available to all survivors, whereas communal refuges remain single sex.

**Two leaders warned that if the sector could not provide single-sex spaces, providers would in effect become housing associations rather than specialists working to support female survivors.** “If we cannot provide female-only spaces, what is the point of the violence against women and girls sector? ... We become like any other generic housing provider and can’t offer that specialist provision. We have a model we have built up over many years to meet the needs of women and girls... Trans and non-binary males need a different approach because their experience is different.” Another interviewee mentioned a previous employer who offered refuge accommodation and floating support. “They had an office for male workers based in the single-sex refuge. They were a housing association, not women’s aid.”

## 6.4. Prisons and probation

“If women in prison fall over on this issue, then everybody has lost. If you accept a male-bodied person to be locked up 23 hours a day with a female-bodied person on the basis that the former is a transwoman, you have nowhere to go.”

**Women in prisons and probation services are especially vulnerable.** According to one interviewee, “Almost all women who are in prison have experienced bullying, violence, control, domination and criminality by men... Almost all women are very vulnerable and fragile, and have often experienced years and years of abuse by their fathers, brothers, partners and children. My view is that they shouldn’t be in prison, but if they are, they need to be protected, safe and given a route out into a different life.”

“The problem came when men who had been convicted of serious sexual offences and violence were fighting hard to get into women’s prisons. Governors were trying to block it and trying to stop it happening. They understood the men’s motivations were malign. They knew their offences. They knew their attitudes; they knew them well. They tried to prevent the transfers, but the decisions were made centrally... That’s how some of the men got into the women’s prisons.”

One leader, who used to spend a lot of time visiting prisons, said, “I started to see men – particularly sex offenders, and men who had been convicted of offences against women and children – suddenly claiming to be women... Governors were saying how confusing and difficult they found it, and they didn’t know what to do. One governor was very upset by it. She knew it was not because these men were really women. They wanted to get access to women.”

“Women won’t do things they could do if they are being bullied and controlled. Access to gyms and classes will be curtailed as they will be fearful of being alone and being bullied. What happens is that it shrinks a woman’s life. That is the point. The point is to expand yourself as a man, and to shrink the woman. And that is what happens in prisons. The opportunities are tiny, and if any of those are taken away... You are not going to go to the gym if in your shower, which is communal, you are frightened of there being a man there. What the woman cannot do is run away. You cannot get away. Your only choice is to stay in your cell. You have no choices. No autonomy. You cannot run, you cannot choose. The choices being made for you by these men is total control, which is why they are doing it.”

**While public discourse focuses on the risks to women of being attacked, there are risks around other forms of abuse, loss of services and access to shared spaces, and a sense that they are not safe.** An interviewee said: “It’s about coercive control, bullying, domination and access to services, and the legitimate fear that women have – or even just feeling a little uncomfortable. And if I am a female prisoner, I want to feel safe. I don’t want to have to worry about dressing [or] about where I am going to eat.” The coercive control issue in prisons is both subtle and important.

“There was one occasion when I saw for myself a man – who had been convicted of several rapes – pretending to be a woman. He got himself into the women’s wing... It was a big, open space with cells around the sides. The women were standing individually or in groups around the side. And the man – and I say “man” because he was quite big, quite hairy. He had a little girl’s dress on and a little blonde wig with plaits. He clearly was a man.

He was a man, and he was standing in the middle looking very pleased with himself. And I talked to the governor, who was a man, who said he was finding it very difficult, because he talked to this person and said, ‘Look, we can help you look more feminine. We can help you look more like a woman.’ And this man just refused, and said, ‘No, no, I want to look like this.’ He’d found a way of dominating and harming the women without touching them, so he didn’t need to rape or touch or bully. He was dominating. He was cock-a-hoop.”

Women may avoid shared spaces altogether. They may even have their access closed off to accommodate male prisoners who identify as women. One leader mentioned a women's prison, HMP Downview, that had established a separate unit for transwomen. "The actual building had been a special building set up for the women who were transitioning themselves from the prison to outside, so it was a special place where some of the longer-term women were given extra freedoms. Well, that was taken away from the women, and the men in dresses were put there."

The impact on women was not restricted to those who were preparing themselves to leave prison. Staffing levels in the main prison were affected, too, when there were already insufficient staff. The interviewee added, "Then, of course, when these men were moved around the prison, they had to be kept separate – so the prison was shut down and the women were locked up while the men – three or four or five men – were moved from one place to another to use the gym or the education block... The harm to women, which these men knew full well was going on, was being inflicted administratively and by co-operating with the men who wanted it."

**Other effects of gender-identity beliefs on women in prisons include the practical realities of sexual activity and distressed prisoners identifying as men.** "Effectively you have mixed-sex on a very small scale," said one leader. "You have to allow for sexual activity, including consensual sex, and pregnancy. You might not like it, but you have to allow for it. There's a lack of attention to the real world and what will happen." Female prisoners identifying out of their sex is another issue. Another leader said, "There was a community of young women, at the most vulnerable point of their lives, allowed to come out of an institution and be told they were... men."

**The situation for women in prison has improved recently** thanks in part to the scandals caused by transwomen such as Isla Bryson and, in part, by a previous Secretary of State for Justice who said, according to one interviewee, "I cannot believe we are putting intact males in women's prisons." The damage caused to women by male criminals identifying into female prisons, though, has been immense. "The number of women in prison is very small," said another leader, "so a small number of men can have a disproportionate impact. Crime is a man's problem."

**Probation services have received less attention when it comes to the impact on women of issues relating to sex and gender.** A leader gave the example of a younger woman who had experienced "predatory males who were masking as transwomen. She relapsed, and went back to drug use. It shows the damage it did to her." This leader also described approved premises where people who are high risk can go before or after prison. "There are a few for women, and there have been at least a few instances where a transwoman was in approved premises. One was in breach for making advances to women there. I hope that is changing, but it worries me."

"If you have a community payback order, you used to get one woman put with a bunch of men, and they had a dreadful time. That was changed – they put women on individual placements in charity shops, where they could learn to use tills and could use their experience to get jobs – but that is all slipping. Women will be more anxious about being stuck with men, and less aware of the risks they have."



## 7. Impact on TI/GQ service users

**Interviewees generally expressed a desire to meet the needs of service users who are trans-identified or gender questioning (TI/QG).**

Interviewees prioritised the provision of single-sex services to meet women's needs, which requires excluding all males from female spaces – trans identities were irrelevant to these decisions. Where trans identities became important was in service design that meets their specific needs.

According to Dillon, "We collect data around gender identity, around sex, around gender reassignment, because it's what we're meant to do, and I want to know. I want to know if we've got an influx of transmen or transwomen or non-binary victims, because I want to be able to design services for them." Ingala Smith commented, "Trans people are talked about as if they are a homogenous group, and they are increasingly not. The older male who transitions late in life is so different from a 14- or 15-year-old girl."

**Provision has been made much harder by frontline workers not feeling able to make decisions based on someone's trans identity.** "The thing that's annoyed me so much," said one leader, "is that women's organisations have such a long history of supporting trans people and doing it really well. I'm not saying it was perfect, but it's been lost. The message of the organisations fighting for this is: 'Trust women's organisations to do what they have been cracking on and doing for decades, to make decisions on the ground, to apply their expertise.' The problem has been creating the impression of a problem that was never there, and by that creating the problem."

"The attention on this issue is ideological, not practical. It's not about people. If it's about trans people getting services, we wouldn't be in this position. Everyone would have known that women's organisations were already making decisions that were compassionate, detailed and taking account of individual needs – for example, one-to-one support, maybe groups but maybe not, and support through LGBT charities... It's astonishing how much was being done, and now it's much harder."

The toxicity of the sex and gender debate has, in other cases, prevented services being able to offer well-designed support to trans people. It has led, according to one interviewee, to "an inability to develop practical solutions, to share experiences, to learn from each other and to develop a shared approach". The same interviewee recommended starting to think about provision in terms of good practice and poor practice – "How you can provide services to trans people while making them feel they are being treated with respect, and how you can provide services to the women who need it."

"It is astonishing that with all the mainstream, wealthy charities we have, the focus is on the tiny slice of the charity sector that is women's organisations. If everyone else was doing their jobs properly, we wouldn't have this ridiculous focus on women's organisations. I have never met a single person who said a problem for trans people was women's services not letting them have access, but it has become the focus. Women's services have, and do, provided services wherever they can."

**Several leaders discussed fitting their own services into the jigsaw of wider provision to meet the needs of all survivors.** One said, "I am a feminist. I support single-sex services – but that doesn't mean I don't

support others to support other services... There is an assumption that you don't support trans services. I absolutely do; I just don't see why our services should be given up. Feminism should be about policy, and that means supporting the rights of others to access services that are right for them."

"It seems that more and more, you have to be a specialist trans service, as well as a specialist women's service... And we've had individual cases where 'This is a situation with this trans person – can we take them on?' Sometimes we can. Sometimes we refer on. A lot of time goes into evaluating and referring, whereas for a woman, it's straightforward. We are learning. You are under a lot of scrutiny to get it right all the time – but it's OK to say, 'We don't know.'"

## 7.1. Female victims and survivors

**Several women expressed concern over the invisibility of transmen in discussions over sex and gender in the women's sector.** One said that there are more transmen in women's prisons than there are transwomen. Another said that – as biological women – they get put in the "too difficult" box in the prison system. "I know lots of [transmen] have said they want to be in the male estate. It is governors in the male estate saying, 'We cannot guarantee your safety.' It's a supreme irony that, in the next breath, they say they will accommodate transwomen in female prisons with no regard to safety. They assume that women will be more understanding."

"I think transmen are invisible in this agenda. People never talk about them... This is an agenda that's totally dominated by male to female transition."

"I am really, really worried that we are not serving transmen or female they/thems. They are sitting ducks for being abused. We do them a big disservice by putting them in the male category... They are among the most vulnerable women there are, and it's not right to categorise them as men."

**Transmen may have particular needs, especially if they have identified out of their sex for reasons of risk and safety** (of which more below). These needs may include psychological support if they decide to detransition. A leader described working with one woman who had transitioned. After three years, this individual had realised – at the height of five foot one – that transition was never going to work for her. "I'm just a butch dyke, aren't I?" she said to the interviewee. Another described detransitioning as a "complete, complex nightmare" that women's-sector organisations are going to have to work through.

"Non-binary women and transmen have approached us as a self-referral. Some of them still go by their female name. Some are unsure; some have had their breasts removed but have not gone any further as they're still confused. They don't want a trans service. They want a women's service. They regress to being female if you ask if they want to be referred to another service. It's hard for us to get our heads around it. It is confusing, and each case is different. We can refer people to trans services – but we understand this as domestic abuse of a woman, mainly perpetrated by a man."

One leader touched on the delicate issue of how women's-sector organisations can support transmen in the context that – if they have been on medical treatment – they very often pass as men, which may



traumatise other women who want single-sex spaces. This is particularly tricky given that transmen are female, but may need provision outside single-sex services shared with other women.

**Several leaders said that girls and young women who have experienced abuse are more likely to want to identify out of their sex, as it feels safer.** They may feel similarly if they have witnessed their mother being abused. According to Ingala Smith, “Transgender ideology is increasingly dangerous for young women and girls... Research indicates that young women who have experienced sexual violence are more likely to reject the label [of woman].” One leader said, “Watching the father perpetrate abuse on the mother is subliminally saying to those girls, ‘This is what happens to you when you are female and, if you are a boy, it doesn’t happen in the same way. You are safer.’”

“Some of them are young... Some are grown women who have experienced trauma in childhood and ongoing abusive relationships. They are often alluding to [their belief that] the way of being safe is not to be female. That is what they are identifying: ‘I have tried all these other avenues to be safe. I am not safe. If I identify as a man, I will be less likely to experience rape, trauma and abuse.’ We are noticing that this is happening more and more.”

**Sexual orientation may be part of this trans identification, too.** “There is a pressure for a young woman who is exploring her sexuality that she is a man – that she needs to transition,” said an interviewee. Another said that schools are currently the hotbed for gender ideology. “Groups of girls are changing their identity, without any sex-based knowledge or information being provided to them. That’s a serious safeguarding issue... We do a lot of training with young men and boys in schools. We are seeing... this disrespect of the female sex through their social-media channels. We have young members of staff who come to work for a women’s organisation, but say they are non-binary. That’s because they have heard nothing else. Sex-based rights have not been taught.”

“I have experience trying to support people with trans identifications for years. I have found [the huge proportion of girls identifying as trans] profoundly troubling... The Tavistock data rings true. Many are same-sex attracted, autistic, self-harming or experiencing family conflict. They have awful mental health and social difficulties – they are the most vulnerable girls. I feel profoundly troubled at just validating [their identities]... One of the ways I have dealt with this is to approach it like Hansel and Gretel. I have dropped breadcrumbs of ideas on dissent, how ideas spread socially, about not fitting in, sexual dimorphism, Caroline Criado Perez’s *Invisible Women* – I have put bits of information in place, and come back later. I’ve done that with staff too... I don’t try to do it all at once.”

**One leader said her therapeutic teams had successfully worked out how best to support these groups of trans-identifying girls and young women.** “We went through a process of going through all the evidence of what young teenagers, especially teenage girls, believe... You do not mess with young people when they are experimenting. You make space for that. You don’t jump onto, ‘Oh, you are definitely that, then.’ [Our staff] are therapeutically trained, quite a lot of them, and... that team, when really pushed to consider all the ins and outs, they got it.”

## 7.2. Male victims and survivors

**There was a split between those interviewees who saw a real need to offer services to male trans survivors and those who either thought this need was less than is commonly believed, or that it is already met by the network of LGBT specialist organisations.** An interviewee in the first group said of a consultation she had run with service users and staff, “All of the women we spoke to expressed compassion for transwomen... Sometimes, transwomen might be victimised too.” Phillips said, “I am constantly stunned by the effort that hasn’t gone into providing specialist services for trans people.”

“It required [me]... understanding the dynamics and who is really affected by this debate so our services don’t fail them. There are transgender people who have gone through the process, are very vulnerable and need help. Do we support those groups? I reassured myself that we do. I was thinking that we need to approach this in a very composed way, backed up by discussions with women in the sector.”

Others suggested transwomen’s needs are already being met. One leader said that the data used to show the vulnerability of transwomen is based on North American data concerning transwomen who work in the sex industry in order to earn money to fund the medical costs of their transition. Another said her organisation provides an LGBT-specific service, so any further push for access to existing single-sex spaces “is about validation and access to women’s spaces”. She added, “People will tell you that trans people are the most oppressed and victimised, but they are not. [Unlike women,] they’re not killed at the rate of two a week... [My region] is now over-provided for domestic-violence services for LGBT people, while being under-provided for women.”

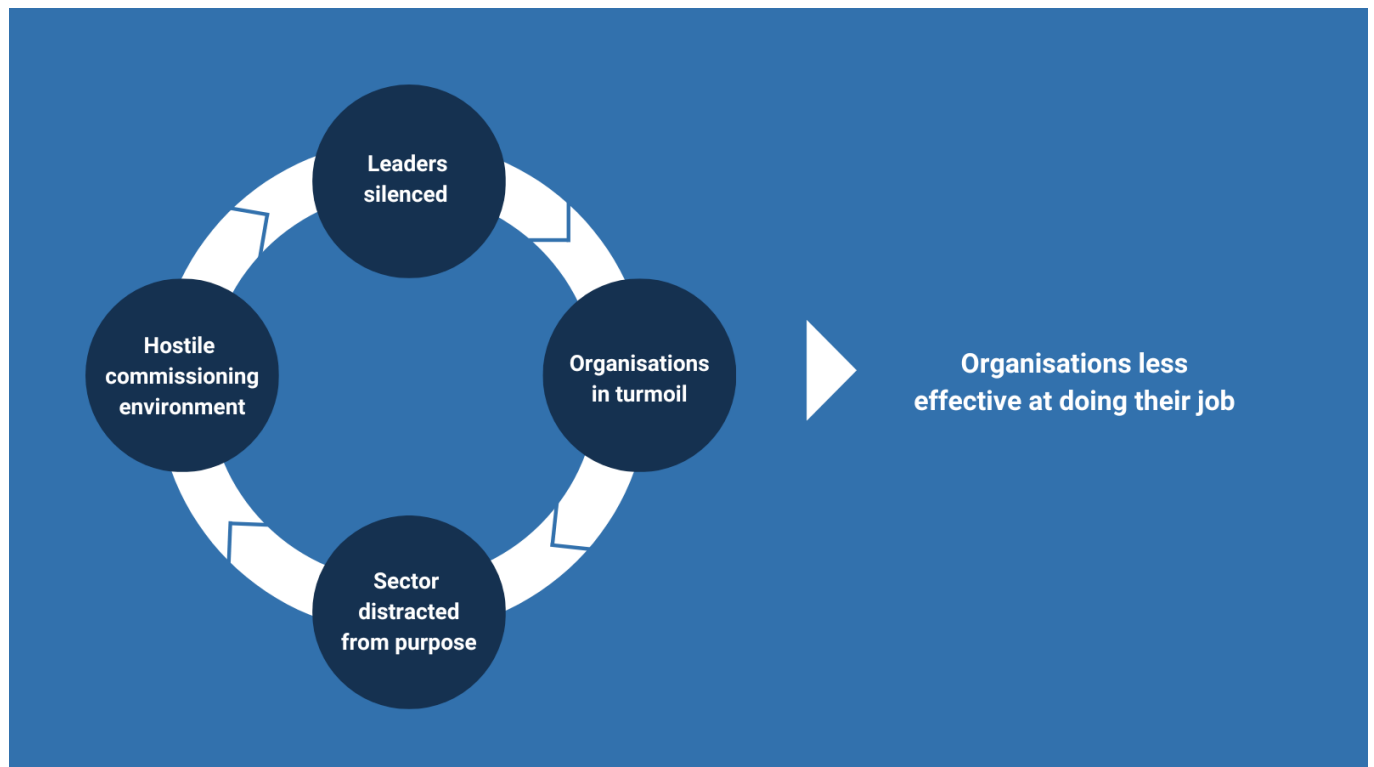
**Several leaders highlighted the provisions they make for transwomen,** including one-to-one support services where the alternative is single-sex group work, and housing survivors of domestic abuse in dispersed accommodation as opposed to refuges.

**Others highlighted the particular needs of transwomen** – they have particular medical requirements, for example, and service design should account for these. It can be harder to identify what these needs are since the foreclosing of any discussion on gender identity. “You can’t ask. You can’t talk. You can’t work out what people’s needs are. What might need to be different about the services you receive than the support that other women need?... In practice, what do you do if you are in a women’s organisation if a person says, ‘Isn’t this person a male person?’ What do you do? Do you lie? Pretend she is wrong? It’s the practicalities of all of this.”

“The complexity of some of the issues might have come out better if I had been able to talk about it. There are men who have a medical issue. I remember meeting a young man in a male prison. He was clearly very vulnerable, very fragile. He wanted to be a woman. I think, more likely, he was just gay. He came from a community where that was not acceptable, so his way out of it was very extreme. Discussing individuals with very particular challenges got lost.”

“The nuance of the secrecy clause is that it’s secret in 99% of your life. If I am working in Sainsbury’s, nobody needs to know I am a transwoman. But going to the doctor, they do. Being in a prison, they do.”

## 8. Impact on sector leaders



### 8.1. Complaints and accusations

**Several leaders described complaints and accusations relating to sex and gender that had been raised against them, as well as the aftermath of these personal attacks.** Ingala Smith said, “When I was first called ‘transphobic’, I was really worried about that, and the impact on the organisation and our reputation... It’s never nice to be under investigation, but I have it in my stride now. I am careful and measured in what I say.”

“It’s the ‘no debate’, silencing thing that’s new. We’ve always dealt with controversial issues. It’s this bullying that’s new, and it’s in response to some of the gains that women are making... And the ubiquity of porn [means that] the threats thrown at women are much more sexualised than they were 20 years ago. We campaigned against porn in the 1980s, and we were right.”

**Complaints from other leaders and trustees can be particularly pernicious.** A leader had grievances raised against her for saying that she did not believe transwomen are women, and two had complaints made by colleagues who had read their personal Twitter accounts.

“I’ve seen colleagues being attacked in other organisations for doing things like retweeting a JK Rowling tweet. I have been accused of being transphobic in my own organisation... A formal complaint was made, and an investigation carried out. The upshot of it was that my belief was a protected belief.”

One leader went to an equalities training session upon joining her previous organisation in which attendees were required to state their pronouns and how they were feeling, which she refused to do. “They

went round the table. It was wildly inappropriate to state your emotional state in front of strangers. Everyone else did pronouns and some synonym of worried, anxious and uncomfortable.” Later in the training, she picked up on an inaccuracy related to the training content that directly linked to sex and gender. A colleague said, immediately afterwards, ‘We should be leading on this. We should go beyond the law. Let’s call gender-critical people what they are – transphobic. Transwomen are women. Transmen are men.’ ... She was shaking. I was shaking, too... I felt scared for me, horrified for the sector and scared for victims, if this is how things are, and the level of knowledge.”

**Complaints and accusations have also come in from service users.** One leader said that she had received complaints from female service users identifying as trans that they had not been immediately referred to a trans service. The lack of referral was due to the women’s identities shifting over the course of the conversation. “We felt you were a woman who was experiencing trauma, and we had to support you as a woman. If you’d said you were transitioning and were a man, we would have said, “Here is your referral.” Sometimes trauma can make women think it’s safer to be a man or a boy – we do have a duty to explore that first before sending someone to a trans service.”

Another leader talked about a man who came in to use her service, whom she believed was identifying as a woman to test her organisation’s response. “I was asked to be in the adjacent kitchen with the door open so [my colleague] wasn’t alone with him, because we didn’t know what his purpose was... It was very clear that he was trying it on, and sussing out how receptive she would be to him requesting services. I was told by someone else that he was a known transactivist and testing out the organisation.”

“We couldn’t allow a man who was transitioning to be a woman into our women’s well-being service. We had to prioritise the majority over the minority... This was a man who was transitioning, and he still had a penis – and we just felt that wasn’t safe. Women have been through significant trauma at the hands of men, and we had a bit of pushback. He was initially quite unhappy. He called us transphobic, so we had a battle on our hands with legal and HR experts about how we dealt with it... It takes time, money and expertise to work these things out. We tried to deal with it sensitively. This is a women’s service, and there are specialist services for trans people. There was no way we could put a man transitioning to a woman who is still equipped like a man in a situation where there are groups of vulnerable women.”

## 8.2. Working relationships

### Internal relationships

**A number of interviewees were supported by their boards of trustees to deliver single-sex services, which had enabled them to manage the issue successfully with their staff.** One said, “I am quite lucky – I have a strong, feminist board of trustees. I feel supported to make a challenge.” Others have had to navigate difficult pathways with their trustees and staff. According to a leader who was operating in an organisation where other senior staff did not share her views, “It crops up for me on a daily basis... what room I have to challenge it, and the straitjacket I have within the organisation.”

**People named a range of negative impacts on their working relationships.** One leader, for example, described the reaction of some former colleagues to her explanations of the Equality Act by saying, “One of the things that has been deeply challenging is that they perceived the law itself to be transphobic – so

mentioning the law as it is, even in the most neutral terms, is you being transphobic... That was enough to cause the reactions I described – being labelled a TERF and transphobic and all the other things that have happened.” Other effects included:

- **Self-censoring.** One prison leader described a situation in which she had witnessed the negative impact on female prisoners of a transwoman in their prison, and tried to discuss this with colleagues. “As far as they were concerned, he was a woman. They were offended, so it was not something I talked about again.”

“You choose your battles.... There was a small group of young women who felt this was their cause – their Vietnam. These were the battle lines that were drawn.”

- **Bullying.** Of a previous position in which colleagues made clear that her views were unwelcome, one leader said, “They were pretty mean to me in the office. They would leave me out... I worked from home more than I intended to protect myself. They made ageist jokes.”
- **Checking views and hypervigilance.** Interviewees sometimes try to work out what the views of their colleagues are before having conversations about issues relating to sex and gender. “I am quite wary to find out what their views are before I would be open about my views,” said one. “I am very mindful of not just exposing myself to difficulties.” Another said: “What it feels like to work in the women’s sector is that you are wary of new colleagues. You’re looking over your shoulder.”
- **Board resignations.** Two interviewees said that board members had resigned following discussions about the provision of single-sex services. One said, “I very badly presented to my board to present the need. It led to the immediate resignation of a board member, who wrote a [long] letter saying I didn’t understand the ethics of the organisation I had been running.”
- **Organisational stalemate.** In one organisation, differences in trustees’ views have contributed to this stalemate. “It gets messy,” said the chief executive.

“Commissioners clumsily spoke to women and asked how they would feel about transwomen accessing the service. There wasn’t one service user who said they would be fine with it. But I think my chair feels, ‘Why wouldn’t these spaces offer services to people identifying as women when they have been subject to domestic abuse?’ ... I talk about transwomen being triggering for someone who has been subject to violence from males. I think she feels it is discriminatory and not very open minded... It’s an uneasy position with our chair. We do a circular dance where we don’t discuss it and thrash it out. The need hasn’t arisen, but it will in future.”

**Several interviewees had found ways to bring trustees and colleagues on board.** One leader, in response to pressure from staff members that policies needed to be inclusive, said, “We held firm that you had to understand the data, needs and prevalence, and not be in contravention of any laws... Maya [Forstater]’s court case was massively helpful.” She said that balance in her organisation had become possible because of the robust approach her organisation had taken to balancing the rights and needs of people with different perspectives. Another leader talked about a framework her organisation had developed to allow them to discuss issues respectfully.

A leader mentioned training her staff on the Equality Act: “Getting people to think about, ‘In what other arena is it OK to say people have to believe what you believe?’ ... Everyone agrees [our organisation] should

always provide services that match user needs. Getting people to have conversations and break down some of that terrible fear that both sides have. The feedback was really good. It has brought the temperature down.”

In some cases, leaders had discussed with their staff and trustees the detailed implications of using self-identification in place of biology to frame service delivery. One had asked, “Do you want [our organisation] to campaign against women’s sex-based rights – for example, a paralysed woman wanting single-sex intimate care for going to the toilet and managing her periods? Are we saying our position is this?’ They don’t want to say that, as largely, they are driven by kindness in wanting to be trans inclusive. I also found sympathy for the rights of lesbians... to say, ‘I am same-sex attracted.’ ... We need to be able to answer these questions before we get around to making a public statement about being trans inclusive.”

“The chair needed help articulating the balance of rights and how not doing that could impact on people who are gender critical, service users who are lesbian ... [and] women who don’t believe in self-ID. There was a real risk there. I presented information to them that it was not impossible to balance rights, but you have to understand needs and prevalence in different groups. The board decided we would take a balance-of-rights approach.”

## Partnerships

“70 to 80% of CEOs are of the view [that single-sex services are needed], 20 to 30% believe that transwomen are women and should have full access to refuge services, and believe in their DNA that if someone comes out, they should be viewed as a woman. It’s difficult, sometimes, to have that different view.”

**Some of the conversations with external partners over this issue have been positive, and supportive networks have been developed.** Dillon said, “One of the things that I find really valuable about the women in the movement – and there are many, many that believe women are a sex class – is how supportive they can be with each other... Leaders have provided a support for each other. I have felt very supported by women.”

**The use of pronouns was highlighted by a couple of interviewees as something that may signal partners’ allegiance to a belief that gender identity takes precedence over sex, making them wary of engagement.** Both, though, recognised that some people may use pronouns because of pressure or because it is too difficult to make their own views clear. “I try not to be black and white in my thinking, and assume anybody with pronouns is against sex... I try not to adopt this ‘with us or against us’ sort of mentality.” One leader carefully signals her own beliefs when she meets new people on whose views she is unsure by saying, “I am a friend of Julie Bindel’s”.

“I have, myself, been silenced in an equalities meeting... I was told my views were not acceptable to the group. I was told they were transphobic... and was asked questions designed to close down discussion: ‘Do you believe transwomen are women?’”

**Many have had negative experiences with funders, commissioners, activists and other women’s-sector organisations.** One leader described the uncomfortable experience of having her social media policed.



Another, who often conducts external talks, said, “Everyone is uncomfortable when I speak about sex. They want to move on quickly. You feel it all the time. It takes a great deal of courage.” In a talk she gave to a large voluntary-sector organisation, the equalities lead who introduced her mentioned the protected characteristic of “gender”. She challenged this, as there is no protected characteristic of gender in the Equality Act (the relevant protected characteristics are “sex” and “gender reassignment”). Her challenge was marked by silence. She was not thanked for her time at the end of her talk.

Another leader said her organisation was subcontracted by a larger agency to deliver work with women, as part of which they ran an exercise about women’s experiences and transitions through life. “Women always say some particular things. They talk about their first period, abortion, miscarriage or pregnancy – their pivotal moments – or their understandings about themselves, in that they don’t have children but they are expected to culturally... We got an email from the colleague at the partner organisation saying that one of the women found the language problematic and exclusionary. ‘She will attend the next session to see if you have taken on board this feedback and made changes.’”

“Within the Women’s Aid leaders’ email group, there are two very different camps. There are the feminists making sure women’s spaces are safe. Most women would agree with that. Other women are being pressured by their local authorities to deliver trans services and men’s services... and are therefore more inclusive... but then they are seen as less feminist by the feminists. They are being challenged: ‘You are not putting women first.’ It is very toxic. You can talk about refugees, child abuse – the most horrendous things in society – but nothing gets uglier than conversations about trans inclusion in women’s spaces. That’s because you have funders, commissioners, pushing things a certain way – the people who have the power – and it doesn’t always prioritise the safety of women.”

In some cases, negative partnership experiences took the shape of personal frustration. One leader said, “I had the CEO of a women’s organisation saying that she was a radical feminist who believed that transwomen are women and had pronouns. It is so demeaning... But she is running an organisation that is worth £1.5 million, being bullied by junior staff who insist that people are transphobic and you are going to murder people by whispering the word ‘woman’ in the toilet.”

“I once had a governor of a women’s prison tell me [after raising concerns about vulnerable women transitioning], ‘I wouldn’t touch you with a barge pole,’ and the work we were going ahead with was cancelled. She never answered an email or picked up the phone to me again. While I might have been clumsy in my own participation in the dialogue, I didn’t have that as an intended outcome. Governors talk to each other. It’s a closed shop, a tight-knit community, and if they take against you, you are pretty much fucked. Either they don’t know you, or they don’t care. If there are a bunch of women transitioning in a women’s prison, why would [they] want anyone sticking their nose into that?”

**The issue of sex and gender can become another fault line in partnership conversations that may already be very fraught.** Ingala Smith said: “As a feminist organisation, you are often the ones in the room who are challenging statutory people about sexism and misogyny. Even if you are attending a domestic homicide review, for example, it can be quite shocking, the lines that people come out with. So you’re always saying, ‘Well, no, she isn’t a bad mother. She was being controlled. She wasn’t making free choices.’”

... Local authorities are Stonewall Champions. They are signed up and required to push that agenda... It becomes another battleground in what's a very difficult area anyway."

"I was naïve, six or seven years ago, about the alternative view. I couldn't believe that commissioners thought it was OK for someone who hadn't medically or legally transitioned to be in services – that they didn't understand the practical implications and the trauma response. Once I understood that, it was easier for me to deal with."

**The impacts of these negative experiences – whether they are serious personal allegations, relationship ruptures or just frustrations – is that leaders become more guarded and engage more carefully with contentious areas.** "And if something is perceived as contentious," said one, "you spend a lot of time on that – and that's frustrating, because it detracts from the work you are trying to do." They have serious consequences, too, for access to funding and organisations' ability to get commissioned for services, which are covered later in this report. This then affects organisations' ability to offer high-quality services that meet the needs of women.

"We have navigated discussions with commissioners that are often more difficult. Commissioners want to seek inclusion. They have been quite surprised when there has been push-back... I was in a meeting where I gave an example of a transwoman I know who came out in her late 40s, married and with children, at six foot two with no medical treatment. I [said], 'What if the person needed refuge space – would it not be advisable to give that person refuge space in dispersed accommodation?' The answer was, 'No. Transwomen are women.'"

**Some had been successful, however, in forging partnerships with individuals and organisations with whom they disagreed on the matter of sex and gender.** One said, "We've got a network meeting and agreed that on that point, we can't work together, but there's lots on which we can... We know when we refer people what their services are. We have found a way to work together. We have had an adult conversation about it."

### 8.3. Compromises

**Sector leaders described a number of compromises they have had to make** in terms of adhering to their own views about sex and gender while ensuring that services are not negatively affected by other people's reactions to these views.

#### Providing services to men

The main compromise that many leaders across the sector have had to make is the provision of services that include men – either all men, or transwomen within women's services. Ingala Smith said, "Some of our contracts require us to support men and, really, if it were down to us, we wouldn't do that – but we can't make that choice if we need a certain amount of contracts coming in to stay viable."

"Where is the line between prioritising women and how invasive you have to be with your questioning to determine what a woman is? And that doesn't sit with us well either, and ensuring that we are inclusive enough that feels authentic with our values in terms of providing support for women."



In the wider sector, Ingala Smith commented that leaders are signing contracts that say they see transwomen as women, and some may also be delivering services in that way. One leader said: "On funding, you always have to say your services are inclusive." Treating transwomen as women does not represent a compromise in all cases, however. "I know there are some people that actually do believe that," said Ingala Smith. "I find it increasingly difficult to believe they are holding onto those beliefs, but some appear to be."

"There is an area of compromise for me. In an ideal world, it would be a women's-sector service providing services for women. When I started, I was proud that we provided LGBT services, whereas now, I am not. But in a way, this protects us. We have been doing it for a long time, and we know what we are doing. Don't tell us we are transphobic."

"The first time I went into a prison and had a man in a women's group, ostensibly it wasn't a problem. The women were very used to this situation. This was a prisoner like any other prisoner, who happened to be serving their prison sentence in the women's prison... I have to continue facilitating a women's group against my own internal structures. I am faced with a position where I can't say or do anything other than go along with this situation."

## Being publicly neutral

"We try to be non-political, despite what my beliefs might be around single-sex services for women. You are walking on eggshells sometimes. Other times, you are openly and unapologetically trying to get services for women." Another said, "Not all [trustees] agree that we should be a totally feminist organisation. We try to be non-political in the way that we do our work and the way we respond on social media."

"I am completely compromised," said one interviewee. "I took quite a long time to say to some of my friends that I was gender critical. Many, I would still never tell, as I am scared they would stop talking to me. I have made huge personal compromises." This interviewee said that she had avoided challenging her organisation's equality and diversity policies as she was concerned about the implications of doing so.

## Leaving some matters up to personal choice

One leader said, "Some of our staff have badges with pronouns, but not everybody has to. We've had staff requesting that we require pronouns to go on our signature strips, and we've said, 'No, that's not necessary.' ... My personal views sit outside the workplace."

## Trying to please and placate colleagues

According to one interviewee, this applies to trustee boards as much as it does to younger staff. "Many have two sides [and], as a leader, you are trying to keep both sides on the level. You are trying to avoid anything that causes the fault lines to emerge, and cause you to lose your job, honestly."

**Others stated that they had not made compromises, and that their service delivery was as they would choose it to be.** One said that her organisation had developed alternative accommodation, but they would have done this anyway, as refugees struggle to meet everyone's needs.

“The pronouns business – I vowed from early doors never to do it. I know loads of leaders who think... ‘If I don’t state them, it looks like I’m trying to say something I am not.’ And I’m irritated, sometimes... when I’ve seen them appear... It is one of the ways people have been divided. Younger members of staff look at your sign-off, almost thinking that you haven’t clocked onto the latest thing to do, rather than you have made an active choice. And there are actual proactive reasons, including for people who are trans, why you don’t think putting pronouns all over anything is very helpful.”

## 8.4. Speaking out and being silenced

“The real point that I would want to make is that people are not able to express their views within the sector. We talk about domestic abuse being a gendered crime. It is overwhelmingly perpetrated by men and experienced by women. The statistics do not lie. We say that, but we are not prepared to say what a man or a woman is. People are not able to express their views safely... As organisations there to protect women... unless we start naming what this is, we will never provide the safety that women need.”

**Sector leaders are operating in a delicate climate in which their personal views and the views of their organisations are often seen to be one and the same.** According to Ingala Smith, “When you’re a chief executive of a charity, you understand that although we all have a right to an individual point of view and to be political outside our work context, I know... that if I talk about those issues – even though I am an independent person and have rights to be that – people conflate me and Nia.” Another leader said that the biggest impact of ongoing tensions around sex and gender is “the silencing, the erasure of sex in all forums and a hostile environment that prevents discussion, debate and dialogue”.

Some leaders have stayed quiet either because they did not want their organisations to be negatively affected by their views, or because they did not have the support of their boards to state their views clearly and publicly. One commented, “When I am in work, I represent the organisation. Anything that I communicate is authorised by our board of trustees. My personal views don’t come into it.” Another said, “I wouldn’t want to bring any opprobrium to the organisation [by speaking out], as we support very vulnerable women.”

“As a leader of a charity, especially in the current environment – with precarity around funding, platforms and having access to partners and supporters – unless you have the support of your board, your funders and your staff and, of course, the people you support – then it is completely silencing.”

**Every organisation has been frozen by this issue,** one leader said. She gave the example of a Scottish women’s-sector organisation that has failed to mention the now infamous case of trans-identifying rapist Isla Bryson (he was initially housed in a female prison). Another pointed out that most organisations have deftly avoided opening this can of worms, with the exception of organisations such as Nia and Aurora New Dawn, which have the support of the staff and trustees. She said that the people to speak up are “women who are secure in their employment or who are exceptionally brave”.

The silencing impact of this debate is interesting in the context of a sector in which women are used to speaking truth to power. “Despite the legions of gobby women, there are few who are brave enough to put their heads above the parapet,” said one leader. “I am one of the cowards. I don’t make my position public,

as I don't want to have my income derailed or to receive hate mail." There is no way to know how many people want to speak out but feel unable to do so. According to Phillips, "The effect that worries me the most is for those who feel they can't say anything, or feel they have to go along with it... in terms of service practice and risk. [These are] the ones I don't know about."

**Well-founded fears seem to be the main reason that leaders feel silenced.** They may fear losing their organisation's funding and the knock-on impacts on the quality of services they are able to provide. One interviewee gave the example of Rape Crisis, saying that it gets money from the Ministry of Justice, as well as the police and crime commissioners. "If these contracts are Stonewall-connected contracts, you can imagine how impossible it feels for individual rape-crisis centres."

"I know there are some sector leaders who have really struggled with this, and fought really hard within their own organisations to protect women as a sex class – and that takes its toll. People are worried about funding, and that is fair enough. We are on our knees anyway. 'Do I say something and risk not having any services for women, or do I keep these services and they are not women only?'"

*Dr Shonagh Dillon*

The vitriol, accusations and backlash already explored above under Complaints and Accusations contribute to this climate of fear. Ingala Smith said, "I have seen fear developing in some women leaders to speak out because they have seen other women being targeted, and they are afraid. I have seen vexatious complaints being made about other women, and I have had vexatious complaints being made about myself." There has sometimes been pressure for leaders not just to be silent, but to speak out against their beliefs.

One woman said that saying you are pro-woman does not mean that you are anti-trans, but you are nevertheless seen as a bigot. Another commented, "[People] are very fearful of being able to advocate on behalf of a single-sex service because of the backlash we have seen. That then detracts from the service we are delivering to survivors." Women may also choose not to speak out if they have children at home who might otherwise be exposed to judgement or abuse because of their mothers' statements, according to one leader.

"I think it is watching the real-life examples of women with decades of experience and tenured professors losing their jobs and their careers, or Suzanne Moore being hounded out of *The Guardian*. That is the very public consequence, before you look at lesser publicised aspects, which are equally very silencing: the doxxing... the details of children's schooling. [A famous feminist friend] wakes up every morning to 200 emails hoping her children die, or that she gets raped or gets cancer. People have had child-protection investigations triggered by trans-rights activists. That's enough to scare people. For liking someone else's tweet, you get a police officer knocking at the door."

**The culture of silence plays out in the media, too.** One leader said how careful she needed to be when commenting publicly on these issues. "I was hidebound. I was hobbled in what I was able to say... There were things I said and things I didn't say. I learned to be more subtle. I talked about women and girls a lot,

and completely ignored other issues. I didn't deal with the issue of men wanting to be women. I pretended it wasn't there and it wasn't happening."

Another said that she would have spoken out, but she was never asked about these issues in the media or through policy platforms. "I was never publicly asked, including giving evidence to parliamentary committees. I was always ready to answer the questions. There was a sense of being silenced... There has been silencing publicly, but also in private conversations. It has been divisive, and I think in my lifetime it always will be."

"I am absolutely fine with people disagreeing with me, [and] that other people want to have mixed-sex services. Trans inclusion – if that is your policy, fine. What bothers me and still does is the inability to have that debate... We shouldn't be being called bigots or ostracised."

*Dr Shonagh Dillon*

**Careless or bad-faith actions on the part of organisations on both sides of the debate may contribute to a lack of trust that makes it hard to speak out.** A leader gave an example of friendly fire: "Recently, something happened publicly online. It related to something I had been involved in, with Chatham House rules. It was a very sensitive conversation about this issue. There were comments made online that misrepresented what had been said and done. I was horrified. No wonder people didn't participate. That was definitely a gender-critical organisation. It was outrageous and incorrect... People have to speak freely and with trust, and you can see why, in the current environment, that it's been hard to do."

Seemingly bad-faith actions have taken place elsewhere, too. Two interviewees mentioned a now-infamous report into the women's sector (see the Introduction) by Stonewall. One described it as a "total misrepresentation". The other was closely involved in helping draft the responses of one of the women who was interviewed for the report. "The first draft didn't include what she said. She said, 'We do run single-sex services; we do take advantages of the [exceptions].' They said in the first draft that nobody did this. It was an outrageous lie... It came out in the end, and was a bit weaselly. It wasn't given the priority that other views were. Lots of quotes were not included. Part of the issue around this stuff is when it is reported and then not spoken about."

"I would put the chilling effect of not being able to speak about this issue at number one. It has the longest-term and genuinely most dangerous impact. If there's one thing people can't speak of, it's easy to develop a culture where anything that is contentious – and all advocacy work, one might say by definition, is about trying to change the status quo – [means that] opposition is silenced and not possible. That puts any advocacy movement in difficulty."

**This chilling effect on people's ability to speak out about issues relating to sex and gender extends into the world of policy generally and Parliament more specifically.** According to Phillips, "I have seen people keep quiet because they are worried about being pilloried about certain things. That definitely will happen in a policy environment." This point was supported by other interviewees who had policy backgrounds.

"How women have been excluded, ignored, vilified for talking about our rights and our protections."

**On a more optimistic note, speaking out may not bring the heavy consequences that sector leaders fear.**

Ingala Smith said, “I found that when I did speak up, the fear of the impact of speaking up was lessened. The fear was greater before I started to speak. I am not going to be bullied and silenced.” There is an increasing ability, too, for women questioning trans-inclusive policies to have a platform. “From what I can tell, they are relatively supported within the sector,” according to Phillips. “I go to the national conferences. I am not seeing the exclusion of some of the most prominent women in this space.”

## 8.5. Social and psychological effects

“I met my abuser at university. He was a very smart guy. He’s still a very smart guy, and very professionally accomplished. He learned his tricks from his father, who was very manipulative. Violence was not the main tactic that he used. He had a whole variety of other kinds of tricks, which I did spot – and then he would just shift the goalposts slightly... The biggest difficulty that I had when I left was not being able to trust my own judgement, not being able to trust my own mind, not having any memories at all... Everything in my life, any place I could go to in my head about my past life, my past memories, my thoughts – they all directed to him. I didn’t experience anger for decades. I wasn’t allowed opinions unless they glorified him or were acceptable to him... He dripped poison into my mind on occasions when we were out in public. I couldn’t trust my own perceptions.

“The hardest thing, really, has been to re-establish my own faith in my own opinions and my own emotions and my own perceptions of the world. And I’ve done pretty flipping well. But I’m not being told how to think. I’m not being gainsaid, and that’s part of why I’m fighting so hard within my charity. I’m not going to be told the way my perceptions are wrong. And we mustn’t do this to other domestic-abuse victims.

“Victoria Smith – Glosswitch – has written a piece this week in *The Critic* that talks about what we’ve lost. And I’ve lost my faith in institutions, in other people. I don’t know that it’s recoverable. I mean, I still trust myself. I still trust my own judgements. I fought for that. But just the idea that, yet again, I’m not allowed to have my own perceptions of what is right and wrong. I’m not allowed to have my own perceptions of how I think other people are behaving and how they’re treating me... That mirrors perfectly what happened in my marriage. I’m not going through it again.

“It’s the truth. That’s what it has cost me.”

**The social and psychological effects on the women interviewed for this report of being attacked, put under investigation, losing work – or feeling unable to speak out in defence of single-sex services – have been profound.** Interviewees highlighted a combination of causes and effects:

“When I originally started speaking out in 2018, I spoke out on Twitter and got targeted. I was met with zero support from within the movement. None. That spurred me on to do the research. It’s a really unusual feeling to be completely ostracised and stonewalled. I got a few people saying, ‘Sorry this is happening,’ and then nothing. When I did start talking, it is lonely.”

*Dr Shonagh Dillon*

### Being ostracised and feeling alone

Women in the sector are being ostracised from their communities, according to Dillon. She said, “It is a really lonely place to be. There are a lot of women who say, ‘I can’t believe this is the topic I’m being

isolated over from within the movement.” Another leader said, “It is hard and lonely and scary.” Ingala Smith said that this loneliness works both ways, as she gets frustrated with women in the sector who are not speaking out. “As much as they are withdrawing from me, I’m sure I’m doing some of the withdrawing as well.”

“That feeling of solidarity with other women – that feeling of connection – is absent now in the wider sector. When we do this very difficult work anyway, that’s quite hard. You are quite isolated as a chief executive. There’s an emotional impact to this work – to work to support women victims of men’s violence – so to have to be dealing with that, and to feel on the periphery of these women who are your peers is quite hard.”

*Dr Karen Ingala Smith*

## Being talked about

“I know those women have said stuff about me locally,” said one leader. “It’s not just what is going on in front of your face, but behind your back.” She added that it was exhausting and repetitive.

## Becoming vigilant

According to one interviewee, “The [anti] male violence against women movement is small. You see the same faces, especially when you’ve been in it for a long time. You can turn up to conferences, and you wonder whether or not you’re persona non grata.”

“I had been expecting [a complaint] for a couple of years. I wake up every morning thinking, ‘Is today the day where we will be called out?’ The impact emotionally is very difficult. There is no space for communication in that environment. You feel physically and emotionally that it is really very difficult to cope with. I always go back to the reasons why we deliver.”

## Personal erasure

Some interviewees felt personally erased by this issue; lesbians have found it to be particularly invalidating. One said, “The words I have always used to describe myself and my sex have been appropriated. They have been taken from me.”

“In everything that I see from local authorities and the public sector, even the way I describe myself and my body is gone. I am a lesbian. I now have to use the words ‘same-sex attracted’ to describe myself. Nancy Kelley [ex-Stonewall CEO] called me a ‘sexual racist’. My sexuality is being erased. It is being replaced by this other thing that I don’t recognise.”

## Anxiety, sadness and grief

In a previous role, one interviewee had attended training that told employees to validate identities without question and never misgender. “It was clear they would force me out of my job. I had left a... coercive control, violent marriage. In the course of that, I developed severe mental-health difficulties. I was forced out of the labour market and financially abused. It was a tremendous battle to leave, regain my mental health, get back into the state where I could become employable... I had no savings, no assets, no safety net. I am really reactive around the prospect of being forced out of my job.” Another interviewee said that



she felt dismay when she realised the extent of the issue. “I feel disbelief and grief, and think, ‘What can I do to fight against it?’”

“This area has been the subject of so much personal anxiety, primarily around doing the right thing... I was always quite anxious as I saw how complicated this was. I have always been clear that women’s organisations need to tread a line between these two positions. It has never felt like sitting on the fence, but balancing really carefully different people’s views. I have felt very silenced. I have felt badly treated by trying to tread a line. It’s almost easier if you just give in. It’s the only area that I haven’t felt able to speak freely about.”

“I was subject to punitive sanctions at work. I felt it was really impacting my life and my future career prospects.”

## Obsessive thoughts

Constant thoughts about the sex and gender issue were present in one leader’s mind for a few years. “I’m thinking at the time, ‘I can’t think about this forever.’ My world contracted... It makes me emotional now.”

“There is not one of us who it has not hit really hard. I thought I was losing my mind. Work was work. At the same time, the women of the world were being eradicated, and all the apocalyptic... body parts, and disposable women, with fundamentalism and orthodoxies becoming more entrenched – I was struggling with this... It really invaded me, and it really took over my mind. I was having to work through that, while trying to be kind, and business-like, and lead and motivate and take care of funders.”

## Anger

Many leaders were angry on behalf of the women they work to support and because of the personal impacts that so many had endured.

“What impacts me most is seeing some in the women’s sector agonising over this and spending months over policy statements. Some women’s centres have young staff who left uni on the crest of the wave of gender ideology. I see the women’s sector trying to tear themselves asunder trying to do the right thing and getting distracted from the day job. I am so angry that it has impelled me not to let this go.”

## Weariness

“It gets quite tiresome,” said one interviewee. “When you say the job that you do for the organisation that you do, there is a narrative about being feminist, lesbian, man-hating. A label that we are bigoted because we are transphobic is another thing to carry. I am too old to give a shit, but it’s harder for younger people to navigate that. We have been round the block with the slurs that get chucked your way. It’s tiring... and people are not always interested in finding out why you have taken the position that you have, and we are constantly having to explain why a transwoman might have a different experience to an adult human female.”



Another said, “We’ve spent so much time battling this away, or having to answer stuff, or worrying about whether because [our statement] has been public, we will get funding – and having a hint that perhaps we haven’t got funding because of sticking up for women’s rights. It’s exhausting.”

“It is emotionally gruelling to have to go to work every day, and know that large numbers of people in that room think you are a bigot. That takes its toll. You end up not talking about it a lot of the time, as you think, ‘I can’t hack this today.’ It’s very tiring. It’s emotionally draining... But if we cave in, those services are lost. There are moments I have thought, ‘Can I put up with this any more?’”

## 8.6. Career impacts

“Across the sector, people are not speaking out because they are scared of losing their jobs.”

**Leaders mentioned career impacts including professional investigations, disciplinary procedures and loss of work;** this section is necessarily short as details make cases identifying. One leader had a job interview that she ultimately was not offered. The official reason was something fairly anodyne, but she was told privately by a member of the interview panel that she had performed brilliantly, but did not get the job because of her views on sex and gender. “‘It would be very divisive.’ I have an email saying that – and I know she is right.”

Two interviewees talked about consultancy work they have decided not to bid for – either because it was positioned in a way that did not align with their values or because they did not think they would be given it based on their views. Describing a head-to-head with someone in a greater position of power over raising a safeguarding flag relating to vulnerable women, one leader said, “The end result was that I was excommunicated. Work was cancelled. She never spoke to me again.”

One leader, who was investigated by her previous employer, said, “I was a member of a trade union. I could have got free advice and representation by the union – but unions are captured too. So where do you go?” Two leaders expressed fears about future employment linked to having information about their views in the public domain. “The risk to me is that I won’t get hired again,” said one. “The HR world is utterly captured.”

“At points, I have wondered if I am committing professional suicide. I am not going to be a CEO forever. Are there people who wouldn’t employ me or work with me because I have done and said this? Are there people who are smearing me behind my back? 30 years’ worth of work is completely useless. I’m just a bigot now.”

## 9. Impact on organisations

### 9.1. Funding and commissioning of services

“The trans-rights activists are very smart in the sense of cutting us off at the knees. We are underfunded anyway, so going after our funders is very effective... It is clearly a tactic.”

**Many interviewees described an impossible funding and commissioning environment for women’s services, through which much of what is commissioned requires services to include transwomen.** One woman said, “The commissioners don’t really understand it. They don’t understand what the Equality Act means. They don’t understand when an organisation says there is solid evidence that single-sex services are needed. You don’t have to have many ideologues within a local council for them to have massive sway.” Another leader suggested that grants officers are appeasing their trustees, who are sufficiently removed from service delivery that they do not understand what is at stake.

“Many [statutory funders] have joined Stonewall. It’s slightly defunct now, but for a long time it held a lot of sway, and a lot were Stonewall Champions. As a result, people knew the contracts for services they were competing for were ‘inclusive’, which is a weasel term. It means ‘inclusive’ of one group: trans people.”

**The language of “inclusion” has saturated the funding and commissioning of services.** Organisations may be asked to specify whether they are “inclusive”; services are often commissioned exclusively on this basis. “Forcing people to say that they are inclusive or not is part of the problem,” according to one interviewee. Website content and language may be used by funders and commissioners as signifiers of adherence to such a belief system. One leader was informed by a funder, for example, that other funders were querying the use of the word “women” in her organisation’s promotional literature.

“Recently, we were questioned – drilled, actually – about how we respond to trans referrals, about how we respond if men want support, as we are a women’s service. It felt like whatever [we said], our answer was not a feminist one. We had to be more inclusive. I feel like they have boxes to tick, and if you are seen to be too women-focused, it is not attractive to funders. You have to be seen to be inclusive to the minority that affects the majority when it comes to women.”

**Leaders mentioned a range of effects on their work of this common promotion of gender identity over sex in the funding and commissioning of services.**

“The implications are lamentable. Edinburgh Rape Crisis – look at what has happened there. Or organisations like Women’s Aid who depend on funding from councils. They were set up by women, for women, but now they have to offer services to men in certain circumstances to keep their funding secure. [My local council] passed a Stonewall-influenced resolution that talks about ‘transwomen are women, transmen are men, non-binary’ – all propagandistic stuff... That impacts on the services they deliver and their partnerships. I think it has a chilling effect and a constraining effect.”

## Direct loss of current and potential funding

One leader, who had lost a local authority contract, said, “They never explicitly said it, but it was because, in part, we said we would retain at least some single-sex services... [Our leadership team] discussed it and said we wouldn’t say that we would make all services inclusive... as it was wrong. We did that, and knew it was a risk.”

Ingala Smith, who – until very recently – ran London-based Nia, has been told of one local-authority funder who said she would look less favourably at any application from Nia because of its position. “We have had one or two smaller donors and fundraisers who have started working with us, heard about our policy and pulled back,” said Ingala Smith. Some individual donors, however, have provided a counterweight by funding Nia to offer its single-sex services precisely because of the position it takes.

Leaders may be unaware of the impact of this issue on their ability to secure contracts and other funding, as organisations with the power in these relationships may never explicitly state their reasons for withholding funding. As Dillon put it when wondering whether she had lost out on funding for Aurora New Dawn, “I don’t know, because I don’t know what goes on behind our backs.”

## Shrinking of the funding pot

Two interviewees stated that funding for women’s services is being diluted as it increasingly has to cover services for men, including transwomen. The issue is not in the funding of these services per se, but that they are coming out of what is already a very small pot. The apportioning of funding is also incommensurate with need when compared with the funding allocated to the much higher volume of female survivors.

“‘We have domestic abuse for women – we will resource it; then men’s domestic abuse – we will find that too. LGBTQ – we will find that.’ But when it comes down to where this money will come from, it comes from the women’s pot. You have a huge imbalance from total domestic-abuse service users. 85 to 95% have to subsidise [everyone else]. Now with self-ID, domestic abuse – how will that work? Where will the money come from? The resources for women’s services are being hit over and over again.”

## Competition with generic providers

An interviewee highlighted the transaction costs associated with providing lots of specialist services. “Virgin and G4S see a major potential market. They can make billions over the country. They can show their unit costs are much lower than a local rape-crisis centre who can’t demonstrate economies of scale. If you are giving women – damaged, difficult things to deal with – women-centred, good-quality services, the costs are very high. A multinational will bid.”

This is arguably a more general issue with commissioning than it is an issue with the way statutory organisations have replaced sex with gender identity, but a different interviewee stated that this scenario is more likely to take place when organisations push for single-sex services. “If women’s services who prioritise women push back or don’t comply, they commission bigger non-specialist national organisations to deliver services that are not in the interests of women... There were several areas that were commissioning refuge services to people who didn’t have a clue – who were then putting men and women in the same refuges. It was unbelievable stuff.”

"Specialist women's services have lost contracts to more generic providers. That is a huge loss... It's dangerous, and it kills people. It is dangerous to not have specialist women's services that understand the nature of power and control... I have seen bad, generic services that I consider to be dangerous where men are working with victims of domestic violence."

*Jess Phillips MP*

## Inability to speak freely

According to one leader, "We are not big enough that if we turned around and said, 'We don't agree with you,' they'd find another provider."

"The main driver has been, 'Keep your head down and don't raise this issue.'... When you are in the context of a highly unsustainable sector, with funding going from month to month or year to year... As soon as you don't have a clear funding path, you have to give staff three months' notice of redundancy. It's been a pattern of rape-crisis centres. Women are given notice of redundancy around Christmas, and they are still waiting in April to know if funding has been secured. The same thing happens next year. It makes them behave in a very risk-averse way. They can't meet the huge demand. A waiting list appears, and once it is so long that it can't be cleared, the waiting list is closed – so, in effect, there is no rape-crisis service in any part of the country for large parts of the year."

## Questioning of actions and motivations

"Funders," said one leader. "Fucking funders. Why are you asking me what fucking gender I am? When you look at my website on single-sex spaces, are you doing it to eradicate me from your database?"

## Skewing of service provision

This happens in terms of both the services provided and the organisations that get funded.

"It is very competitive," said Dillon. "Sisterhood tends to go out the door... I don't doubt that a lot of the bigger [organisations] have stayed entirely quiet on this, and held onto their millions." Another interviewee said, "When it comes to the design and delivery of services, [this centring of gender identity] skews the services in an irreparable way." Someone else had wanted, in a previous role, to offer single-sex refuge provision, but ended up delivering a model that offered both. "It was the only way commissioners would accommodate that. It was not optional with that local authority to offer a solely single-sex service... We would not have won the tender."

"Women's organisations do not live off public donations. A lot live off foundations, trusts and contracts with the state. A lot of local authorities' positions have been that transwomen should have access to women's services."

**While many organisations have been hamstrung by this issue, there are others that have made a decision to state clearly and proactively that they offer single-sex services to women who need them.** In some cases, this has not been successful. One leader wrote to council leaders, for example, over a recent motion that said transwomen are women. "I wrote a long report about the need to protect single-sex provision. There was no reaction at first so I chased it up... It was sidelined."

Others have seen success through this approach. “At Aurora, we are explicit that ‘This is our policy,’” said Dillon. “You almost have to start with it.” Nia’s approach has been similar, according to Ingala Smith. “Because we decided with the board that we would be unafraid, we’ve decided just to go for it and challenge our funders. One [funder] did a needs assessment, and that needs assessment used what I would describe as captured language. Rather than answer the questionnaire, I wrote a complaint and said, ‘You know, this is not an objective piece of research. You’re taking a position here.’ We decided to go into attack mode. So far, in some ways, that’s served us well.”

Someone else mentioned the value in asking commissioners at an early stage for an equality impact assessment and a statement on how commissioned services meet their public-sector equality duty. “You have to ask for the equality impact assessment way before you want to challenge [any] decision.”

“What we are doing now is a briefing for funders. ‘This is why it is our approach. This is why it is legal and ethical, and if you don’t like it, sod off.’ You never really know why you don’t get funding, but we have got a lot of funding in... We don’t mess around. We have this other service that is inclusive of trans people. You still have to say all of that.”

**Leaders highlighted the need for funders and commissioners to learn about this issue, to listen to the sector and to offer people the opportunity to have discussions without threat of losing funding.** “Funders are silent about all of this,” said one. “They are doing what they always do – staying out of anything political.” Another commented, “The misunderstanding and superficial understanding of these issues is pathetic and shoddy for people who are spending public money looking after vulnerable people.”

“I wish commissioners would consult with specialist providers and have a two-way dialogue... and treat us as a partner who understands the issues more than they do. We need to have good commissioning.”

The funding and commissioning environment could also be improved by more unequivocal national support from national agencies. An interviewee spoke favourably of the statements put out by the Women’s Aid Federation England and the Women’s Resource Centre, but implied how much more they could be doing. “They are under so much pressure from funders, especially statutory funders, not to engage in this problem.”

## 9.2. Internal cohesion

### Leadership

**Leaders have been better able to forge internal cohesion on issues relating to sex and gender when they have had the support of their boards of trustees, which many still lack.** “What often happens is that you have a board where some of the members want a very strong statement that ‘transwomen are women,’” according to one interviewee. Cohesion may be fractured even within boards, however. “Our chair doesn’t like the fact that we aren’t inclusive,” said one person. “Our longest-standing board member is aligned [with my views], as she has grown up in the sector. The other board members aren’t engaged.”

Ingala Smith, on the other hand, was able to navigate these issues due to support from her board when she ran Nia. “I had the backing of my board of trustees before I spoke out. That was really important, because the way to get to a chief executive is to complain to the trustees.”

“We were in the final stages of agreeing our five-year strategic plan, and the board had more or less passed it – but I mentioned the elephant in the room and the threat to single-sex services. I said, ‘If we don’t raise it and speak publicly, I’m concerned we are complicit in the erasure of those spaces.’ We agreed it was a risk that commissioners might not like it, but we felt like we were faced with a choice – either speak up for women’s services and risk Nia losing funding, or not speak up for women’s services and lose women’s services. So we decided to take the risk on the chin and see what happened. We agreed it was a hill we were going to die on. We were committed to single-sex services for women subjected to men’s violence.”

*Dr Karen Ingala Smith*

**Differences in opinion may affect organisations’ abilities to manage crises.** One prisons leader described a situation in which the leadership had to deal with trans-identifying male prisoners. “It went into complete meltdown,” she said. “They were terrified. They didn’t know how to handle it. They knew they had problems – they veered from side to side. They had a problem, as there were assaults.”

## Employees

**A lack of internal cohesion over this issue often reflects the presence of trans-activist staff.** As mentioned briefly in the *Barriers to the provision of single-sex services* section, many of these staff are young; this means they are more likely to have studied gender theory at university or had peers to whom gender theory was taught, and less likely to have had the life experience to demonstrate that a chosen identity is unlikely to protect women from male abuse and violence.

One leader, who partners with a number of chief executives in the sector, said, “They are constantly having to dance around the demands of their younger staff. Even though they may have persuaded their boards, they have struggled to persuade younger staff. One is a big player in the violence against women and girls sector. It has, for its entire existence, taken a gendered analysis of domestic abuse – and they are under constant challenge from younger staff that it’s not a gendered issue. [It is hard] to run a feminist organisation when [this issue] has dominated staff meetings for the last three years.”

“It is a bit like priests in medieval Europe and the ordinary people... It is heretical and frightening. These are world-destroying questions to ask... If you are schooled in ‘no debate’, you don’t ask questions... There is a lot of debate and a lot is not up for debate as it is really obvious. I don’t expect everyone to come on board, but I do expect them to behave professionally.”

**Leaders discussed a number of themes as they relate to employees and their organisations’ internal cohesion.**

## Internal conflict

One leader gave the example of a group of vocal transactivist staff who persuaded another group of women to sign a vexatious complaint about a member of staff. “Some didn’t really understand what they

were signing, but felt that they should support their colleagues or felt afraid of what might happen if they didn't." Another mentioned a member of staff who was trying to change the ethos of the organisation from the inside: "She offered to rewrite policies that would include trans-identified males in our services." Someone else said, "I remember a conversation with a young gay guy who was being bullied out of existence for saying, 'I don't think this is right.' I was so pleased to see other people raising the alarm [over his treatment]."

"We are all seeing a rise in new members of staff who are on a mission to ensure transwomen are included in single-sex spaces. They cause a great deal of difficulty and are looking for ways to discredit the organisation. Every allegation, however inaccurate, must be investigated. A small thing becomes a massive task."

## Silencing of non-activist voices

An interviewee pointed out that many staff recognise the importance of sex, but these voices tend to be quieter. "The ones who have that political goal and want to advocate for it are much more likely to get themselves as representatives on groups... They are there to bang the drum for trans rights. It's a minority – but, as we know in this arena, that minority is very loud, very capable of making people uncomfortable and making people feel they can't stay, even though they shout loudly about being silenced." This means, according to this leader, that people who use a more sex-based framework to approach their work "only speak quietly to people who they know will hear what they are saying".

Another leader, discussing a group of practitioners in her organisation, said, "Some were silenced, as they felt they couldn't say what they really believed... That fear that creates that if you express your view, you might be branded as transphobic is a real issue. It's not used from an equality perspective, but it's used as gagging – stopping you believing what you believe. This is the most difficult problem."

"What I see, hear and witness is that those that support trans inclusion are very vocal in their support for that. They feel able to prevent others from speaking their truth or what they believe, and that leads to a culture where the vast majority of those who work in my organisation are silent about what they believe are essential things like single-sex provision – particularly for women and girls who have experienced abuse and sexual assault."

## How leaders navigate difference

Leaders described various approaches to steering their organisations through internal differences of opinion on this issue. These include leading with the board of trustees and filtering agreed approaches down through the rest of the organisation, and centring a balancing-of-rights approach. Having a culture in which difficult conversations are welcomed has also been useful. One leader said, "We need to practise the skills of having conversations with people who disagree with you."

"There were employees who had different views and ideologies. We had to start with, 'Who are we for? Is this still relevant?' Yes. We are still needed. It means confirming with the board of trustees, who have the last say, and then reiterating with staff what the organisation's mission is. It goes in the strategic, periodic review. The situation we find ourselves in requires it."



In some cases, organisational clarity on their single-sex policies have led to greater internal cohesion. Ingala Smith, for example, said, “Now Nia is known for our position, we have people who don’t apply to work with us any more. People get to an interview position, then ask about our policy and don’t take up the job... Over the last year, it seems to have changed even more now. Women seem to be approaching Nia because they like our values, including young women, which is good to see. We did have staff who didn’t agree, and now we very rarely do.”

“It comes down to the training we are doing with them – explicitly asking people to understand that ‘I don’t have to believe what you believe, and if you call someone transphobic, you are infringing their rights, creating a discriminatory atmosphere and putting [our organisation] at risk.’ It sounds more heavy handed than it is, but I am very firm in terms of boundaries.”

This navigation of difference extends to incorporating the preferences of people with different views, where it is appropriate to do so. One leader said her organisation had designed a survey that incorporated a question that was clearly about sex, but that used language that recognised other people might frame the language around that differently. “It is clunky, but it does feel important to put our money where our mouth is. We are not going to force our definitions on you, and we don’t want to exclude people on the basis of belief or non-belief.”

**In some cases, leaders are gradually developing the confidence to push back against activist staff demands or are building the confidence in their staff teams to do the same.** One said, “Increasingly we are working towards being able to say who is included – and, by implication, who is excluded... There is still a lot of twitchiness... The cohesion of the organisation is difficult, as we are weighing up those services for others with these considerations. I feel really strongly that we need to keep building confidence in the balance-of-rights approach. They don’t have to ascribe to it, but they do need to adhere to it.”

### 9.3. Sector cohesion

“We built up a movement, and now we have to run to stand still. As well as delivering services to women, we have to maintain the integrity of the movement.”

**An important impact of tensions between sex and gender identity has been a splintering of the women’s movement, although there remain pockets of huge support between women who feel similarly about this issue working across organisations.** One leader commented, “I think it has been very fracturing [between] providers who wish to be inclusive and those who wish to stick to their single-sex roots. It is fracturing for the individual organisations who have put their heads above the parapets to be hounded and harassed on social media.”

A couple of interviewees discussed the statements from Women’s Aid Federation England and Wales, the Women’s Resource Centre and Rape Crisis England and Wales referred to earlier. Women’s Aid, according to one interviewee, “took a long time to do it, and they’re a classic example of both the board and the staff being split and fractured down this issue. Some of them are simply scared for procurement and financial reasons... but they are also genuinely split on values.” Another leader said that Women’s Aid going first took the heat off other organisations, including hers. “It’s never been about putting a line in the sand –

what this means for female survivors. It's been about making sure services are inclusive of transwomen, which is being asked for by commissioners. It took the pressure off us to comment."

Of the Rape Crisis England and Wales statement (at the time of the interview, this statement was forthcoming; it has since been published), someone else said: "It has taken a long time and been extremely contentious." This leader added that at least one senior figure in Rape Crisis did not believe that it was sufficiently trans inclusive. She also pointed out how many other organisations have taken different views on this issue. "Rape Crisis Scotland has taken a particular view. Engender works on violence and has taken a pro-transwomen-are-women approach. The Scottish Women's Convention has tried to pretend it's not happening. They get money from the Scottish Parliament and have to be very careful about what they say."

"The sector hasn't wholesale gone, 'Everyone should do this,' or, 'No-one should do this.'... Women's Aid – whether or not some people thought it took a long time – they came to a supportive position for women who were voicing concerns."

*Jess Phillips MP*

**The fracturing within the sector has led to a loss of shared vision and mutual support from women working within it.** Ingala Smith highlighted a lack of trust. "Those you previously assumed to be allies, you can't any more. You have tensions within the sector that weren't there before." Another leader said, "Previously, you had a shared understanding that you were women helping women. You had a shared understanding of what your purpose was, and that no longer happens."

"There is a sadness in all of this for me. It is a shame that it has broken down natural allies – women that want the best for female survivors and for all victims, and members of the LGBTQ community. And there should be allyship between vulnerable groups of people, and there is a sadness for me in the conversation not being reasonable and sensible and pragmatic."

**Courage is required for those individuals and organisations that have been clear about a need for single-sex services, and there was a sense that some of the more secure organisations that have failed to be honest about their views – whether or not they align with this – need to reflect.** "I don't know how some of the ones with large pay packets and huge reserves sleep at night," said Dillon. "I have much more sympathy for the small, local charity... If you believe that men can be women, say it. Say it either way. Stand by your principles. Be open. Be honest. It's the dishonesty or the hiding behind those of us who will stick our necks out – I have lost respect."

"It takes a tremendous courage to stand alone or with a couple of others to be exposed almost to a shooting. All of the colleagues in the sector who have done that have my gratitude."

**Attempts have been made to form cross-sector official and unofficial partnerships on these issues.** A couple of interviewees mentioned setting up groups – a mixture of official and clandestine – to work across the sector. One mentioned a group of women's centres coming together to form a national partnership. Another said, "Other heads and senior managers in my field I know felt the same. We started

to have secret meetings to talk about it... We set up a group to talk to each other and how to deal with it and to offer support, linked with lawyers and people working in the field.”

“We know that a higher proportion of trans-identifying males have issues around violent, abusive and sexual predatory behaviour. We should be there to safeguard that. It would take a lot of incidents... After five more incidents, would we say there is a pattern of behaviour? Would it be enough to say we can’t be inclusive? I don’t know, as the debate is so complex and challenging, and if you have nailed your colours to the mast like that, how difficult it must be to change your mind.”

## 9.4. Time and resources

“Frontline organisations are on their knees. Any time spent on this, which is always popping up and is always there, is exhausting.”

*Dr Shonagh Dillon*

**The drain of women’s-sector organisations’ time and resources through managing this issue came up time and again in interviews.** Time and resource drains mentioned by interviewees came in the following forms:

### Use of organisational processes

These include internal discussions, development of policies, risk assessments and consultations with service users. “All of those take time and energy from other aspects of your work,” according to one leader.

“I have spent a lot of time with the trustees and staff and training to try to increase our understanding. Nobody wants to think they are being bigoted, as accused. We want to have the law on our side and have justified, legal responses that protect women. I’ve been trying to reassure the teams on our strategy, and I’ve been honest – sometimes we don’t know. We need to explore more. We need to understand more.”

### Dealing with funders and commissioners

If organisations are applying the single-sex service exceptions, according to one leader, it is now a requirement to justify these at length. “I have had one funder come back and ask for further clarification on that, even though I provided consultation responses from 700 victims in our service.”

### Handling complaints and employment issues

Ingala Smith said, “Over the last few years, there have been numerous complaints about my tweets or the statements that I’ve made, and they’re always dealt with by our very small, voluntary board of trustees – so it is a huge waste of their time. We have a complaints procedure, and if complaints are made, they’ve got to be looked into because the impact of not doing so could be dangerous in terms of safeguarding. So it’s an impact on my trustees and their time and then their ability to do other things that the organisation needs.”

"I just don't want small organisations ending up in litigation. If you think about the employment stuff that happens with a small organisation, it takes up so much time and energy... [while] you've got people turning up with their belongings in bin bags."

*Jess Phillips MP*

Another leader raised the issue of the stalking of social-media accounts. "Trustees' and chairs' social media have been looked at for any transphobic statements by staff who have a certain ideology. They want to prove the organisation is not trans inclusive and is transphobic, which causes a number of issues around freedom of speech and the time spent on the work."

Others talked about time and money spent working with HR professionals and lawyers in the management of complaints. One interviewee gave the example of a colleague in the sector who had to raise funds to pay for external consultancy support in response to "allegations, all unfounded, and demanding action is taken against the leader... It was all disproven."

**Time spent on the areas explored above is time no longer available to support female survivors.** There may be direct impacts on the resources available to support women, too. One leader gave the example of a helpline service, saying that they were under pressure from commissioners to accommodate every caller. "We had a number of perpetrators trying to find information about women and others. This requires us to spend a phone call – precious minutes... putting certain questions across to identify the person's circumstances without falling foul of being transphobic... Moving from calls with women who were at risk of being killed to having those conversations over the phone is a waste of resources."

"We always have more work to do than we're able to do. There is always more demand for our services than we're able to meet. We are not a big corporate organisation with a big HR department. We'd laugh when someone called us and asked to be put through to the media team. What media team? It was me, and occasionally I have been the woman picking up the phone, too. So we're an under-resourced organisation, and it's become another drain on time. As well as the time, it is the emotional energy, the frustration, the feelings of isolation."

*Dr Karen Ingala Smith*

## 9.5. Strategy and service provision

"The women's sector is primarily about campaigning and advocating for women's rights. The other thing they do is deliver sometimes genuinely life-saving services. If you think about domestic-violence services, and the number of women subject to abuse, homicide, trafficking – they can end in death. These are serious, life-saving services. The women's sector's ability to deliver these has been seriously compromised by being unable to name the group that we are working to support. Especially in the violence sector, it is not passive. It is men's violence against women and girls. The ability to name men is crucial."

**The impacts of the aspects explored in this report have been devastating for the sector and its ability to provide services to women.** The direct impacts on women are covered in the *Service users* section; this

section covers organisations' ability to design, fund and offer appropriate services, all of which have an indirect effect on female survivors and prisoners.

## Compromised ability to meet women's needs

As noted under the *Compromises* and *Funding and commissioning* sections above, many organisations have had to provide services on the basis of professed identity, not biology, to secure funding. This has an inevitable impact on women. "We want to get on with our work, which is not trans rights," said one leader. "It's a distraction," said Dillon. "We have spent inordinate amounts of time arguing about whether men should be allowed in women's services and people tying themselves up in knots about something so simple that it should be a given. It's a distraction from the real work. I'd like to spend more time concentrating on women of colour, disabled women, older women."

"The safety of women becomes more and more compromised – as this discussion confuses the public and the communities that we try so hard to educate about domestic abuse, and the statutory agencies who are very resistant to the training and education that we try to offer them."

## Compromised ability to meet the needs of trans service users

The needs of trans service users are not being served well through this debate. As highlighted earlier, the needs of transwomen tend to differ from the needs of women, and the presence and needs of transmen are getting lost. The spotlight on this issue is also removing women's-sector organisations' ability to respond quietly and appropriately to the needs of trans survivors seeking support (for example, by offering them one-to-one services or referring them on to a specialist charity).

"The rhetoric that those of us wanting single-sex services don't cater for trans people is not true."

*Dr Shonagh Dillon*

## Compromised ability to advertise services clearly and signpost referrals safely

A number of leaders highlighted their inability to advertise their own services as single sex (even if they were) or their inability to make onward referrals in the full knowledge of whether single-sex services will be available. "It feels like our lines are around being seen to be letting transwomen into refuges rather than saying we provide safe spaces for women," said one leader. "Why do all frontline services not have public positions? You should know what you are going into. You can only have informed consent if you are fully aware and understand... We have done lots of work... building up the confidence of women, knowing that it is a safe space for them. We are being dishonest by not giving women the information to make informed decisions."

"I get asked by victims all the time – and by the friends of victims – 'Can you find out if that service is single sex?' Usually I can. Sometimes, I don't know.... I can't confidently turn around to victims and tell them if there will be men in their services, and that is not right. It is not transparent... I would like to see the Gold Book [a directory of domestic-abuse services] explicitly state whether when they say, 'women only', does that mean single sex? That would be the best place for us to be legally sound."

*Dr Shonagh Dillon*

## Risk of safeguarding failures

Safeguarding risks come in two forms. The first is having men sharing spaces with vulnerable women, and especially those spaces that are unsupervised. The second is related, but allows men who are known to be dangerous to access these spaces – this is what happened at Leeds Women's Aid, as mentioned earlier, when a sex offender was able to hide a criminal record behind a new identity as a woman. One leader commented, "We don't do checks on women as they come in, as there is no time, and it would be an additional barrier. We are checking 'Joanna', and we are not going to see the litany of stuff about 'Joe', which is what happened at Leeds."

## Risk of litigation

A couple of leaders mentioned the case of Sarah Summers, who states on her crowdfunding page that she is "suing Brighton Rape Crisis Centre Survivors' Network for discrimination because it refused to provide a women-only peer support group. I am a survivor of sexual abuse."<sup>41</sup> One interviewee pointed out that Survivors' Network has a specialist trans group and a single-sex women's group to which a transwoman was given access, which underpinned the decision to sue. "If you are a membership organisation and one member is being sued in this way, what do you do? And until the statement [from the national representative body] comes out, you don't have a way of putting out your own position."

"Organisations are scared of losing their funding. They are worried about getting individual claims against them. A man turns up presenting as a man, but you are not allowed to [challenge that]. You have no way of policing your service to deliver to the people for whom your services have been designed."

## Impacts on staff who are survivors

Interviewees raised the de-centring of the experience of female survivors among staff. One interviewee said that her organisation had made an internal statement on a safeguarding incident that expressed concern about the impact on LGBT colleagues and offered them support. "There was nothing to say that on our staff team, lots are survivors of domestic abuse and will have accessed specialist services. My big takeaway is that every big communication and everything we do is around being 'nice' and being 'inclusive'."

## Loss of meaningful data and knowledge

Several interviewees discussed the impact of changing data-collection systems to focus on identity in place of sex. One gave the example of a central government department that had replaced sex with gender in a crucial dataset. Another said that the proportion of people who do not respond, or select "Don't know",



to questions about sex is minimal, but it is at 13% for questions about gender identity. “It skews the data. Only a small number of perpetrators being categorised as female changes the perpetrator picture... We end up creating poor interventions based on the wrong data.”

“It means we can’t protect women’s services if we don’t have the data. You need the data to inform what you need to do next. What the male violence against women sector is good at is looking at the trends and issues for women, and moving with that. If you take away the rawest of data about women as a sex class, how can you argue for the services you need in the future? The policy-capture issue is worse than the gender reform, because it has gone ahead of and against the law.”

*Dr Shonagh Dillon*

**These aspects come together to affect the sustainability of the sector, as well as its ability to deliver services to women.** One leader, commenting on organisations’ decisions to offer mixed-sex services, said, “Once decisions like that get made, they are hard to row back. An example is the use of food banks. We were horrified, and now it’s part of the landscape, and it shouldn’t be.” Another said, “We have to try to find a way out of it now. It’s only going to be through the hard graft of the detail – not the ideology.”



## 10. Policy conclusions

### 10.1. Sex must be clearly defined

Interviewees were asked about the proposal to clarify the meaning of sex in the Equality Act to a person’s actual sex, not their sex as modified by a gender-recognition certificate. They identified several benefits.



## Meeting the needs of survivors

Several said it would help providers to be able to offer single-sex services and reduce the negative impacts on women of mixed-sex services or ambiguous rules and policies.

“It is essential that it’s clarified as biological sex, from our perspective. If the Equality Act includes legal sex, we have no recourse to prevent individuals with a [gender-recognition certificate], many of whom don’t go through full physical transition and may not even present differently, and women would stop using our services. Where would these women go? Where would they get support?”

“If you don’t make it a duty and you don’t make it the law, there will always be people who abuse it, and then women will never be safe. We know the statistics. There are always going to be women violated by men, so why make it easier for them?”

Several interviewees said it would encourage and enable organisations to be clear about what their policies are.

“What the clarification of the Equality Act will enable victims and survivors to do is to specifically ask and expect a public answer.”

## Certainty for service providers

Several said that Equality Act clarification would help to protect services from threats of legal action and allow leaders who have stated their positions publicly to stop worrying.

“... having the back-up that government recognise this and that we can stand up, instead of being reasonably cautious and worrying at 3am what I have put on our website.”

“We won’t have to spend thousands of pounds on solicitors fighting court cases or challenges.”

## Security for the sector

Several interviewees said that if the meaning of sex in the Equality Act and the public-sector equality duty was clarified, then it would be easier to fund single-sex services and for contracts to be awarded on this basis.

“It would give us a lot more confidence to have that definition to hang on, and to go back to commissioners: ‘This is why, and it’s backed up by this.’”

“Clarification in the Act... would be a reality check for all institutions that would bring us back to where we were before this ideology permeated everything.”

“Unless you have a government or a country looking at women’s needs, they will not be safe.”

## 10.2. The sector must speak clearly

Some interviewees raised the possibility that clarity would lead to a backlash.

“I think [clarification] will be massively helpful, but it will fuel an enormous backlash that’s worse than the current one among some people... I mean, my trans-activist colleagues’ line is: ‘We should be going beyond the law.’ That’s the phrase they use.”

“Clarification has lots of dangers, as well as lots of advantages... Nothing can happen [to solve that] unless you can talk freely.”

Interviewees reflected that there is a shift in the sector, with organisations gaining more confidence to say they will protect single-sex services. That hasn’t made the tensions within organisations go away, but it has shifted the debate. Karen Ingala Smith said: “There is more balance coming into it, which is a huge relief. It’s still not easy.”

**Women’s-sector organisations are developing clearer policies that allow single-sex service provision, and adopting public definitions of the word woman to mean “adult human female” (or a similarly biological definition).** But many still talk in vague terms about “LGBTQ+” survivors. Ten interviewees stated that their organisations currently have a definition of woman; this is unlikely to be representative of the wider sector, however, due to the profile of those who volunteered to be interviewed for this research.

“My organisation defines woman as a ‘human female’. As a feminist from the 80s, I find it a failure of all of our fights and struggles that I am asked to define who I am in such a way.”

**In some cases, organisations have attempted to strike a pragmatic balance between how they frame their services and how they deliver them.** One interviewee commented: “A lot of organisations say they are inclusive, or they fudge it. They don’t have a policy, but they make sure some services are single sex.” Ingala Smith said that many organisations kept quiet in the past about their maintenance of single-sex services, but may have signed contracts and taken funding by stating that they were “trans-inclusive” and believed that transwomen are women.

“We haven’t agreed a solution [to board disagreement], so we have just done the same thing we have always done – to say that we are under-resourced and have to prioritise women. We’re lucky that there is a trans service in our area, so we refer there. We have a get-out... It helps us to say, ‘We don’t have this specialism.’ We have a waiting list of women who need help. That’s our priority.”

This pragmatism extends to the detail of service delivery, according to Dillon. “Rape-crisis services will make sure – even though funders are being really explicit that ‘You will be trans inclusive’ – they will have separate parts of the building. They will make sure entrances and exits are different for the different sexes,

and the toilet facilities. They matter in general life, but they really matter when you are entering a rape-crisis service.” Organisations are often attempting to balance multiple needs, including meeting the needs of trans survivors.

“The vast majority of women’s organisations have made case-by-case decisions, not getting involved in any way. The worry would be that you would be drawn into either side. There are some that have taken a very proactive ‘inclusive’ approach; there are others I admire who have rejected this language for that of ‘prioritising women’ and making case-by-case decisions. There is a worry about being aligned with either of those unless you specifically want to make a point about being on either ‘side’.

“The thing is the language of ‘inclusive’ tells you nothing about the practicalities of decisions. For example, if you are an ‘inclusive’ women’s organisation, do you ‘include’ all transmen and transwomen? If not, how can you call yourself ‘inclusive’? The fact is that by their nature, women’s organisations are ‘exclusive’ – it is the reason they exist. Like so much of this area, the language is ideological and takes us backwards in terms of practical solutions to real-world issues.”

**For those organisations that have chosen to be clear about their provision of single-sex services, leaders have often had to be careful about how these services are framed with their staff, trustees and funders.** Viewing policies through an equality-impact lens has been one approach, balancing the rights of different groups of people; another has been to build an evidence base on the needs of service users. According to one leader, “It doesn’t say in our website or publicity what a woman is. We are working towards that. We are working towards a process that takes staff through our service, aims, primary and other user groups... You have to think about toilets and whether people go through a public space. Just back it all up with evidence.”

“Get your policy on your website. Say what you are doing. They should be doing that anyway... They have to be publicly accessible statements on what you believe. Shoring up the Equality Act means there are no excuses left.”

**There remain, however, services that do not offer single-sex provision.** One interviewee said, “Most organisations don’t go near a definition. Most treat transwomen as women.” Dillon commented: “They are confused about what a woman is... It’s the phrases you see on websites: ‘Women only, however they identify.’ So men.” Some organisations adhere so unshakeably to gender-identity beliefs that they signal this adherence through advertising jobs to self-identified women, according to another interviewee, who challenged the practical and legal ramifications of this practice. Others may be worried about being tainted by association, and decide that the threat to survival is not worth the risk of fighting for single-sex spaces.

The End Violence Against Women Coalition has published a manifesto that sets out priorities of the sector for the next government, calling for a “comprehensive, whole-society approach to tackling VAWG [violence against women and girls] that looks beyond the criminal justice system and centres those who face the greatest barriers to support and protection”. **This will not be possible without a clear recognition of women as a group.**

Several interviewees talked about whether the law could be strengthened to go beyond the permission under the Equality Act to commission and to provide single-sex services, and to make this a duty. Any

legislation along these lines would need to recognise sex in order to be effective.

### 10.3. The law must work coherently

The experience of the interviewees shows that the function of the Equality Act is not merely about letting services exclude individuals using the “single-sex exceptions” in Schedule 3. It is about how the Equality Act framework both constrains and enables the governance, funding and policy environment for women’s services, and their management through internal policies, training and employee action.

Effective organisations within an effective sector need to be able to be clear about their purpose, so that staff and trustees are not constantly in conflict. They need to be able to communicate their services, and the terms on which people participate, in clear language that everyone can understand. They need to be able to record information about service users. And they need to be able to do this without constant fear of legal challenge or loss of funding. For every part of this, they need clear support from the law.

Fixing the Equality Act and its use is not only about the single-sex service exceptions but also about how the whole act works to recognise women’s needs. Over the course of the interviews, interlocking issues were highlighted that relate to six different parts of the Equality Act:

1. **Charities.** Specialist services for women who are the victims of male violence are often charities with objects focused on women. This is allowed under Section 193. But trustees and staff are being pressured not to focus on women (or not to be explicit about doing so) even when that is their organisation’s charitable object.
2. **Associations.** Organisations (including self-help groups) may also be constituted as associations with members where membership is “by and for” women (or groups of women with particular characteristics) who are victims of sexual and domestic violence. This is allowed under Schedule 16. But again these associations are coming under pressure not to be clear that they are female-only.
3. **The public-sector equality duty (PSED).** Section 149 requires public bodies to pay “due regard to the need to eliminate discrimination, harassment, victimisation” and to “advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it”. This means they must remove or minimise disadvantages and meet needs in relation to groups that share protected characteristics. The definition of woman that they use determines whether they direct attention and resources to biological women as a group.
4. **Positive action.** Section 158 allows for positive action to address disadvantages or needs related to a protected characteristic. This should enable public bodies to provide, fund and commission services for women. But focusing on formal equality (services should be provided for men and women without discrimination) rather than substantive equality (women have particular needs and disadvantages and require positive action), or becoming confused about what a woman is, leads funders and commissioners to remove their focus from women and push for women’s organisations to include men or compete with “gender-neutral” providers.
5. **Single-sex and separate-sex services exceptions.** Schedule 3 provides exceptions that allow for the provision of single-sex and separate-sex services, including a statutory defence against any claim of gender-reassignment discrimination or sex discrimination. This has been presented (wrongly) as meaning that each individual “transwoman” would need to be excluded on a case-by-case basis based on a specific risk assessment, rather than that a service may be set up for women only as a matter of policy.

6. **Occupational requirements.** Similar issues of legal and operational risk are raised when organisations such as women’s refuges try to advertise and hire people of one sex using the “occupational requirements” exception. Organisations misrepresent this provision to employ trans-identifying males in “female-only” roles. For example, Survivors’ Network recently placed an advertisement for an independent sexual violence advisor manager, saying the post was “open to self-identifying women applicants only, as being a woman is deemed to be a genuine occupational requirement under Schedule 9 pt 1 of the Equality Act 2010”.<sup>42</sup>

Furthermore, the definition of woman that is used by the Equality Act feeds into **training, guidance** and **data collection**. Much of the training run on the Equality Act in statutory organisations has been incorrect, and has contributed to the difficult funding and commissioning environment for women’s-sector organisations.

Fear about the direct legal impact of the Gender Recognition Act in terms of making it unlawful, or even a criminal act, to share information about someone who might have a gender-recognition certificate also creates a chilling effect.

## 10.4. The criminal justice system must protect women

Interviewees also reflected that the constraints on women’s services are caused not only by the law but by decisions made by statutory bodies in the criminal justice system. If organisations provide services funded by police and crime commissioners, the Ministry of Justice or HM Prison and Probation Service, those service providers have to accept whatever definition of women these bodies are using in referring people to them. Definitions are generally broader than people born female together with males who hold a GRC.

While prison-allocation policies have recently been tightened in England (and in Scotland, albeit less so) to make it harder for male prisoners self-identifying as women to be transferred into the female estate, there is no equivalent policy for probation, resettlement and diversion. Male offenders in these parts of the criminal justice system who would not have been housed in the female estate may be treated by commissioners as women – and women’s services are expected to accommodate them.

## 10.5. TI/GQ survivors should not be forgotten

**Interviewees agreed that the definition of sex needs clarification, but did not view this as a solution to everything to do with sex and gender in practice.**

Several leaders spoke about the needs of “transmen”, who are a sub-group of women but have specific needs. One leader gave the example of those who pass as men, whose presence in single-sex spaces may be difficult for other female survivors.

“The presence of people who look and present very male, and live their lives as men – you would have to accept those cases. Think about what that means. Both sides have been in complete denial. Women’s organisations know.”

Ingala Smith worries that they may not come to the organisations that are best placed to help them because those services have been wrongly branded as transphobic. “That is a worry. There needs to be funding identified to provide those services.” These individuals may need support which cannot be provided in the mainstream women’s sector. Interviewees highlighted that dedicated support is also needed for detransitioners.

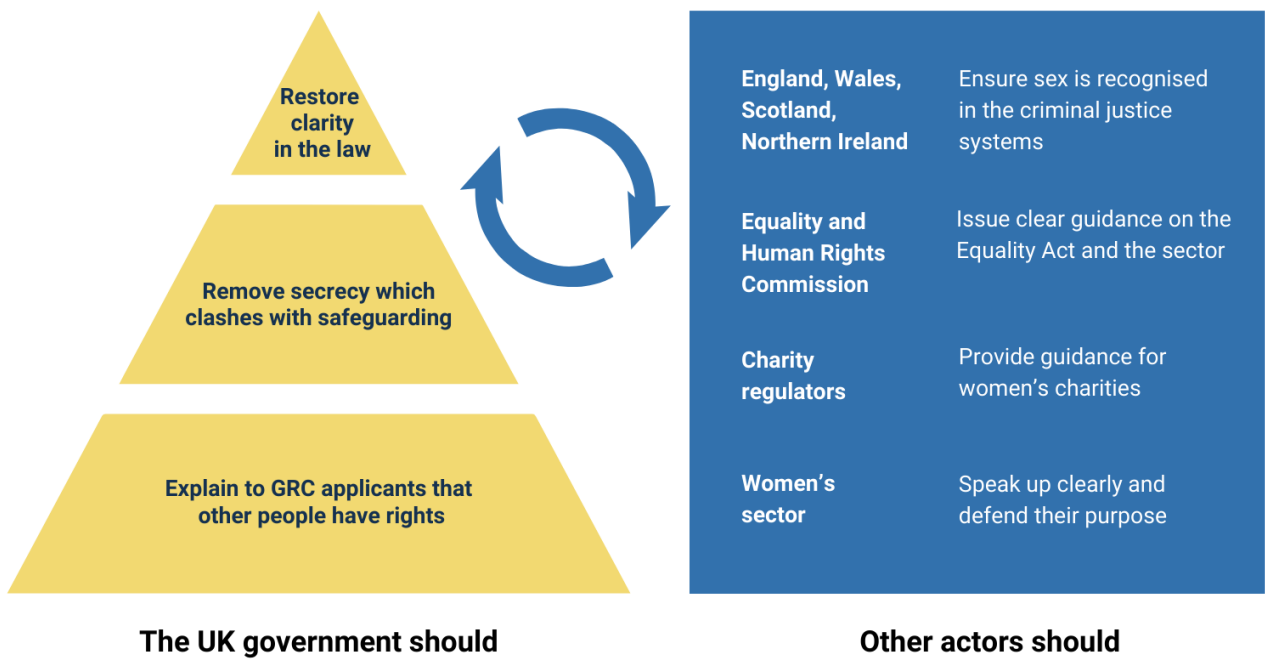
### 10.6. The UK must be compliant with the Istanbul Convention

Losing clarity about the categories of women and men confounds understanding of male violence against women and girls, and directly enables and mandates specific abuses of women, such as being searched by male prison officers who identify as women or forced to share accommodation in probation hostels.

The public-sector equality duty and the positive-action provisions of the Equality Act provide on paper for separate services for women, and create the obligation on public bodies to act to remove or address disadvantages, meet needs and encourage participation in public life. But these provisions have been systematically undermined by misrepresentation and misunderstanding of the definition of sex, and so perversely create a hostile environment for the women’s sector.

**This is not compatible with the commitments of the UK under the Istanbul convention.** <sup>43</sup>

## 11. Recommendations



### 11.1. The UK government

- **The government** should act urgently to resolve the situation of the definition of woman and man in the Equality Act. This must be done in an integrated, coherent way across the whole of the act. The protected characteristic of sex should mean actual sex, not sex modified by a gender-recognition

certificate. This would not remove the general protection against discrimination for trans people, as there is a separate protected characteristic of gender reassignment.

The Gender Recognition Act needs a single amendment to make clear that **the fact that a person's gender has become the acquired gender under this act does not affect the status of the person as a man or woman in relation to the protected characteristic of "sex" in the Equality Act 2010.**

This could be done via secondary legislation using Section 23 of the Gender Recognition Act to amend that act and the Equality Act, or through primary fast-track legislation to achieve the same result.

- **The government should also review and amend Section 22 of the Gender Recognition Act** (which makes it a criminal act to disclose information if a person has a GRC). It should add additional exceptions to allow for the disclosure of information in the operation of single-sex services, and for safeguarding and implementation of the Equality Act.
- **The government should provide clear guidance** to people applying for gender-recognition certificates, explaining that the certificate does not give them the right to use opposite-sex services or to compel others to pretend that they have changed sex.

**The government should not delay.** The now-formalised definition of woman from the For Women Scotland judgment poses a risk to the women's sector. It will feed into the public-sector equality duty and into training and guidance, making it harder to fund, manage and prioritise female-only services.

Only with a clear recognition of women's needs as a sex will the UK be able to meet its commitments under the Istanbul Convention.

## 11.2. England, Wales, Scotland and Northern Ireland

Strategies for ending violence against women and girls are set separately in England, Scotland, Wales and Northern Ireland. There are separate prosecuting authorities, prison and probation services, victims' codes and charters for England and Wales, Scotland and Northern Ireland.

- **Sex must be clearly included in all data collection and reporting across the criminal justice system.**
- **The governments should make clear in their victims' codes and all communication on violence against women and girls** that single-sex services are allowed, legitimate and valued and do not need to admit members of the opposite sex under any circumstances.
- **Organisations that are required to deliver rights under the victims' codes should leave the Stonewall Champions scheme.** The governments should review the training that has been provided to those organisations.

## 11.3. The Equality and Human Rights Commission

- **The Equality and Human Rights Commission should issue guidance and model policies** for the women's sector and for commissioners in order to enable the provision of single-sex services with confidence.
- **The EHRC should assess and comment on whether the UK's legal framework is consistent with international conventions.** Is an Equality Act that does not recognise women as a category based on



sex consistent with the United Nations' Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Istanbul Convention?

- **The EHRC, working with the Domestic Abuse Commissioner and the women's sector**, should **produce guidance** for organisations with responsibilities under the victims' code, and for those delivering training for them, on women's rights and the Equality Act in relation to women as victims and survivors of abuse.

## 11.4. Charity regulators

- **The charity regulators for England and Wales, Scotland and Northern Ireland** should investigate the situation for women's charities and determine whether there is a problem in law and in practice that is preventing the legitimate pursuit of charitable objects to address the disadvantage and needs of women (and of men).

## 11.5. The Group of Experts on Action against Violence against Women and Domestic Violence

This research informed our submission of a shadow report to GREVIO on the UK's performance in relation to the Istanbul Convention.<sup>44</sup>

- **The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)** – the independent expert body responsible for monitoring the implementation of the Istanbul Convention – should assess whether the UK's legal framework, as clarified by the Haldane judgment, is compatible with the Istanbul Convention.

## 11.6. The women's sector

The judgments by the Court of Session in Scotland, the debate over whether to amend the Equality Act and the promise by the EHRC to update its statutory guidance for service providers all mean that constructive ambiguity by the sector and organisations within it is increasingly unsustainable.

- **The women's sector** should engage with the debate on clarifying the definition of sex in the Equality Act and stand up clearly for single-sex services.
- **Organisations should recognise that they will not be able to defend and advocate effectively for women-only services, charities and associations without sex being a clear protected characteristic in law.**
- **Organisations providing services to women should have clear and public policy positions** about whether they provide single-sex or mixed-sex services.

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4. [Joint submission of the four Women's Aid federations to GREVIO, December 2023](#).<sup>[↗]</sup>
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20. Sex Matters (2022). [Submission to the Victims' Bill consultation](#).<sup>[↗]</sup>
21. Shonagh Dillon (2021). [#TERF/Bigot/Transphobe – We found the witch, burn her! A contextual constructionist account of the silencing of feminist discourse on the proposed changes to the Gender Recognition Act 2004, and the policy capture of transgender ideology, focusing on the potential impacts and consequences for female-only spaces for victims of male violence](#), p.197. Doctoral Thesis. University of Portsmouth.<sup>[↗]</sup>
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39. Those without concerns have been represented in previous research. The original intention was to interview 15 leaders; this was extended to include leaders who responded after initial approaches had been stopped due to the interview cut-off having been reached.<sup>[↗]</sup>

40. Transcripts were taken live during the interviews, and recordings were checked only for gaps, so there may be occasional small variations in language.[↗]
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