

UPDATE: FOR IMMEDIATE RELEASE

JK Rowling has tweeted support for a petition calling on the government to amend the Equality Act to make clear that men are male, and women are female.

Rowling tweeted for international women's day:

"If you're concerned about the erosion of women's rights in the UK - the right to single sex spaces like domestic violence refuges, rape crisis centres and prisons - sign the Sex Matters petition to make the Equality Act clear."

The petition was started by Maya Forstater, the researcher who Rowling tweeted about in 2019 when she lost her job for saying that sex is real. Forstater said:

"JK Rowling's support means everything. She is standing up for ordinary women who are still frightened to say this in public.

" There are two sexes. Everyone knows that, and it shouldn't take courage to say so. The law should be simple and clear. We are calling on the government to clarify the Equality Act to protect single-sex services, single-sex schools, sports and associations."

The petition has also received support from athletes.

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

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

Joan Smith author of books including Misogynies and Home Grown: How Domestic Violence Turns Men Into Terrorists said:

"Women know what sex means - and why it's important. Please sign the petition to make the law clear as well."

Broadcaster Dame Jenni Murray said:

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

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

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

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

- UK Athletics has said that, based on scientific evidence, it recommends that male athletes who identify as transwomen should be included in an "open" category, which would replace the current male category, while the women's category should remain for female athletes (those born female) "so that they can continue to compete fairly". However, UK Athletics is afraid that the Equality Act does not allow this arrangement, and has called for legislative change.
- Girlguiding says that roles such as unit leader, which are open only to women, can be held by "trans women", and that these people are under no obligation to tell girls or parents that they are in fact male. Parents may be told that their daughters are being supervised on trips away by female leaders who are in fact biological males.
- Primark has recently re-introduced "women-only" changing rooms, but has shied away from saying that this means female, and says that it will not ask for proof of sex if someone identifies as a woman.
- Edinburgh Rape Crisis Centre employs a male CEO who identifies as a woman. A Brighton rape crisis centre is currently being sued by a woman who found herself in a women-only counselling group with a man who identified as a woman.
- The Prisons and Probation Service is considering whether it should allow prison officers with a gender-recognition certificate to strip-search prisoners, visitors and staff of the opposite biological sex.

The government issued an initial response to the petition on 26 January saying:

"it is entirely acceptable for providers of single-sex services to take account of the biological sex of their service users. Where it is a proportionate means of achieving a legitimate aim, the Equality Act 2010 is clear that service providers can exclude, modify

or limit access for transgender people, even where they have a Gender Recognition Certificate (GRC). “

Sex Matters has responded that the petition does not limited to the operation of single-sex spaces or services but concerns the broader question of the definition of sex in the Equality Act. They are calling for the law to be made coherent and consistent, including in relation to sex discrimination, single-sex associations, schools and charities.

Notes for editors:

For further information and quotes, contact Maya Forstater 07966676465

JK Rowling’s statement https://twitter.com/jk_rowling/status/1633401094414925825

The petition is hosted by the UK Parliament official petition site

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

Further information on the petition:

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

Government response to the petition

https://petition.parliament.uk/petitions/623243?reveal_response=yes#response-threshold

UK Athletics statement

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

Girlguiding policy

Primark policy

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

Edinburgh Rape Crisis

Sussex Rape Crisis case

Prisons and Probation Service

More from Naomi Cunningham, chair of Sex Matters, on single-sex sports and the Equality Act:
<https://www.legalfeminist.org.uk/2020/07/07/sex-gender-and-fair-competition-in-sport/>

About Sex Matters

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