

The law on sex and gender: what policies do the public want?

Briefing on new data, 30th June 2024

Background

The three major political parties have all addressed the issue of the legal status of sex and gender in their manifestos.

The Conservative and Unionist Party has pledged to:

- undertake primary legislation to clarify that the protected characteristic of sex in the Equality Act 2010 means biological sex
- make legal gender a reserved matter to the United Kingdom, so the Scottish and Welsh governments cannot introduce self-ID.

The Labour party has pledged to:

- give continued support for single-sex exceptions in the Equality Act 2010
- reform gender-recognition law to make it easier for people to gain gender-recognition certificates.

The Liberal Democrat party has pledged to:

- reform the gender-recognition process to remove the requirement for medical reports and remove the spousal consent clause
- provide legal recognition for “non-binary” identities.

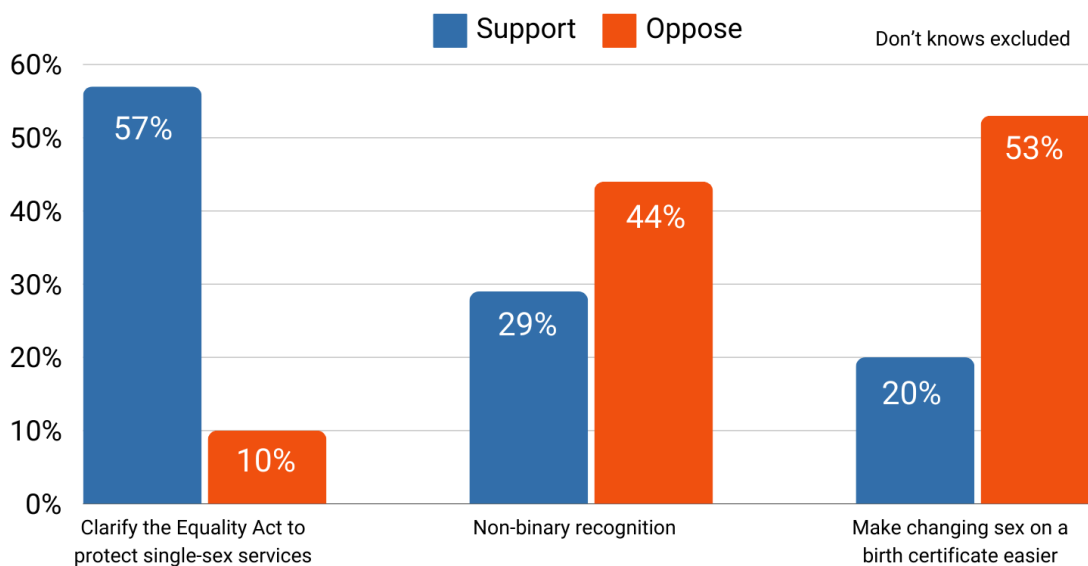
Sex Matters commissioned **a representative public poll** to find out what people think of these policies, asking them whether they support or oppose the following three policies:

- Clarifying that “male” and “female” in the Equality Act mean biological sex so as to protect single sex services and spaces (Conservative policy).
- Amending the law to officially recognise people who do not feel male or female as “non-binary” (Lib Dem policy).
- Amending the law to make it easier for people to change the sex on their birth certificate (Labour and Lib Dem policy).

Poll results

There is widespread support for clarifying the Equality Act. There is very little support for making it easier for people to change their sex on their birth certificate.

Attitudes to sex and gender policies, June 2024

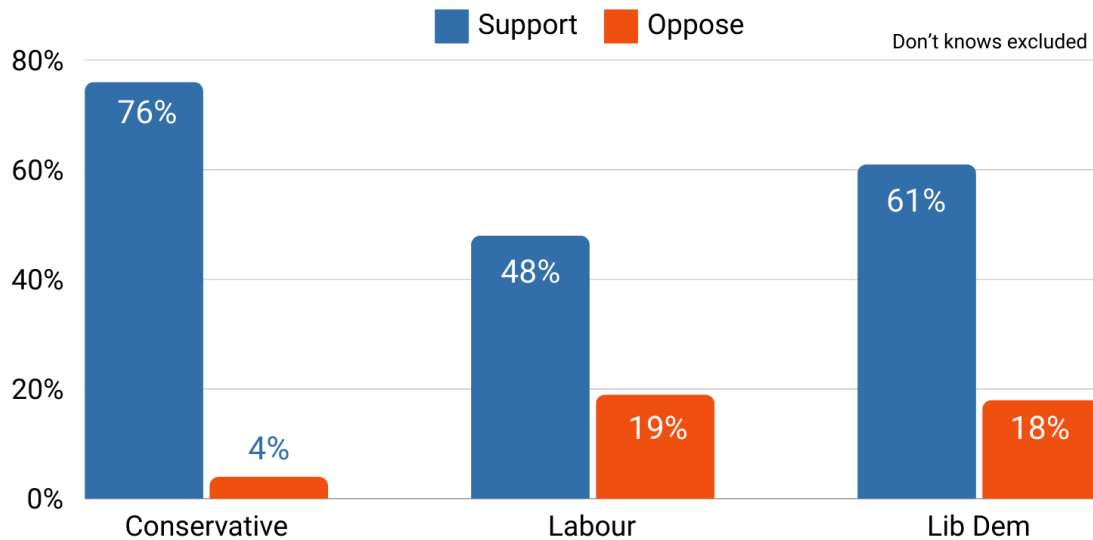


Respondents were asked how they voted in the last general election in 2019.

The majority of those who voted Conservative in 2019 support the party's pledge to clarify the Equality Act. So too do almost half of previous Labour voters and a majority of previous Lib Dem voters.

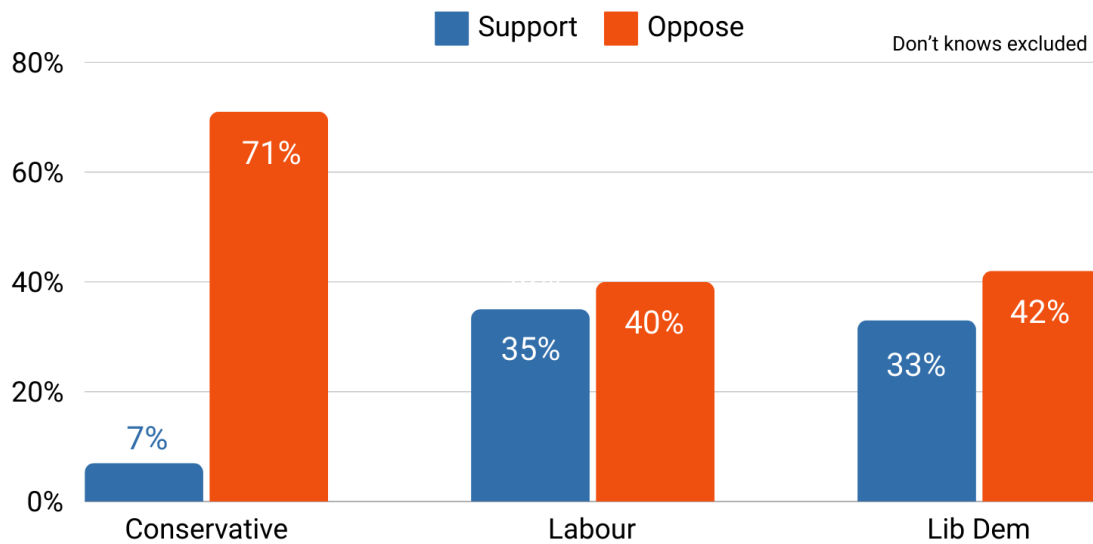
More supporters of each party are opposed to making it easier for people to change their birth certificates than are in favour.

Attitudes to clarifying the Equality Act, by previous voting



To what extent, if at all, would you support or oppose clarifying that 'male' and 'female' in the Equality Act means biological sex so as to protect single-sex services and spaces?

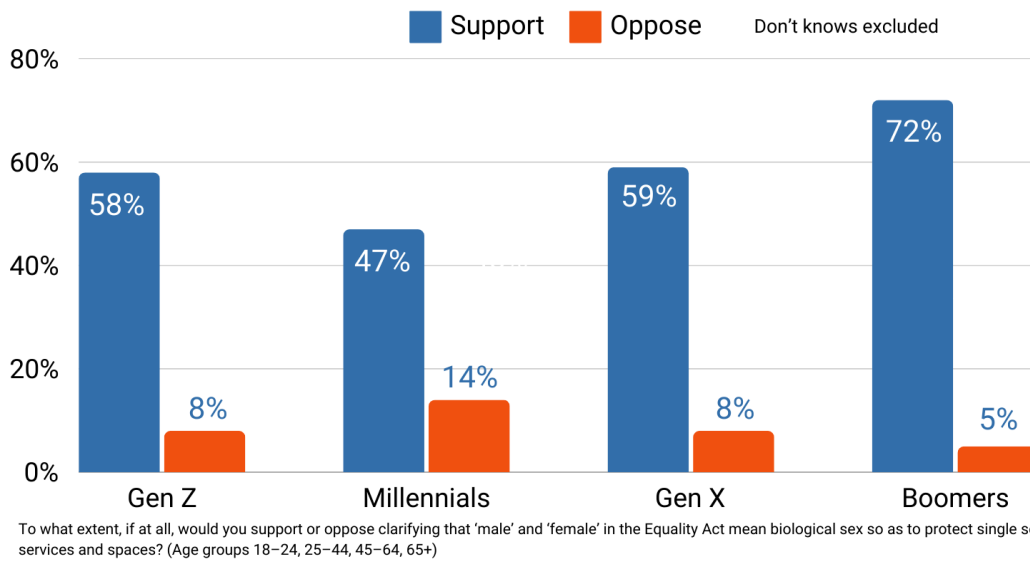
Attitudes to making it easier to change birth certificates, by previous voting



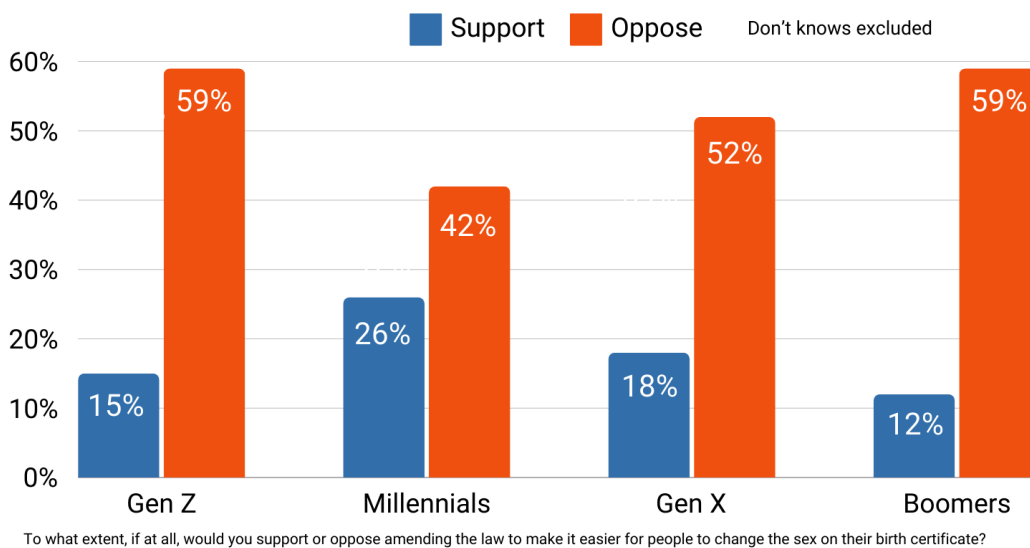
To what extent, if at all, would you support or oppose amending the law to make it easier for people to change the sex on their birth certificate?

Perhaps most surprisingly, these patterns are repeated across every age group. The peak of support for the gender-identity policy of changing birth certificates, and opposition to clarifying the Equality Act, is among the Millennials (25–44) age group. Gen Z (under 25s) are more like the older generations than the one above them.

Attitudes to clarifying the Equality Act by age group



Attitudes to making it easier to change birth certificates, by age group



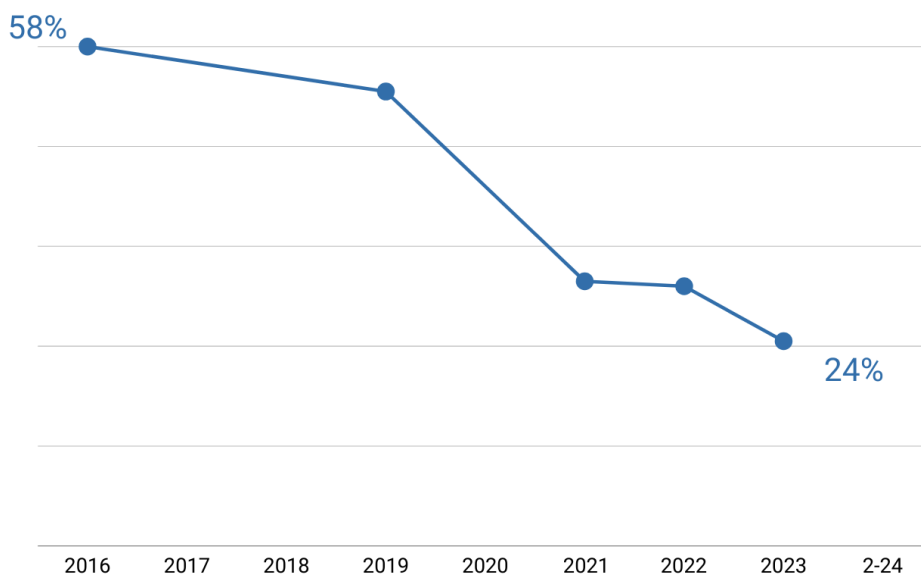
Both women and men are more supportive of the proposal to clarify the Equality Act than to make it easier to change sex on birth certificates, but men are more supportive of protection for sex-based rights than women overall.

These findings of lack of support for legal sex change concur with the results of an independent annual survey carried out by the National Centre for Social Research. Since 2016, British Social Attitudes has asked people whether they agree or disagree that:

“A person who is transgender should be able to have the sex recorded on their birth certificate changed if they want”.

It found that levels of support for allowing people to change the sex on their birth certificate had fallen from 58% of the population in 2016 to just 24% in 2023.¹

Support for people being able to change the sex on their birth certificate

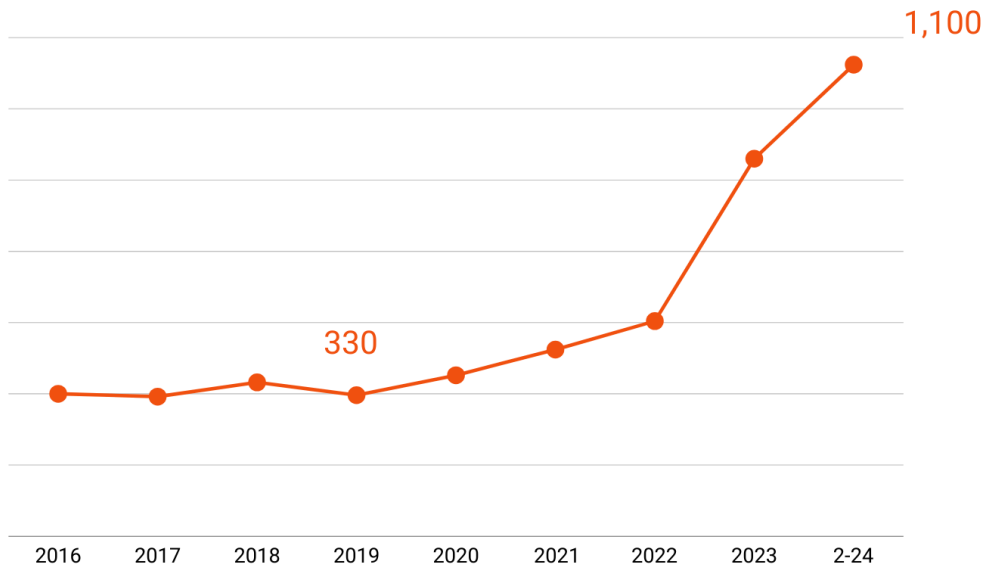


Data source: National Centre for Social Research, British Social Attitudes Survey

¹ Ian Montagu and Natalie Maplethorpe (2024). [Five years of unprecedented challenges The impact of the 2019-2024 Parliament on public opinion.](#)

At the same time, statistics released by HM Courts & Tribunals Service revealed that the rate at which gender-recognition certificates are given out has soared.²

Number of gender-recognition certificates issued



Data source: HM Courts & Tribunals Service

Since 2019 the annual number of gender-recognition certificates issued has trebled while the level of public support for this policy has fallen by two thirds.

Another recent poll asked specifically about the Labour Party’s pledge to simplify the process of “gender transition” – by removing the need for someone to prove they have lived in a different gender for two years and requiring only a single specialist doctor. This policy was supported by only 24%, with 41% opposed.³

Meanwhile, a new poll by More in Common found that the debate about “transgender people” was the only election issue that more people said is talked about too much rather than too little, with 38% saying the issue is being talked about too much.⁴

² Ministry of Justice (2024). *Tribunal Statistics Quarterly: January to March 2024*.

³ People Polling (2024). *June 25–26 poll*.

⁴ Luke Tryl (2024). *Tweet @LukeTryl, UK Director of More in Common, 24th June 2024*.

Politicians, when asked about the issue of how the policies and laws that relate to trans-identifying people impact on others, often say that these policies only affect small numbers.

When the Gender Recognition Act was introduced in 2004 it was argued that legal provisions for “transsexuals” were only needed for a small and carefully defined population, estimated to be about 5,000 people.

However, the 2022 Scotland’s Census found 19,990 people declaring themselves to be trans in Scotland alone. This is 0.44% of people aged 16 and over.⁵ The census in England and Wales found that around 262,000 people (around 0.5% of the adult population) have a transgender identity. Although there are problems with the methodology of the England and Wales census, the Scottish result suggests that it is not off by an order of magnitude.⁶

Therefore it is likely that there may be in the region of a quarter of a million people in the UK identifying themselves as transgender. This is not a very small number.

Conclusions

Putting these findings together, the message from voters is clear. People are sick of hearing calls for more “trans rights”. But if you ask them about women’s rights they are concerned, and they want the government to sort the situation out.

Whichever party forms the next government needs to understand that the public strongly supports protections for sex-based rights, and is increasingly concerned about the legal falsification of records about people’s sex.

What some politicians refer to as a “toxic debate” will only end when they clarify laws and policies to centre the biological reality of sex and reject invented notions of “gender identity”.

⁵ Scotland’s Census 2022 (2024). [Scotland’s Census 2022 – Sexual orientation and trans status or history](#).

⁶ Sex Matters (2023). [‘What did we learn from the census?’](#)

About the survey

The survey commissioned by Sex Matters was undertaken by PeoplePolling on 26th June 2024 with a sample size of 2,146.

All the data is available to download from

https://sex-matters.org/wp-content/uploads/2024/06/PeoplePolling-poll_29_20240627.xlsx.pdf

For more information on methodology please see the introduction to the poll results or contact info@peoplepolling.org.

PeoplePolling is a member of the British Polling Council.

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