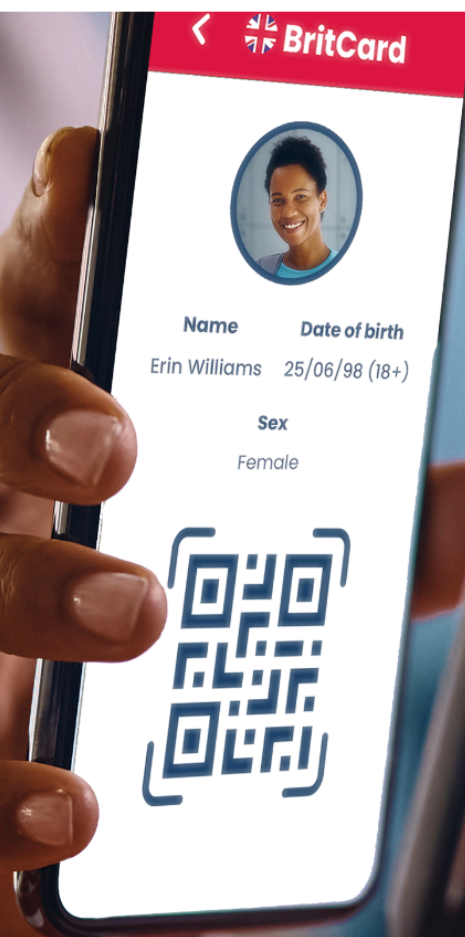


Putting sex on

digital ID – a briefing



Summary

The government has committed to creating a new **national digital ID (BritCard)** by the end of this Parliament, which it says will be useful, inclusive and trusted. In May 2026 it announced that it will introduce a Digital Access to Services Bill in order to enable this.

The national digital ID aims to enable better access to public and private services, saving time and effort, as well as better safeguarding of personal information and privacy, while reducing fraud and improving efficiency.

But the government does not plan to include sex, saying that it “is not necessary for the intended purpose of the digital ID”. We think this is a mistake. It is a cop-out that will leave individuals and service providers floundering and mired in conflict, instead of being able to simply and clearly verify a fact about people which is often needed.

If a national digital ID is developed we think it should include sex as a voluntary field, and that field must be accurate.

Businesses and organisations that record people’s sex, or that use sex as an eligibility criterion for particular services, need to trust that the information is accurate.

The development of a national digital identity is an opportunity to provide a **simple, useful, inclusive and trusted** way for people to verify their sex, which is needed in lots of everyday situations for eligibility for services (just as age, one of the most-cited use cases for digital ID, is).

It would not be difficult or disproportionate to include accurate sex data on digital ID as a **voluntary field**. Doing so would be simple, cost-effective, privacy-protecting and rights-respecting for everyone.

Failing to include sex in national digital ID will create difficulty, confusion, compliance problems and costs. The government is the only body that can solve the sex data problem: it should not be left to the private sector to navigate through the mess left by decades of official confusion.

Sex Matters does not take a general position on digital ID. We recognise that there are civil-liberties concerns about digital ID in general.¹

Whatever your view on digital ID, you can argue that if it exists, it should include sex.

¹ Big Brother Watch (accessed April 2026). [No2DigitalID](#).

Why people should be able to include sex on their digital ID

Reliable information on sex is needed in many situations

Professor Alice Sullivan said in her *Review of data, statistics and research on sex and gender*:

“Sex is a key demographic variable and collecting high quality, robust data on sex is critical to effective policymaking across a wide range of fields, from health and justice to education and the economy. It enables policymakers to measure and address disparities between women and men, and girls and boys. The government has a strong interest in promoting high- quality data on sex, both in its role as a funder of research and as a producer and user of statistics.

“Accurate record keeping is also vital for operational purposes, for safeguarding and, within the healthcare system, for patient safety and care.”²

People often need to declare accurately and reliably whether they are male or female. Examples include:

- joining a dating service
- joining a single-sex association, such as Girlguiding or the Women’s Institute
- applying for a bursary, prize or award that is only for women
- joining a gym and using its ID to access male or female changing rooms
- registering for sport with a national governing body or sports team, or for competitions
- applying for a job in social care, policing, prisons or a single-sex service
- seeking to rent in a shared house, homestay, hall of residence or dormitory
- registering with a healthcare or social-care provider
- registering with a single-sex service such as a rape crisis centre or women’s refuge, or being referred between such services.

The Supreme Court judgment in *For Women Scotland v Scottish Ministers* has clarified that in relation to the Equality Act, “sex” means biological sex. In other situations the biological meaning may simply be what individuals wish to convey about themselves.

As Professor Sullivan recommends:

“The default target of any sex question should be sex (in other words, biological sex, natal sex, sex at birth). Questions which combine sex with gender identity, including gender identity as recognised by a Gender Recognition Certificate (GRC) have a mixed target. Sex as a biological category is constant across time and across jurisdictions, whereas the concept of ‘legal sex’ subject to a GRC may be subject to change in the future and varies across jurisdictions. Using natal sex future-proofs data collection against any such change, ensuring consistency.”

² HM Government (2025). *Review of data, statistics and research on sex and gender: executive summary*.

People in the UK have no reliable way of verifying their sex

In the UK, we lack a single, authoritative way to prove that we are the sex we say we are.³ Online and offline, public and private services have no simple way of verifying sex. What is worse, apparently authoritative documents such as passports, driving licences and health records contain inaccurate information.

- **Passport:** recorded sex can be changed with a doctor's note or simply a personal declaration indicating that the person wishes to live "as the opposite gender" – 3,188 records known to be affected over the last five years.⁴
- **eVisa:** a person's recorded sex can be changed if their name is changed by deed poll or if the "sex" marked on their home-country passport is changed.
- **Driving licence:** a person's recorded sex can be changed on request. Sex does not appear on the face of the driving licence, but is encoded in the licence number – 15,481 records known to be affected over the last six years.⁵
- **NHS records:** a person's recorded sex in NHS data can be changed on request, after which a new NHS number is issued.

This does not only affect the records of people who have changed their recorded sex. It affects everyone. It means that even if a particular person's sex *is* accurately recorded on their passport, driver's licence or NHS record they cannot use the document to prove this, because there is no way of knowing whether their documents are trustworthy.

Lack of a simple reliable means to verify sex causes problems

While people can almost always tell what sex other people are in person, the lack of reliable administrative data to verify this, and the existence of unreliable records creates problems:

1. **Proving sex is confusing, complex and burdensome.** Unreliable "information" is worse than useless, as it leads to confusion, conflict, risk and costly duplication. Organisations are unclear about how to ask or what to ask, and when they record "sex" from an unreliable source it cannot later be relied on as reliable. This creates unnecessary cost and administration, undermines efficiency in both public and private sectors, and makes it harder to provide single-sex services, which are particularly important for women.
2. **The government cannot deliver services effectively.** Not having a single proof of sex and consistent data records leads to problems such as trans people missing out on health screening tests and men having to be asked if they are pregnant before having an X-ray. Lack of sex data prevents services from accurately monitoring impacts and outcomes for women and men.
3. **Mixed data creates security risks.** When sex and gender identity are conflated or individuals are allowed to change their sex marker, this creates data risks that individuals may be highlighted as trans when they do not want that to be recorded. Recording

³ Sex Matters (2024). *Sex and the Data Bill*.

⁴ Figures compiled from [freedom-of-information requests through Who Do They Know](#).

⁵ Figures compiled from [freedom-of-information requests through Who Do They Know](#) and Steph Spyro (2024). 'Changing gender on official papers is "too easy" amid record high for driver's licences', *Daily Express*.

accurately that someone is male or female is a simple way to ensure data minimisation: that factual data does not disclose trans identity. Any additional data (such as “gender identity”) creates risks of privacy breaches and knock-on issues.

4. **Transgender people face accidental exclusion.** If the “sex” field is left in a muddle, transgender people are more likely to raise anti-fraud red flags because they appear to have mismatched records. If sex is recorded accurately wherever it is recorded, then there is no possibility of a mismatch.

Including sex in digital identity would protect everyone’s rights

Everyone has a sex, including people who identify as transgender or non-binary. People who identify as transgender may wish to keep their sex private (or not have it recorded) in situations where that information is not needed.

Digital identity is designed to work based on selective disclosure. Not all information will need to be shared every time the digital ID is used. For example, for some situations it might be sufficient to share that a person is over 16, over 18 or over 65, rather than reveal their date of birth, or that they have a right to work, rather than their nationality. The digital ID is designed to allow people to share just enough information to prove eligibility for a given purpose.

This means that the system could also be designed so that accurate data about a person’s sex is included but disclosed only when the person chooses to share that information. For example a person proving their age in order to buy alcohol or their identity in order to rent a flat would not disclose their sex.

Having sex on digital ID would not harm transgender people’s rights. It would not stop people declaring or expressing their “gender identity”, or require them to reveal their sex when the information is not needed. They could have privacy about their sex when sex is not relevant, and they would be able to access services lawfully available to them.

How will digital ID work?

The government has committed to creating a new **national digital ID (BritCard)**, which it says will be useful, inclusive and trusted, by the end of this Parliament. It aims to enable better access to public and private services, saving time and effort, as well as better safeguarding of personal information and privacy, while reducing fraud and improving efficiency.

The digital ID being developed by the government is different from and complementary to private-sector digital verification services for which the government is developing the framework, enabled by the Data (Use and Access) Act 2025.

The Digital Access to Services Bill will set out the information that the digital ID will contain and how it can be issued, maintained, stored, and verified.

The government's proposal

- The digital ID will be **provided by the government** through a log-in to gov.uk.
- There will be **no legal obligation** for people to have or present it.
- It will **build on existing systems**. Individuals will be able to verify their identity to get a digital ID using a UK passport or eVisa, or via another route for those who do not have one of these.
- Once issued it will be **downloadable as a digital “credential”** on a smartphone.
- It will include a person's **full name, date of birth, nationality and a photo but, as currently designed, not their sex**.
- It will have **selective disclosure functionality**. Not all of a person's information will need to be shared when the digital ID is used. For example, it could be used to prove someone is over 18 or has the right to work without revealing their date of birth or nationality.
- People will be able to **change some details**, such as their name (upon marriage or if it is changed by deed poll) or their photo, while other details will be unchangeable.
- There will be a system to allow digital ID to be **reissued to correct errors**.
- The government is planning to develop a **“Government Checker” service** that will allow a basic check that a digital ID is valid and trustworthy.
- It will **not create a single database of all government data** about a person.
- It will provide a **foundation for private-sector digital verification services** that enable users to connect their identity to other facts about them such as qualifications, bank accounts and memberships.

The government is not planning to include sex

The government says that “information about sex and gender” is unnecessary for the intended purpose of the digital ID. It is not needed for checks that the digital ID belongs to the person presenting it, which will be done through biometric authentication.

Digital right-to-work checks and many checks in the private sector (including Know Your Customer and age-verification checks) do not require the collection or sharing of information about a person's sex (or gender). The government says:

“Similarly, access to most public services does not require this information. In specific scenarios where sex or gender information is required, it is better collected and verified by other means appropriate to that scenario, rather than contained in the digital ID.”⁶

It is true that there are no situations where a person's “gender” (as in gender identity) is needed, and in any case gender identity cannot be verified. However, sex is a different matter.

⁶ HM Government (2026). Chapter 3.1, *Making public services work for you with your digital identity*.

How should sex be included?

The government appears to have recognised that because sex on British and Irish passports and eVisas is unreliable, these cannot be used to provide sex data for digital ID. Excluding these unreliable data sources from digital ID is a step forward.

Reliable data on sex should be included in the digital ID. This will need to be verified in a different way, using reliable sources. Identifying sources that could be used with people's consent would not be difficult.

For people born in the UK, the most straightforward approach would be to cross-reference with **the birth register** (which is being digitised), since this has been kept accurate (including for people with gender-recognition certificates).

For those born in other countries, other reliable administrative data sources would need to be found. This could include certain statutory records. For example, if someone is registered as the mother on the birth record of a child born in the UK, this is proof that the person is female. If a person married before 2004 and is registered as a husband or wife, this is also accurate proof of sex. Other possibilities would be their GP vouching for their sex (in response to an unambiguous question about sex, not gender identity), or a cheek-swab test from a validated source (such as for an athlete).

Sex Matters' proposal is that sex should be included as a voluntary field on digital ID.

The government is also exploring whether people with a digital ID should be legally required to inform the government within an appropriate timeframe of certain changes (such as a name change) or errors to their personal information. This mechanism would also provide a means to solve the problem of unreliable sex data. Everyone knows their own sex. If people who want to have their sex on their Digital ID are legally required to give the correct answer and not allowed to change the record based on gender self-ID, the system would become self-correcting.

Why should sex should be included as a voluntary field?

Sex Matters is proposing this solution because unreliable record-keeping by HM Passport Office and other apparently authoritative data sources, as well as by governments in other countries, means it is unlikely to be possible to verify sex for everyone in the first instance.

Not being able to easily verify someone's sex from administrative data (for example because they were not born in the UK) should not be a barrier to them getting a digital identity. For many people it will be possible to verify their sex easily, and everyone else will have the option to add their sex later, as new reliable methods are developed.

Making this data field voluntary also allays privacy and data-minimisation concerns for those who do not want this data on their digital ID. A person can always change their mind and have the digital ID reissued with or without their sex data included.

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Sex Matters is a charitable incorporated organisation, number 1207701
Registered office: 167–169 Great Portland Street (fifth floor), London, W1W 5PF