

Why digital ID must not ignore sex data

This is a summary of Sex Matters' response to the government's digital-identity consultation (see [*Digital identity consultation response*](#), Sex Matters, 5th May 2026).

The government is planning to develop a **national digital ID** which would include name, date of birth and a photo. It intends that the national digital ID will work together with private sector **digital verification services** (DVS) which people could use to prove a wider range of attributes about themselves.

But the government **has not provided a means to verify a person's sex** through either of these systems.

Sex is personal information that is **often needed** in practice. Currently, online and offline, public and private services have no simple way of verifying sex from administrative records. What is worse, apparently authoritative documents such as passports, driving licences and health records contain inaccurate information.

Enabling people to prove their sex using digital ID, as a voluntary field would be **simple, cost-effective, privacy-protecting and rights-respecting for everyone**.

Allowing people to voluntarily include their sex on digital ID **would not harm transgender people's rights**. It would not require people to reveal their sex when the information is not needed. They could have privacy about their sex when sex is not relevant.

Failing to provide clear and reliable sex data will **create difficulty, confusion, compliance problems and costs**, including for private-sector DVS providers.

What is meant by "sex"?

Sex refers to reproductive biology. **Female** people have the type of body with the potential to produce eggs and become mothers. **Male** people have the type of body with the potential to produce sperm and become fathers.

Everyone has a sex, including people who identify as transgender or non-binary. The Supreme Court in *For Women Scotland v Scottish Ministers* has clarified that in relation to the Equality Act, and other relevant laws, "sex" means biological sex.

How is a person's sex linked to their identity documents?

When a baby is born, their parents and medical professionals can see what sex they are. This information is put on their medical record. The parents are required to register the birth, including the child's sex. This attribute is part of a person's foundational identity and is immutable.

In the UK the birth register cannot be changed (a correction may be made by means of a note in the margin if sex was recorded wrongly).

What about "gender"?

Gender is an undefined term which has different meanings for different people. People are free to express their feelings about gender identity by the way they dress, and by changing their name or the way they refer to themselves, such as Ms/Mr and she/he. Some people take hormones or have surgery.

None of this is relevant to or undermines the case for having accurate sex on digital identity.

When might digital identity users need sex information?

In many everyday situations, people will need or want to declare their sex. 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.

What is the problem with existing sources of data?

Existing sources are unreliable.

- **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.*
- **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.*
- **NHS records:** a person's recorded sex in NHS data can be changed on request, after which a new NHS number is issued.

This affects not only 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, the document cannot be used as a source to prove their sex, because there is no way of knowing that their documents are trustworthy.

How could sex be included in digital ID?

Sex Matters proposes that sex should be a **voluntary field** on national digital ID, and that only biological sex data should be allowed through the information gateway.

For people born in the UK, the **birth register** remains an accurate source of data. Birth certificates are not accurate, since they can be changed.

Making this data field voluntary allays privacy and data-minimisation concerns. It also means that if individuals lack an easy administrative means to prove their sex from documentation (as will be the case if they were not born in the UK, and have not been married or given birth in the UK), they will not be excluded from having a digital ID. Other routes for verifying sex could be developed, such as a vouch from a doctor or a cheek swab (for athletes for example).