

SUPPORTING WOMEN IN DOMESTIC AND SEXUAL VIOLENCE SERVICES

**Giving a voice to silenced women:
evidence from professionals and survivors**

**FAIR PLAY
FOR WOMEN**

FOREWORD

Dr Nicola Williams, Fair Play For Women

This report is about violence and abuse inflicted on women. It reveals serious concerns about how the law is failing to properly protect women from that violence. It reveals serious concerns about how proposals to change the law could make that bad situation even worse. It reveals concerns that women are being put in danger by a drive to accommodate the demands of aggressive transgender lobbying organisations such as Stonewall.

Some transgender activists and lobbying organisations dismiss such concerns as ‘scaremongering’.

Here are some facts:

- ➔ In 2017, one woman in the UK was killed by male violence on average every 2.5 days.¹
- ➔ 1 in 5 women aged 16-59 has experienced some form of sexual violence since the age of 16.²
- ➔ 31% of young women aged 18-24 report having experienced sexual abuse in childhood.²

These facts are not ‘scaremongering’. They are evidence of a reality that should horrify us all: male violence and sexual assaults against the female sex are endemic in our society. The way we support these women and girls in law, policy and practice must be evidence-based, compassionate and effective.

These facts are why it is essential that the providers of refuges and shelters for women threatened and hurt by abusive men are able to operate single-sex services to exclude – with the full backing of the law – people with male bodies who would use those bodies to harm and even kill women. On paper, the current law allows such single-sex services, but the reality, described here by the women who run and rely on these services, is that the law that is supposed to protect women-only services is already hanging by a thread. Laws on paper are useless if they do not work in practice.

The experts in this report told us that they themselves, along with many small organisations were fearful that using the exemptions would lead to a legal challenge they could not afford to fund. They fear that even talking openly about the importance of using them would lead to loss of their jobs or denial of funding for their life-saving services. These professionals report that widespread political pressure, confusion, and lack of awareness or understanding has led to increasing numbers in the sector deciding not to use the exemptions in practice, despite the needs of the female survivors who use the services. To preserve vulnerable women’s legal rights in practice and not just on paper, the Government must ensure professionals across the sector feel they can use them in practice without fear.

Yet the Government is proposing changes that would only make things worse. Professionals are concerned this would affect how people behave in practice and compound the existing problems. How will service providers be able to enforce single sex spaces or services on the ground if the law means any man can change the sex on his birth certificate with no need for medical diagnosis or assessment? No risk assessment can reliably filter out an abusive male – only single sex services can do this. The proposed reforms of the Gender Recognition Act (GRA) would profoundly affect the operation of refuges and other safe spaces for women who suffer violence and abuse. This report gives voice to some of the women who use and need those refuges, and the professionals who provide services for them and have concerns about not only proposed law changes but changes that are already happening ‘ahead of the law’. This report gives politicians and officials trusted with the power to change the law important information that has been missing from research elsewhere.

The Government Equalities Office (GEO) argues that self-ID would not impact women’s rights because – despite demands from trans lobby groups such as Stonewall and Gendered Intelligence to remove such rights completely – ministers have now promised the single sex exemptions in the Equality Act will remain untouched. These allow for single sex services, where this is a ‘proportionate means of meeting a legitimate aim’. The GEO argue this approach strikes the right balance between upholding the rights of trans people, ensuring the availability of women-only spaces is maintained, and entrusting the people on the front-line – the service providers – to take decisions about what is right for their service users. The service providers and service users we have spoken to do not share this view, as they explain in this report.

The evidence we present in this report points to an unavoidable fact: biological sex matters.

As professionals in the sector know only too well, a person with a male body, male hormones and male genitals presents a potential threat to biological women that someone without that physiology does not. There is no evidence to suggest that threat changes if that male identifies as a woman.

No matter how a person identified, to the women survivors whose testimony we drew on, a male-bodied person was still a man. In the words of one survivor who speaks in this report:

“My attacker’s genitals and my sexual parts were involved in a bodily attack. He didn’t care about my identity and at that point I didn’t care about his.”

Yet so divorced has this debate become from mundane physical facts that Penny Mordaunt, the Cabinet minister responsible for upholding women’s interests, told the House of Commons in July: “Transwomen are women and transmen are men. That is the starting point for the GRA consultation, and it will be its finishing point too.”

That is not the starting point for the women who speak in this report. For them, the urgent need is for safety and security. The political slogan ‘transwomen are women’ makes it impossible to have a sensible discussion about what their needs are, let alone how to meet those needs. These women, like all women, have a right to that safety, and a right to speak, yet those rights are being eroded by people who speak only of the rights of others.

Of course if someone wants to live as though they are the opposite sex, that’s their choice and Fair Play For Women fully supports their right to do so. However we do not believe it is right or fair to tell women and girls that they have to accept that fully male-bodied people are female – and then act accordingly in every circumstance, regardless of the impact.

The truth is there is a fundamental conflict between the demands some trans lobby groups are making and the rights of another vulnerable group who deserve protection: women and girls. A policy framework created to reflect the legitimate interests of a small number of medically-diagnosed and surgically-altered men is now under pressure to accommodate men who make no physical change to reflect their supposed womanhood, and even those who simply ‘identify’ as women a few days every month just by changing their clothes.

We fully support the Government's aim to advance trans rights. But we also welcome their promise that this should not be at the expense of women's rights:

“The Government is committed to improving the position of women and girls, and supports their rights, safety, privacy and dignity ... We are confident that advancing the rights of trans people does not have to compromise women's rights, and will work with all groups to ensure this.”³

Women's fears were aptly described by Ollie Entwhistle of the Government Equality Office when he spoke at the Westminster Policy Forum in June 2018, saying this:

“There are also some services where frankly women are very scared about being in an environment where somebody that they may not consider to be a woman is able to access that service.”

Mr Entwhistle is right. Women are very scared, and this report gathers the evidence of their fears, and those of the professionals who have seen at first hand the impact of psychological, sexual and violent abuse, and what some male perpetrators are capable of. It allows them to express those fears in their own words, so that people in power can listen to them.

This is a matter of life and death to many of these women and their children. Any GRA reform must ensure their rights and protections can be upheld, both in practice and in law.

Please don't let them down.

Dr Nicola Williams,
Fair Play For Women

ABOUT THIS REPORT

We have included the voices of 23 women here: 12 professionals, a survivor's collective, a survivor who helped to build a survivor-led service, and 10 other survivors. The purpose of this report is to ensure their silenced voices can be heard, so that the needs of the vulnerable women using domestic and sexual violence services can be fully understood and met.

Note: Throughout this report we use the words 'women' and 'girls' to refer to individuals born female (also known as 'natal women')

We drew from a variety of sources, including: testimonies from whistleblowers within the sector who had proactively reached out to us or published their concerns anonymously; concerns from other professionals to whom we reached out having heard they felt unable to speak up openly under their own names; an open letter; blogs and private testimony from survivors.

There is a wealth of experience among the professionals on whose testimony we have drawn. Many of these women have devoted their working lives to fighting violence against women and girls, but most felt they must remain anonymous for the reasons they set out here. We are extremely grateful to all those who felt able to speak up, with particular thanks to the professionals who felt able and willing to speak out in their own names, including:

Karen Ingala Smith: has worked in services for women who have been subjected to men's violence for 29 years. She runs the project Counting Dead Women, commemorating women killed by men in the UK, and is a co-founder of the Femicide Census in partnership with Women's Aid. She runs a London-based domestic and sexual violence charity working to end violence against women and girls, but is speaking here in a personal capacity. ('Professional A')

Clare Phillipson: founded several refuges, outreach services and helplines. She pioneered a lot of innovative work in the sector that has gone nationwide in her 37 years of working in Domestic Violence. ('Professional B')

Pat Craven: author of the Freedom Programme, a domestic violence programme primarily designed for female victims of domestic violence. The programme evolved from her work with perpetrators ('Professional F')

The survivors are women who have benefited from these vital services, and have grave enough concerns to risk speaking up, in the hope of persuading those who run their services and their country to listen to them. They include **Judith Green**, co-founder Woman's Place UK.

The report captures their views and assessments of the impact on those services (and those who use them) of policies and practices that allow male-born people who describe themselves as transwomen to enter and use those services.

As with any report of this nature, the views expressed are the individual thoughts and experiences of the participants, and so may not represent the views of everyone within individual organisations or the organisations as a whole, nor can they be taken to represent all organisations in the sector.

ABOUT FAIR PLAY FOR WOMEN

Fair Play For Women (FPFW) is an apolitical group of ordinary people from all walks of life who have come together to fight for women's and girls' rights. We fully support the right of trans people to live free of fear and discrimination just the same as everyone else. However, we also believe trans rights should not come at the expense of women's rights. FPFW is a grassroots organisation run entirely by volunteers.

www.fairplayforwomen.com

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EXECUTIVE SUMMARY AND FINDINGS

1. Women are afraid to speak.

Our whistleblowers reported widespread silencing of any and all discussion about self-identification policies and reform of the Gender Recognition Act that affect the provision of services for victims of violence and abuse:

- Professionals feared – or had directly observed or experienced – targeted campaigns of harassment against individuals aggressively trying to intimidate women expressing doubts about self-ID policies. Accounts include people losing their jobs and organisations losing their funding.
- Women merely asking questions about sex self-ID or GRA reform are labelled ‘TERFS’ and subject to threats of harm, death and sexual violence.
- Organisations and activists involved in lobbying for trans-inclusive policies, or even advising and training organisations supporting vulnerable women, have suggested that violence against so-called ‘TERFS’ is justified. Government, LGBT and women’s organisations alike have failed to condemn this.
(see section: Violence, threats and TERF as hate speech).
- Several organisations did not take part in recent Stonewall research on this topic because they were too frightened to speak openly, or because they did not trust their views would be properly reflected by Stonewall.⁴

2. Biology matters more than identity.

Whistleblowers and survivors were concerned that people were labelling the evidence-based demand for single-sex spaces as somehow transphobic or hateful. They were clear that:

- If a refuge chooses or is pressured to adopt a self-ID policy (and thus does not make use of the sex exemptions which the Equality Act allows for) this means in practice any fully intact male will be allowed to use the service simply because he says he is a woman. Contrary to public perception the overwhelming majority of male-born transgender people retain their penis and are fully male-bodied.
- The potential threat to the physical and emotional safety of the women using their services came from biological males – however they describe themselves.
- There is no evidence to show that risk changes when a man says he is a woman.
- Professionals and service-users wished to be able to exclude individuals on the basis of their biological sex (as they would any other male-bodied individual wishing to use the service) rather than on the basis of their proclaimed gender identity.

3. Risk assessment will become impossible.

Professionals said that existing systems for assessing the risk posed to users and staff by a potential new service-user are already limited and imperfect. Allowing anyone who identifies themselves as a woman – and preventing any questioning of that identification – to access ‘women-only’ services will render those safeguards wholly ineffective.

- It is naïve and wrong to assume risk assessments can identify abusive men. It is simply impossible to tell someone’s intentions. Many abusers are extremely skilled at deception.
- Male perpetrators of violence will go to any lengths to gain access to vulnerable women and children. This fact is not adequately recognised in public policy debate over this issue.
- Over-the-phone assessments done at weekends or in the night are of necessity basic, and some refuges assess post-arrival.

4. Survivors have been ignored.

Survivors' concerns have been dismissed. Women have been told to accept a male's interpretation of reality.

- Survivors have been given no formal voice in the Government consultation on GRA reform.
- Some feel that lobby groups like Stonewall, who compare female survivors' concerns to racism or homophobia, are themselves acting in an abusive manner.
- Some feel that service providers and policymakers are in danger of throwing out lessons already learned: from the painful acknowledgement of the risk abusers pose to women and children, to the necessity of single-sex spaces for deeply traumatised women and children to heal.

5. This is a matter of life and death.

Among advocacy groups and some policymakers, there is a profound lack of understanding or consideration of the potential impact these issues could have on vulnerable women and children.

- Self-ID policies mean effectively giving the keys of women's refuges to abusive men. One whistleblower warned that widespread adoption of these policies would lead, "without a shadow of a doubt", to women in refuges being murdered by perpetrators.
- Deeply traumatised, vulnerable women who felt unable to use single sex services would find it harder to escape abusers and may even end up returning to their abuser.
- Self-ID policies would have a disproportionate effect on some women, for example Muslim women of south Asian and east African origin, who can face significant cultural penalties for the use of mixed-sex spaces.

6. The status quo isn't working.

The single-sex exemptions provided in the Equality Act (2010) are applied only sporadically. Service-users feel strongly that they want and need truly single sex spaces but not all services will promise them access to these, and there are concerns about lack of transparency. Service-providers who want to legally exclude males from refuges and other safe spaces do not feel confident in doing so, because of financial, social and legal pressure to promote trans rights.

- All the whistle-blowers and survivors strongly believed that it was important to be able to exclude males, including trans-identified males, from women's refuges. Some professionals had used the EA exemptions, but some survivors were aghast that service-providers were not prepared to use the exemptions.

Even without any reform to the GRA there are serious and widespread problems with implementing the exemptions, including:

- Fear of being embroiled in an expensive and damaging legal battle.
- Lack of clear guidance on the law from Government or from bodies like the EHRC, leading to widespread misinformation and misunderstanding about how, when and whether it was possible to use the exemptions. Some providers and funders appeared not to be even aware they existed.
- Increasing pressure from funders and activists not to use them.
- Guidance and training from trans lobby organisations has pushed the interests of male-bodied trans people at the expense of women using the services.

7. There are widespread fears about GRA reform.

The Government's proposals to change the Gender Recognition Act have left survivors and professionals deeply concerned. Many fear making it significantly easier for males to obtain a Gender Recognition Certificate would mean an effective end to female-only refuges and other spaces.

- The legal privacy extended to a GRC-holder would make it impossible for service-providers to establish that a would-be user was male-bodied. Allowing any male to self-ID as female would effectively make all single sex provisions impossible in practice. (*see fact box: The Equality Act 2010*)
- Setting self-ID as the default option would give organisations no reason to go through the hoops needed to apply sex exemptions in practice, given the existing pressures and practical problems outlined above. This would cement existing problems in place as well as causing new ones.
- There is concern that the single-sex exemptions in the Equality Act will in time be removed. Lobbying to that effect by organisations including Stonewall and Gendered Intelligence has heightened the concern that some advocates seek to promote trans rights at the expense of women's safety.

THE MISSING VOICES: KEY THEMES

We identify the following key themes that emerge from the evidence of the women who speak in this report:

1. THERE IS WIDESPREAD SILENCING OF CONCERNS AND FEARS

Experienced professionals across the sector, with concerns about the rights of women and girls who use their services, are being silenced:

“I have been active in the feminist movement for over 20 years, much of it working in the women’s voluntary sector, but also in community activism and volunteering. In all that time I have never seen an issue on which so many women have been silenced.

“We have seen people and organisations facing targeted campaigns of harassment, people losing their jobs, organisations losing funding for even suggesting that some services should be provided on the basis of sex, not gender identity.

“I know several organisations that did not take part in the Stonewall research for fear that if they spoke openly they could face a public campaign against them or because they were worried about whether their views would be properly reflected. It is very misleading of Stonewall to claim that their report reflects the views of the Violence Against Women and Girls (VAWG) sector, when most organisations did not take part.” **Professional C**

“Many professionals – particularly in front line services – are deeply afraid or intimidated about speaking up on the proposed changes to the GRA. They are afraid of being smeared, targeted and their organisation’s funders being contacted by extremist trans activists that also frequently refer to ‘CIS scum’ or ‘Kill/punch a TERF’.” **Professional D**

“The silencing of anybody who has justifiable concerns about the impact on women and girls of including transwomen in women-only spaces is significant. Most who work in the women’s sector are afraid to share their concerns publicly as they witness the verbal and sometimes physical attacks on those who do speak out publicly. Concerns about the rights of women and girls are routinely labelled transphobic and those who do speak out have experienced various threats which also include threats to their organisations ... Everyone I speak to feels silenced and fearful of saying anything which detracts from the dominant position of trans rights activists.” **Professional E**

Professionals are not speaking up because they are worried that if they do, their services will be at risk:

“Above all, what stopped me from speaking out before I retired were the consequences for the women and children in our refuges. The threat of loss of contracts, time spent fighting legal challenges – they are the ones impacted. It is just another fight that we don’t need. We are fighting every day to keep our services open anyway, and to keep women and children alive. I’m not frightened of abusive men, and I’m not frightened of what people say about me – but I do care about vulnerable women and children.” **Professional B**

“The threat to organisations who take a stand on protecting female-only service provision is very real. Securing year-on-year funding for VAWG services in the current climate is hard enough and I don’t want to risk our services. However, to say nothing is to be complicit in the silencing of debate and discussion on the implications of self-ID for VAWG services.” **Professional D**

“I have not felt able to speak out because of the repercussions, particularly of funding being withdrawn, the vicious attacks we have seen on services and individuals. On one level I think ‘I will not be silenced’. But on the other I know that the people who would suffer are the victims of sexual violence.” **Professional L**

“Those of us that still exist are all too aware that we are only one contract-cycle away from forced closure on the grounds of loss of funding. As CEO, I have been reminded by commissioners of the inequality of our relationship on several occasions, from a robust challenge to a local authority attempt to escape their responsibility to house a vulnerable woman, to nia’s refusal to be deflected from prioritising women. I am disappointed but not surprised, and indeed completely understand, why many representatives of women’s organisations are afraid to speak out.” **Professional A**

“I personally have to be very careful about what I say in public for fear it could affect the organisation I work for and my job there.” **Professional C**

The silencing of concerns about the impact on services goes far beyond those directly involved in the sector:

“When you see someone accused of transphobia, and calls for them to be sacked, simply because they have signed a letter saying that women should be able to talk about a change to the law without fear of violence, this has a chilling effect. I have spoken to women MPs who are very concerned about these changes, but frightened of speaking out, journalists who are frightened to write about the issue and women’s organisations who are frightened to discuss the issue in public. I know academics who have chosen not to write or teach about these issues because they have seen colleagues face organised campaigns by students to get them sacked. None of these people are ‘transphobic’ – they all want to protect the human rights of trans people. They just recognise that human rights are always a question of balancing the needs and rights of different groups.” **Professional C**

Both frontline professionals and survivors did not feel the organisations that should be standing up for them were representing their views:

“I am disappointed and furious that so-called second tier organisations who are supposed to represent us appear to be choosing not to. I don’t know whether that is through lack of comprehension or fear.” **Professional A**

“I feel utterly betrayed by Survivors Network in Brighton. They advertise their services for all self-identifying women but have no policy to share with women who want to understand what this means in practice, have done no research on the impact on female survivors of their failure to invoke exemptions, and they have no referral pathway for the women for whom sharing therapeutic or self-help space with male-bodied people is harmful to their own recovery. Female survivors of childhood sexual abuse must be permitted to put our own needs first in the services that we set up with our own money and efforts.” **Survivor B**

“We are surprised that we, as survivors, are having to explain to ... women’s organisations, why we don’t want biological males in our spaces. But we have no choice but to speak out in the face of a barrage of online verbal abuse, death threats and threats of male sexual torture.” **FOVAS⁵**

“Women-centred providers and feminists who understand domestic violence and feminist theory are the ones who are aware and are afraid to speak out. But a large number in the sector have no idea of the dangers, of the needs of traumatised victims, of the problems these policies would cause. They have no clue of the dangers these would pose to women and children. When I started in ’81 I remember there was a spate of murders in the early days. Women were murdered in women’s refuges. That’s changed because of lessons learned and now these murders have stopped. But men are still a threat to women.” **Professional B**

Survivors and professionals reported the framing of the need for single-sex spaces for survivors as transphobic and even violent:

“Twenty years on from the physical and sexual abuse I suffered, I am happily married to a gentle and kind man. However, I am still very nervous and jumpy around men I do not know and feel afraid if I am in situations where I feel vulnerable with unknown males around. Female-only spaces are incredibly important to me and I place huge value on them as they are spaces in which I can feel safe and know that I will not encounter anyone with a male body. I am incredibly distressed by the idea that I and other women like me may be about to lose those spaces, and the idea that people with an agenda are dismissing my fears as irrational and weaponising it as transphobia just adds to that. Please keep women-only spaces for natal women, they are so important.” **Survivor C**

“I have been consistently bombarded with demands to admit men who say they are victims of abuse which they have experienced from women. I have always refused because the Freedom Programme must provide a safe women-only space. I have also received regular death threats from men who object to my assertion that men are violent to women. Today I receive hostile messages on twitter and bullying emails from people who say we should support what they call transwomen.” **Professional F**

“Over the course of many years, I’ve watched the public realm become increasingly toxic with accusations of transphobia, ‘literal violence’ and ‘questioning the right of trans people to exist’ as females – some, but not all of them, feminists – asked questions about the potential impact of self-ID on VAWG services and, more broadly, on female-only spaces. I’ve watched as trans activists and their supporters target funders, employers, meeting venues, and political parties in response to people asking for a broader public dialogue on the issue. There urgently needs to be a public debate on gender self-ID and its implication for the protections offered to women as a biological sex class. Of course, to say this is to out oneself to the trans lobby as a TERF.” **Professional D**

2. SINGLE BIOLOGICAL SEX SPACES ARE ESSENTIAL

Survivors want and need male-free spaces. This means refuges and services that exclude those who are biologically male, however those males identify:

“Transwomen’ are not women. They are males who in certain circumstances have won the legal right to present themselves as women. I support universal human rights but I chose to prioritise women, particularly those subject to men’s violence.

“There is no evidence that a Gender Recognition Certificate, or indeed so-called transition without a certificate, reduces men’s capacity for violence and abuse of women, or indeed social domination. There is no evidence that women who identify as transgender identify out of sex-inequality and men’s violence against women.” **Professional A**

“It is not a new concept to posit that men pose a threat to female people. It is entirely rational for women to be afraid of males in spaces that are supposed to be safe. And whether or not people are inclined to agree with it, that includes natal males who now identify as women.” **Survivor K**

“In six years of working in women’s refuges... we only once [permitted] a man to come on a childcare outing. It was successful, he was het, quite atypical of the average male being the oldest of nine kids. [But] we never did it again because the mothers were anxious that retraumatising situations could happen. We had been lucky that time ... trans-identified males being allowed near, in any way, or to enter a women’s and children’s refuge [is] not protecting women’s and children’s needs. Since when do we allow women’s safety to suffer to appease people’s identity issues?” **Professional K**

“We do not feel safe having males in our spaces. If my rapist follows me you will ring 999. You will get the police to do safety checks on my welfare. If he comes near the refuge you will force me to leave there for my own safety and the safety of other women, yet if he puts on a dress and calls himself a woman you could welcome him into the refuge – and call women bigots for objecting.” **FOVAS**

Single sex spaces provide much needed emotional safety for women:

“There is no assessment and no price that can be put on how a woman feels after male violence and how much she needs, if she so chooses, a female-only space. There is, however, research that has been done to evidence this need.” **Professional D**

“We are being told that we have to accept that male-bodied people are women and that we have to have male-bodied people in our spaces. Trans-identified male bodied people are fundamentally different to born women. This is a problem for us because, although we can pretend that we believe trans-identifying males are women, our bodies tell us different. We feel the same fear and panic and PTSD symptoms as when we are around ordinary biological males.” **FOVAS**

“Coming from child sexual abuse and trauma by men and I would feel so at risk if I had to be near trans-identified males.” *Survivor I*

“After I was physically assaulted (by a man I didn’t suspect would attack me) I felt alert, vigilant and distrustful in male company and only felt more relaxed comfortable and at ease in the absence of male company. My attacker’s genitals and my sexual parts were involved in a bodily attack. He didn’t care about my [gender] identity and at that point I didn’t care about his.” *Survivor F*

“I have experienced habitual male sexual violence since the age of five, when I was at school and supposed to be protected ... I will not apologise for the fear I feel as a consequence of male behaviour. That is not my burden to bear.” *Survivor K*

“A frequent question I get from the women who come to our groups is. ‘Is this a female-only group?’ They ask that out of a place of fear. It feels important to me to hold that line – and we do. We support men and boys and we do that in a separate session. We are happy to support transwomen too, but in a separate session.” *Professional L*

The issue of the impact on children who accompany their mothers to shelters was also raised:

“In the refuges I have worked in over the years the kids arrived very traumatised from the men in their lives. The male-free environment enabled them to flourish and gain confidence again. They felt safe for the first time ever. Many of them were bed wetters, would smear faeces, would shake when men were around. The single-sex environment was essential for them to heal.” *Professional D*

“... a great many of the women I supported had not just been abused by one man but a succession of men, sometimes from childhood (including sexual abuse by family members) – they are entitled to feel safe in a refuge, which should be the one place in the world at that point that they can be assured that no men will be present – this applies also to the children who may very likely have been traumatised by witnessing male violence.” *Professional J*

Both professionals and survivors warned that women would not be able to use refuges or support services that allowed in males who say they identify as female:

Professionals

“I have worked, campaigned and volunteered alongside, and been friends with transwomen [throughout my twenty year career in this sector] in many different capacities, and have always supported their right to live their lives with safety, dignity and respect. But I am very worried that the move to self ID creates real risks for the safety and dignity of women. I am on the management committee of an organisation that supports people who have suffered from rape and sexual abuse.

“We provide services to both women and men, (including both transwomen and transmen) but organised so that there is a women-only space. The vast majority of our clients are women (to be clear I mean adult human females) and we know from talking to them that women-only space is really important to them to feel safe and to heal. The women we support have suffered from horrific forms of male violence, sometimes over many, many years. Many have not spoken about their experiences to another person and it often takes a long

time for them to feel ready to contact us. We know that many of these women come to our service because they know it is women-only and would not access services if there were people they perceived to be male present.” **Professional C**

“[It is important to understand] how completely traumatised most women and children in refuges are. How important it is to them to have a safe haven where they won’t encounter any males. Adult sons are not even allowed to visit their mothers in refuge. These are wonderful safe places that are for women to recover and heal. The presence of a male, however said male identifies, could be enough to trigger a woman into leaving refuge and going back to her abuser.” **Professional G**

“Anecdotally, I was chatting to a refuge worker the other day. She said they asked all the women how they would feel about having a transwoman in the refuge. Every single one of them said they would leave.” **Professional D**

“I am very concerned about Women’s Aid refuges admitting men who say they are women, either as users of the refuge service or as staff. Having been both a Women’s Aid Advice worker and a refuge worker I would be very unhappy in either case. Women’s refuges are by definition a place of sanctuary. Women coming to refuge are expecting a female-only environment both in terms of staff and other refuge users. I believe it will seriously affect whether a woman will stay in the refuge if there are men there who are saying they are women.” **Professional I**

Survivors

“I was raped as a child and again as an adult. It has affected every single part of my life. Every relationship. Most of them were abusive because my sense of self was so destroyed, that I thought I was worth nothing. Women’s Aid gave me the strength to leave my abuser and save my children and myself. But even now, I am terrified around strange men. If I even find myself alone in a lift with a strange man, I have to get out because I can feel an anxiety attack starting. It is an in-built biological reaction to years of rape and abuse. If a male bodied person was in a shelter or a rape crisis group with me, I would be compelled to leave. I would no longer feel safe.” **Survivor N**

“I am a survivor of an abusive Lesbian relationship. I did not know about refuges at the time and did not use one. I understand that women’s refuges are considering having men who say they are women as staff and also to come into refuges if they need to. I do not consider these men to be women. If I was in that situation again and the refuge had male staff or men coming into refuge I would not consider this a safe space for me and would not use the refuge.” **Survivor E**

“As a woman I believe I have the right to feel safe and secure when seeking help. As a woman abused by a man I would not have sought support from an environment that permitted men there, in whatever guise. To be able to disclose and accept support I would want to feel safe in my surroundings and there is

absolutely no way that I would have accessed a refuge that permitted men or indeed transwomen.” **Survivor A**

Some had suffered male violence at the hands of trans or cross-dressing perpetrators:

“When working in women’s refuges I worked with women who were terrified that their cross-dressing partners would follow them into the refuge”
Professional H

“For some of us, our perpetrators were trans, at the time of abuse or transitioned later after abusing us.” **FOVAS**

“My father used to dress up in my mum’s clothes and a mask to abuse me. It’s essential for me to have women only space.” **Survivor D**

Some felt they would not be alive today if it were not for the single sex spaces they accessed, at their weakest and most vulnerable, in women’s refuges:

“I am so angry I am even having to write this. Just yesterday I was researching suicide methods. This is how severely traumatised I am by my abuse. I can barely function. I cannot even make meals for myself and have to have carers. I should be accessing healing women’s spaces but they are all disappearing... This is life and death for me. If there are no longer women’s spaces where I feel safe because trans are allowed in them – it will be impossible for me to heal. It is hard enough even with the women’s spaces. Stop ignoring abuse survivors and our voices.” **Survivor H**

“For many of us, we are only alive today because of women-only spaces. We know how vital it is for our healing and we fear for other women. Some of us fear for our lives without the support of women’s services, which many of us will be unable to attend with a biological male presence there. We disagree with these proposed changes [to the GRA]. We would like to keep our spaces for females only” **FOVAS**

Allowing male-bodied trans people into women’s shelters would have a particularly negative impact on Muslim women:

“People don’t understand but it is unavoidable that people will learn where the refuge is. In small areas it is unavoidable.

“What we found was the Islamic community would tolerate women in refuges as they knew they were a woman-only space. They knew observant women could then return to their community with their honour intact, they would know they had not been in a state of undress in front of men. A divorce could be got, an Imam could be told they had remained observant as they knew and trusted how our refuge worked.

“They still told women lies to stop them coming to a refuge. Some were fleeing from forced marriages. They would say they prostitute people there, they make porn videos, they will sell you. It is hard to tell when you are not from the UK what is true and what is not. But it reached a point where the community and women knew that we had other Muslim women in the space, it was female only and they could come back and say that honour had been served.

“Once the word gets out that these are no longer female-only spaces – and it will – many Muslim women will no longer be able to use this space safely and it could have life-threatening consequences if they return to their communities.” **Professional B**

3. SURVIVORS MUST BE ABLE TO SET THEIR OWN BOUNDARIES AND TRUST THEIR OWN INSTINCTS

“As we began to heal, we learnt, for the first time, that we have the right to say ‘No’. We learnt what boundaries are. We learnt to begin reconnecting with and listening to our bodies again. We began to make sense of all the psychological tactics that had kept us trapped. And now, many people want to tell us, once more, that we should ignore what our eyes, ears and bodies tell us, squash down our instinctive warning cries, dissolve our boundaries, and accept that a man is a woman because he says he is, and we are asked to welcome him within our sacred circle, in all the places we are most vulnerable, when we are fleeing from domestic abuse, imprisoned, pregnant, having intimate examinations, changing or sleeping.” **FOVAS**

“It should be obvious that in a place like [Survivors Network] what mattered was we were all of the same sex, not that we shared a letter on a driving licence or a reissued birth certificate. I imagine myself in my late teens, plucking up the courage to go a meeting and finding myself sharing the space with someone physically male. All the vital lessons – about truth telling, boundaries, trusting my instincts and speaking up would have been undone in that moment. I would have been uncomfortable and silenced – familiar experiences from years of abuse – and retraumatised. I would not have gone back.” **Survivor B**

The idea of ‘re-educating’ women to make them accept male-bodied people in single sex spaces⁶ was condemned:

“The Stonewall report incensed me – suggesting women get lectured or guilt-tripped for speaking out if they felt uncomfortable with males in their refuge. It is wrong and it is a gross abuse of women. You should be believing what they say if there are issues they want to deal with.

“Many women who have been subjected to domestic violence and coercive control struggle to assert boundaries because of the abuse they have been subjected to, and often because their reality has been so distorted they have to learn to be confident again in their ability to assert reality.

“To tell women in a refuge who have been subject to reality-distorting techniques by an abuser that they cannot call a man a man but must call him a woman is horrific abuse.

“For that to happen within the confines of a refuge and for women to be publicly called together in a group by so-called experts to be shamed and ‘re-educated’ is totalitarian, sinister and totally undermines everything a women-only refuge should be about. Shame on anyone who subjects women survivors to this.” **Professional B**

“I’ve read in the [Stonewall] report how some professionals in the sector would see the [women objecting to a male-bodied transwoman in their space] as a chance to ‘re-educate’ survivors about trans issues. Apparently some feel it is akin to homophobia and racism. I’m afraid this is something I disagree with entirely. We are not talking about a phobia of trans people here; we are talking about a male bodied person in a female space that is funded and promoted solely for the purpose of escaping and healing from traumatic male violence.

“We talk a lot about being ‘trauma informed’ in our sector.

“Traumatic reactions are instinctive, they are not a choice like homophobia and racism. Telling a traumatised survivor that a male bodied person, who instigates their terrifying flash backs, is actually a woman is not only cruel, it doesn’t make sense.

“For those professionals suggesting that trainers and experts should be brought into female spaces to re-educate survivors that the man they see, is actually a woman, I’d suggest they’d be better investing money in their staff and training them on trauma and person-centred approaches to female survivors.”

Professional D

“You cannot make this gender-neutral or ignore the danger to women. This is not just around re-education. You can’t just say ‘these women need to be re-educated’. No they don’t. This is about male violence, their lived experience and fear that exists for good reason. You can’t connect this with gender fluidity – that makes no sense when you have the lens of violence against women and girls.”

Professional L

Survivors explained their lived experience of the trauma of male violence, and how being ‘trained’ to ignore this and accept males in their spaces would affect them:

“My need for female-only spaces is hardwired into me as a result of the abuse I suffered. Pretending that traumatised women can’t tell the difference between male- and female-bodied people is gaslighting. Asking us to deny the effects of our trauma, to override all those dreadful feelings destroying us from the inside out, in order to be kind and inclusive, is simply wrong.”

Survivor N

“Amongst other female survivors I learned that I wasn’t alone, that it wasn’t my fault, that I was entitled to feel angry, that my boundaries were important, my truth and understanding of reality were important – not the lies imposed on me by the man who assaulted and raped me. That my instincts to protect myself – which I had suppressed in a situation where I had no hope of escape – were good ones to be trusted. I needed women-only space to learn these lessons. Because I had experienced very intimate sexual crimes – male violence against me as a girl – I needed to be with members of my own sex. It is not easy to share those very personal experiences.”

Survivor B

“As survivors who are healing we know all too well the effects of trauma. Often around males, especially those who don’t respect our boundaries, our bodies grow tense, shoulders stiffen, breathing quickens, and thoughts become cloudy. We fold in ourselves to try to make ourselves less visible, safe. It is well known from the work of trauma experts that in such a state of hyper- or hypo arousal, healing cannot take place and attempts at processing what has happened to us simply re-traumatises us, taking us around in circles, which is why female-only spaces are vital to us.

“Demanding women who have been subjected to male violence accept the lie that ‘this man is now a woman’ violates women’s material reality and reinforces the lies and intimidations men inflict on women in order to dominate and control us.” **FOVAS**

The psychological and social aspects of single sex spaces were also raised:

“As providers of services for women survivors of men’s violence, in refuges in particular, we say that we are providing a safe space and one of the ways that we do this is by providing a woman-only space. For some women, this may be their first experience of being able to put themselves and/or themselves and their children first. Too many women grew up being expected to serve and be secondary to their fathers and brothers, socialised to put others first and to be a care-giver before moving into a heterosexual relationship where sex-roles and inequality is repeated.

“I will never forget the woman who cried tears of joy when I worked in a refuge in the 1990s, because I gave her a choice and she was not required to check with a man before she made it. She told me that it was the first time that she had done that in her life. I don’t want to allow other women to be robbed of the freedom that comes with a woman-only space. Freedom from the immediate threat of violence, from men’s privilege and entitlement, from men’s scrutiny and from the male gaze.” **Professional A**

“When Survivors Network was set up, we had discussions about our relationship with similar groups for male survivors of childhood sexual abuse. We decided that we wanted a relationship of solidarity but not shared space. This was not only because including men would have hindered the valuable work I’ve just described, but also because, as women, we are socialised to take care of men, and didn’t want to also take on that care-taking role for male survivors. For many of us, with boyfriends or husbands, this was the one space where we put our own needs first.” **Survivor B**

4. EXISTING LAWS DON'T WORK TO PROTECT WOMEN – AND PROPOSED REFORMS WOULD MAKE IT WORSE

Gender Recognition Act (2004) reform

The GRA was passed to accommodate around 5000 transsexuals who were suffering from 'gender dysphoria', a medically recognised condition.⁷ Only someone who was confirmed by a doctor to be suffering from this condition could qualify for a 'gender recognition certificate' (GRC) and thus be legally recognised as the opposite sex and allowed to change the sex on their birth certificate. The impact on the rights of women and girls (for example of men entering their spaces) was not considered, as the numbers were small and the vast majority presumed to be post-op (i.e. have had full reassignment surgery).⁸ At the time ministers did not intend crime statistics to be recorded under the chosen gender of a person.⁹

Following intensive lobbying from trans organisations such as Stonewall, the Government is consulting on whether to remove the safeguard provided by medical professionals and allow any number of men to change the sex on their birth certificate, simply on their own say-so (self-ID). No surgery, medication, or even modification of clothes or appearance would be required.

This would make the word 'woman' meaningless and have an unprecedented and devastating impact on female rights. Without a meaningful way of law and society differentiating between biological males and biological females, **conflicting rights between the two different groups cannot be identified and negotiated**. A law designed for a specific, medically defined group of men, so tiny as to be deemed insignificant, would be expanded at a stroke to allow any man who felt like it, for whatever reason, to become legally female.

- If someone who still has their full male anatomy wants the right to enter women's refuges and now has a female birth certificate, refuges have no workable legal means of stopping them, due to privacy protections. GRA reform that removed medical checks would increase the numbers of people to whom this applied. This would quickly become materially and statistically significant in terms of its impact on females.
- Removing medical checks would also expand the group of males who could have female birth certificates to include any male who wished for whatever reason to identify as a woman. No analysis of the possible nature of this group appears to have been done.
- Self-ID opens the door of refuges to abusive men and sexual predators who would be automatically excluded from true single-sex spaces
- If the default option in law is that any man who says he is a woman can simply change the sex on his birth certificate, then why would small organisations subject themselves to the expense, hassle and legal challenge of operating anything other than a 'Self-ID' policy? With the Government's rubber stamp, self-ID would become the gold standard.

Questions for law and policy makers:

If the GRA is for severely dysphoric transsexuals, why remove the requirement for a diagnosis?

If it is now being reformed for a wider group, who is this group, what is their reason for wanting a GRC, and what analysis has been done on the impact on women and girls? What research into and risk assessment has been done on this wider group? How can we identify them and thus exclude other groups who might seek to abuse the system?

How do we ensure any GRA reform keeps gatekeeping that prevents abusive males and sexual predators from walking straight into women and girl only spaces, unchallenged?

Our whistle-blowers did not believe risk assessments could prevent abusive males entering women's refuges operating self-ID policies:

“I have previously worked in, and run, refuges for Women's Aid. The idea of any male who identifies as a woman having access scares me. People ... speak of the assessment process to access a refuge and how this would weed out potential abusers. Firstly, this is ridiculous because it is impossible to tell someone's intentions and many abusers are good at putting on a front (it's the same logic that says that women should automatically know who is a rapist and who isn't).

“Secondly, I think people who believe this have no idea how basic the assessment to actually enter the refuge can be, especially if out of hours. The over-the-phone assessment done at weekends or in the night is incredibly basic (a handful of questions) and also relies on the person replying honestly and we did not meet the person before they turned up to the refuge... In this situation a male could arrive on the doorstep of a house staffed by one female worker at three in the morning, with abused women and children in bed, and with hardly any assessment of any kind.” *Professional J*

“I am amazed at the bold claim by some professionals in [the Stonewall report] that state they can risk assess for a sexual predator trying to access a refuge! They really ought to tell the probation service, the police and safeguarding professionals how this is done. It would save a lot of money and, more importantly, a great deal of heartache for survivors of sexual violence.” *Professional D*

“There wouldn't even be a need to dress in women's clothes – since we are constantly told that the only thing that makes someone a woman is how they identify. Since we can't see inside the mind of another person, we can only judge identity by what they say, so effectively self ID means anyone who says they are a woman, is a woman.” *Professional C*

“The idea that an abusive man won't try and use self-ID to get into a refuge is a nonsense. Beyond a shadow of a doubt they would. I don't see how referral systems would work this out. How easy is it going to be for an abusive man to get in? It won't take them long to work it out.” *Professional B*

They told us that the extreme, violent nature of the men who women flee was being ignored, putting women and children at risk:

“There is no acknowledgement that male perpetrators of violence will go to any lengths to access vulnerable women and children.” *Professional E*

“With self-ID policies we will effectively be giving the keys to women’s refuges to abusive men. If that happens, beyond a shadow of a doubt, women will die. Never ever underestimate the potential for abusive men to track down, find and torture their victim if they decide they are going to.

“I remember in the 80s when we were just starting to set up women’s refuges a woman was kidnapped from a refuge and a short while later her cut up remains were dumped on the refuge doorstep. Police will rapidly respond to calls to women’s refuges now but people are forgetting these experiences, the violence we faced. They are throwing away the safety and security of women and children if they throw away the lessons we have learnt from the past.

“These men will use anything, any piece of legislation they can find to try and get at women and children. We must never forget that children in refuges have also been subject to horrendous abuse by male perpetrators who will stop at nothing and will use every legal system going to regain control of the children, and use that control as a lifelong weapon of abuse against their mothers. They are making the same mistakes as some liberal refuges did in the early days who decided to let in men. It wasn’t until things went wrong that they realised ‘Oh that wasn’t such a good idea.’” *Professional B*

“Violent men lie. Of 37 men who pleaded not guilty to murdering women in 2016, 28 were found guilty of murder, four were found guilty of manslaughter, four remained charged (by October 2017), only one was found not guilty of murder.” *Professional A*

The concern was about risk-assessing on the basis of an individual’s sex, not discriminating against an individual based on their trans status:

“Of course some women can be violent, of course there can be conflict between women and of course there are inequalities between women – but refuges are safer because they exclude men. We are no more casting aspersions on the nature of a male who identifies as transgender than we are on men who do not use violence. The fact remains that risk assessments are at best imperfect tools and that blanket exclusions help us create safe spaces for women, and for many women they are a necessary respite from which they can move forward after abuse.” *Professional A*

Our whistleblowers already had safety concerns about the way some refuges were currently operating self-ID policies:

“There are real issues for women’s safety in services that provide accommodation (like refuges) or in prisons as a result of self-ID. This is already happening, before any change in the law. Once you say that anyone who says they are a woman has to be allowed into a women-only space this creates opportunities for violent men to enter those spaces. This is sometimes presented as a transphobic fear of transwomen – but the real risk is from men who are not trans, but claim to be so in order to enter women’s services.” *Professional C*

Survivors and professionals fear bringing in self-ID as the default position in law would compound existing risks and problems:

“There is already a huge problem with understanding the current law, and the political will to make use of it. This will only worsen unless women’s sector organisations properly understand and value women’s needs for women-only space.” **Survivor B**

“We are also concerned about how changes to the Gender Recognition Act will affect how people behave in practice. We already see commissioners and funders who don’t understand that single sex services are lawful. We often have to explain the law and know from talking to colleagues in other organisations that they face huge pressure to open their services to everyone, even if that would mean many women do not get the support they need.” **Professional C**

“I am concerned self-ID will mean a lot of misinterpretation so exemptions are seen as eroded. A commissioner will have to be really clued in that you can use the exemptions. The GRA needs to reference the Equality Act – to make it clear that sex is biological sex and not self-identified gender. Using the exemptions as they are is asking quite a lot for an individual to interpret and I am afraid there will be more pressure. I’ve got lots of employment law experience and to be quite honest I struggle to know how to interpret what it means to be ‘proportionate and legitimate’ here.

“Then my mind blows when I get into non binary and what that would mean for which spaces people use.” **Professional L**

“Self-identification will increase the numbers of males, with a sense of entitlement, fostered through their male socialisation, who feel justified in attempting to access services developed to support women who have been subjected to men’s violence. Services that are already in short supply.” **Professional A**

“How will we prevent predatory males accessing women’s spaces when we firstly have no access to their records to know if they are a rapist? Secondly [services] are not allowed to ask if they are trans and thirdly even if we know they are trans we are not able to prove this because under the GRA their birth certificate will now say female. How can services refuse any male on this basis? If you do you could be subject to endless legal challenges draining time, energy and resources. We also worry the onus will be put onto vulnerable women to say they don’t want trans people in their spaces.” **FOVAS (Survivor’s Collective)**

The impact on statistics used to track and tackle male violence was also raised:

“I have worked for decades in the area of violence against women and girls. This is a gendered area in the sense of biological sex. It is about violent misogyny against women and girls as a sex. If the data analysis starts getting blurred because it is collected on the basis of gender identity not biological sex then we are getting into real danger here. We will no longer be able to see the real nature of this violence.” **Professional L**

The Equality Act (2010)

The Equality Act 2010 sought to amalgamate several preceding acts into one bill. It allows for single sex services if they are 'a proportionate means of meeting a legitimate aim' and if mixed services would be less effective; if a person of one sex might reasonably object to the presence of a person of the opposite sex, or if there is likely to be physical contact between the person receiving the service and someone else who might reasonably object.

It allows for discrimination on grounds of gender reassignment in provision of single sex services. In other words, provision has been made under the law for excluding transsexuals from certain spaces or services, for reasons of privacy, safety or fairness.

In 2015 the Equalities Office worked with Gendered Intelligence to produce a document laying out guidance to providing services to transgender customers.¹⁰ Gendered Intelligence, whose logo appears on the document next to that of the Government Equalities Office, is a trans lobby organisation which has openly campaigned to remove women and girls' legal rights to single sex spaces and services, as laid out in the Equality Act.¹¹

Among other things, this document widened the definition of trans people beyond the scope of the GRA with this definition:

'Who are transgender people? Trans people come from all walks of life and include those who may declare themselves as transsexual, transgender, a cross-dresser (transvestite), non-binary and anyone else who may not conform to traditional gender roles.'

It did this with no parliamentary oversight or open discussion, and seemingly with no consideration whatsoever of the impact on women. The EA itself explicitly refers to transsexuals.

The GEO document advises service providers that they should 'assume everyone selects the facilities appropriate to their gender' and to 'try not to assume someone's gender simply by their appearance'

In practice, refuges and other women's sexual violence services trying to use the sex exemptions designed to ensure single sex services has become a minefield for a number of reasons, including:

- The muddying of the definition of 'transsexual' by lobby organisations, and the guidance and training they have given to Government and other organisations.
- The uncertainty, due to lack of case law or guidance from the Government, about what 'proportional and legitimate' might actually mean in practice.
- Ignorance or misunderstanding of how the exemptions work, or fear of using them.
- Pressure not to use them by lobby organisations.

If self-ID goes through as law it may be the final nail in the coffin for the effective use of the exemptions in practice – they will become impossible to use on the ground. The Equality Act says organisations are allowed to exclude male-born people. But the Gender Recognition Act will take away all the tools to determine who is born male. Birth certificates will no longer be 'proof of birth' and there is no way to check it. The Gender Recognition Act makes it a criminal offence for an official to reveal that the sex on someone's birth certificate is not the sex they were born. Only the police and courts have access to this information. So this means women, girls and organisations have no way of knowing who was born male, unless the person reveals the truth themselves.

A law that not only gives an unregulated number of males a birth certificate that lies about their birth sex, but also acts to conceal that lie, is not a rational basis for any law.

Weakening the rules of the Gender Recognition Act will inevitably reduce the availability of male-free space for women.

This isn't just a theoretical legal argument or scaremongering.

The results of these changes will impact real life spaces and services, such as refuges and group counselling for survivors, and the lives of real women and children.

Professionals had made use of the single sex exemptions the EA allows for:

“The board of trustees, I as CEO, and the senior management team, have chosen to apply the single-sex exemptions afforded under the Equality Act as far as we are contractually able, not because we are unable to empathise with male victims but because we choose to prioritise women.” *Professional A*

“We have had 2-3 referrals via housing officers that we have used the exemptions for. One wanted us to take a couple – a man and his wife, where the man had declared he was a woman and the housing officer was concerned they were subject to neighbourhood harassment. We said no, this is a married couple, but they said it is two women.

“I remember having a bizarre conversation on the phone years ago with a psychiatric hospital who wanted to refer a patient. I spoke to the patient, who was clearly a man so I went to visit them on site because I wanted to be sure before taking them back to a place of safety, the refuge. This person was on a woman’s ward and the hospital had told me they were a woman, but they were clearly a man. Back then I could simply say ‘No, no men are allowed in a woman’s refuge’ – but now I don’t know if I would get away with that. For months afterwards he subjected me to relentless angry phone calls insisting that he was a woman. How much worse will it now be if the law tells me I must now accept that man as a woman.” *Professional B*

“I feel there is a lot of confusion and ignorance about this. I run a female survivors therapy group. I wouldn’t consider letting a transwoman into the group. Does that mean I’m using the exemptions? Or do I have to have a transwoman come and challenge me to be considered to be using them?” *Professional L*

Survivors who had benefited from, or continued to benefit from, female-only services wanted reassurance that organisations were using the EA’s single-sex exemptions.

“Groups are given as a specific example in the explanatory guidance notes on the Equality Act 2010, relating to the exemptions that permit single-sex spaces to women-as-a-sex to exclude those who have a legally recognised gender through gender reassignment. However, the current law is not working to protect women-only spaces. I give as an example the service I used. Now, two decades later, Survivors Network, set up by female survivors, no longer offers any safe spaces exclusively for women-as-a-sex, but only for self-defined women (i.e. to include both male and female sex, on the basis of gender identity). Although the Equality Act permits an exemption, the organisation that changed my life, saved my life, has chosen not to invoke it.” *Survivor B*

The exemptions were not working properly on the ground, with many organisations fearful of using them when needed:

“Many small women’s organisations are fearful of implementing the exemptions under the Equality Act to provide women only services due to an increase in challenges to this. The law is unclear and difficult to implement in an environment which is now hostile to single-sex provision. The safety of women and girls is being ignored in the deliberations of how to meet the rights of all people.” *Professional E*

“I was dancing on the head of a pin to try to have the conversation and avoid legal action. This is getting harder to do. We had an arrangement that any referrals like this would come to me so if there was legal action I would be the one responsible. The fear is of a long drawn out legal process, or lose funding, or be pilloried and we can no longer support the women and children we are here for. It is a very real fear to lose funding, particularly in this environment.

“Abusers enjoy legal challenges. For the rest of us they are a nightmare, they are intimidating but abusers love it. So taking on an abuser in a legal challenge you are always at a disadvantage because they are revelling in it.” **Professional B**

“The law is top-down. It relies on organisations to act on behalf of their clients but gives those service-users no rights to demand exemptions are invoked. It gives no rights to the most vulnerable service-users who are likely to feel the need for sex-segregated spaces most keenly. There is no obligation to consider whether invoking the exemptions is necessary in order to achieve legitimate aims.

“The cultural climate of funding considerations and activism intimidate organisations that might otherwise use the exemptions. They simply can’t afford to defend a legal case or be bogged down in a messy campaign against them. Official Government guidance – co-written with campaigners taking a one-sided view – says exemptions only apply in ‘exceptional’ circumstances.”¹² **Survivor B**

These barriers to implementing the exemptions in practice were of grave concern in the light of the threat of Self-ID:

“The Equality Act allows for single-sex services, where this is a proportionate means of meeting a legitimate aim. This has led many to argue that reforming the GRA will have no impact on women-only services. However, the law in this area is uncertain, there is a lack of clear guidance from the Government and from bodies such as the EHRC and many commissioners and some providers of services seem unaware of the Equality Act exemptions. It also leaves providers who are aware of exemptions and wish to use them wary of breaking the law ...

“... If self-ID is introduced then we need to be able to resist challenges under the Equality Act, as this will be the bit we rely on. In the current climate of confusion and political pressure, where people feel frightened to even discuss using the exemptions this would put the ability to use them in practice at grave risk. The Government must ensure that providers have the confidence to use them.” **Professional C**

Pressure NOT to use the exemptions was already coming from many angles, and whistleblowers did not trust that the exemptions would be viable after GRA reform:

“The first pressure we started to get was as soon as the Equality Act came out we got sent trans-inclusive policies and told we had to go on training programmes to be trans-inclusive. I avoided these but it was clear outright refusal would be a threat to funding.

“At the same time there was pressure to be inclusive of men. So it was dual: you must provide services to male victims and you must develop trans-inclusive spaces. Any dissent from this was used to attack you as an individual. Why did you lack empathy? Why do you hate men? Why don’t you care about male victims and trans victims of DV? We were already absolutely overwhelmed with women and children needing our services. No mention whatsoever was made of the exemptions. The new Equality Act was presented as though there were no exemptions. Our major concern was for the safety of the women – what if a perpetrator decides to present as a woman?” **Professional B**

“The Equality Act allows us to provide single sex services, and to only employ female staff and volunteers. We were very concerned when the Women and Equalities Select Committee recommended removing the provision for single sex services in the Equality Act, following lobbying from groups like Stonewall. Although the Government has said it is not going to amend the Equality Act, we know that there are a large number of influential organisations who believe it should be amended and are likely to return to lobbying for this once the review of the Gender Recognition Act is over.” **Professional C**

“I fear if they decide to take out a challenge as a test case, how will I handle that? How will I fund it? It has not yet been tested but it will be – a transgender woman will go to a commissioner and say I want to join an all-women’s group. I am a small charity, what do I do if this happens to me?” **Professional L**

“This is not about lack of compassion with trans people; it is not denying them human rights, privacy and dignity. Of course not. It is about recognising that women have sex-based rights and protections for a reason. How am I – a provider of women’s services – supposed to differentiate between a man who says he is a woman and a man who contemplates assaulting, raping or killing a woman?” **Professional A**

5. A NEW AND VERY DIFFERENT APPROACH TO THIS DEBATE IS NEEDED

“I believe that everyone who has suffered sexual, domestic and other forms of male violence should receive help and support, including trans people. The question is about the best way to do this in a way that meets everyone’s needs. At the moment it is almost impossible to talk publicly about how to do this.” **Professional C**

“The violent responses of some trans activists needs to be publicly challenged by institutions. The right of women to self-organise along single sex exemptions needs to be protected in law.” **Professional E**

“I think we are going to have to balance conflicting needs and rights. You can only do that if room is made for nuanced debate about how it works and thinking through unforeseen consequences.

“I see the poisonous debate, the polarities on social media, the vicious attacks on services and individuals that we have seen. I have no confidence that nuanced debate can find a place here. You are either in the camp or they consider you as out of the camp. The place you get put and what that means for what they say you are capable of is terrible. You are either in or you are out – there is no room in that for nuanced debate.” **Professional L**

Trans-specific spaces were raised:

“I would like to see much more momentum from trans lobby groups in advocating for transwomen’s refuges and transwomen groups, particularly as the definitions under the ‘Trans Umbrella’ have changed exponentially in the last few years. Trans people deserve separate specialist service provision alongside the access they already have to community provision. I am confused as to why the lobby groups are not advocating for this, especially considering many of them have considerable financial backing and resources. They could campaign for this alongside the VAWG sector, which would be far more ready to support them in a struggle the VAWG sector has more than 60 years’ experience in fighting.

“A discussion is vitally needed between trans people and the organisations and services that represent them and the VAWG sector on a way forward. Ideally this would be facilitated by the Government that clumsily created much of the current tension in its decision to exclude VAWG organisations and women’s groups from early stage proposals on self-ID, despite the obvious impact it has on single sex services.” **Professional D**

“If trans people need refuges then they need to build trans specific spaces. There are issues they are facing that it’s not possible for others to understand and provide for.” **Professional B**

Some professionals said they were open to working with transwomen in certain circumstances which did not clash with the other users' needs:

“We have done 1:1 outreach for some men, and have said we are open to supporting 1:1 any transwoman in the same way. We have had a few referrals but none have materialised needing support.” **Professional B**

“I am not against individual transwomen who have, for example, transitioned and may be perceived as female by staff and residents accessing (if this were to occur), but the idea that any embodied male can enter a shared house of abused women, which (and I think again many people don't know this) are mostly unstaffed at evenings/nights/weekends, is horrifying, and I think speaks to a general ignorance about the emotional and psychological effects of male abuse, a distorted perception of the gendered (as in male/female) nature of violence, domestic abuse, and sexual violence, and a widespread ignorance about how refuges are actually run.” **Professional J**

“Our service is one where we support transmen and transwomen in different groups. We support them but in a service that does not erode the trust my women and girls give to me when I tell them they will be in a single sex service. I will juggle appointment times so we won't turn away anyone trans from our services, but we need to offer separate groups.” **Professional L**

Some felt there were circumstances where it would never be appropriate to include male-bodied people:

“I am a woman who comes from a background of domestic violence as a child. I am severely male -phobic due to the severity of the abuse I suffered. Any sight of a male, finding out a person who I thought was a woman is a man, causes me some distress and confusion.

“Domestic violence on women is so raw – men, whether truly men or trans – need to understand why women need their own space and think about setting up their situation for those who don't mind instead of criminalising women who don't feel safe or comfortable in situations which include men.” **Survivor F**

“Most decent transwomen – and they are the majority – would understand how triggering their presence could be and would not take a job in a refuge. Which leaves those with less than honourable reasons, plus males who can ID as female to access vulnerable women, including their ex partners.” **Professional G**

Strong boundaries and clarity were thought to be needed to ensure single-sex spaces and services were genuinely possible in practice:

“The bottom line is they need to have clear sex-based exemptions that are high profile, widely reported and referenced in the GRA as well. That I can point to for commissioners, to say ‘I can do that’.” **Professional L**

“It is also not clear how the single-sex exemptions in the Equality Act will interact with the Gender Recognition Act. The Equality Act allows for single sex services if they are ‘a proportionate means of meeting a legitimate aim’ and if mixed services would be less effective; if a person of one sex might reasonably object to the presence of a person of the opposite sex or if there is likely to be physical contact between the person receiving the service and someone else who might reasonably object. It allows for discrimination on grounds of gender reassignment in provision of single sex services if this is a ‘proportionate

means of meeting a legitimate aim'. However, the GRA uses the terms 'sex' and 'gender' interchangeably meaning that it is not clear whether these exemptions apply to a transwoman with a Gender Recognition Certificate in all circumstances.

“Whatever happens with GRA reform, the Government needs to make it absolutely clear that whatever legal change happens as a result of gaining a GRC this does not apply in those circumstances where the Equality Act has said it is legal to discriminate on the basis of biological sex.” **Professional C**

“My fear is it will take some terrible tragedy. Local Authorities and Government need to give clear immovable barriers to say no to self-ID. The only thing that will prevent refuges from being forced to include males who self identify as women will be if Women’s Aid in their standards have some protection built in, and use those standards to allocate funding, so people have to meet with the standards to get it. One of the standards needs to be NOT to allow self-ID transwomen into women’s shelters.” **Professional B**

Transwomen’s rights and protections, while important, must not come at the expense of the rights of these women and girls:

“When advancing the rights of one group comes at the cost of rights and protections for women victim-survivors of men’s violence, I will always prioritise women. This is a political choice. It does not mean that I do not have compassion for others. I am concerned that for others compassion comes at the cost of recognising the needs and protecting the interests of women subjected to men’s violence.” **Professional A**

“My question to Stonewall is, what is wrong with transwomen only services? Why is this not a priority? Even the professionals in the report from Scottish WA had to concede that although they have been ‘trans-inclusive’ in their women’s only spaces for a number of years the number of trans people accessing their services remains small.¹³

“Just a thought, but perhaps this is because trans survivors want their own specialist services that cater for their needs, in the same way the evidence shows us that women escaping male violence do?” **Professional D**

Single-sex spaces beyond refuges were highlighted as important for survivors, and for the protection of all women and girls:

“There is little if any acknowledgement that VAWG is endemic across our society and that it is both a cause and consequence of Women’s inequality ... This issue affects millions of women and girls; given the move to gender neutralise public spaces- e.g. changing rooms, toilets and the women’s pond in London ... We are naively moving towards the dismantling of single sex organisations and services which are evidenced as the best way to meeting the needs of survivors of VAWG. The silencing of half the population of the country is dangerous and undemocratic.

“The impact will be a reduction in realising the rights of women and girls and their right to safety, dignity and protection. It is negligent in a climate of heightened sexual violence in schools to remove girls only spaces” **Professional E**

“[After I was raped] I lost my trust in all men. I am still frightened of all men. I have never knowingly been on my own with a man unless I know him very very well since that night 20 years ago. If unknown men are going to be in toilets and changing rooms, I will not be able to use them. I deserve to have access to toilets and changing rooms as a rape survivor and my rights to facilities should not be less important than those of a man who identifies as a woman.” *Survivor J*

“I also feel very strongly about the use of single-sex spaces in public venues. As a woman and a mother I would not use or permit my daughter to access toilets, changing rooms and other such facilities if they were gender neutral.”
Survivor A

RECOMMENDATIONS

Sector-specific:

- 1.** The Government must build on ministers' assurances that the single-sex exemptions in the Equality Act will be maintained in a meaningful form, by giving clear and widely-communicated guidance that service-providers can use the law to maintain women-only spaces without fear of reprisal. Providers must have the confidence that they can make their professional judgement to use exemptions without threat of loss of funding, an expensive and time-consuming legal battle, or personal or organisational harassment.
- 2.** All private and public funders must give a promise that funding will not be withdrawn because professionals or users have expressed concerns about the impact on their users of the possibility of the inclusion of males in their spaces or services due to trans-inclusive policies or laws.
- 3.** A whistleblowing service for both professionals and service users must be established, where they can anonymously and safely raise any concerns and questions about the impact on single-sex services.
- 4.** The Government must establish an independent review of the sector to assess the current functioning of the EA and the issues raised in this report on silencing and threats to funding. This should be chaired by a senior figure from outside the sector.
- 5.** Women's voices (service-users and potential future service-users) must be heard. The Government must survey the views of women in the same manner as the GEO conducted its LGBT Survey. It must have questions that clearly explain the impact on women and ask for their responses in ways that can be easily understood. It must be designed by organisations who understand the issues traumatised women face and respect their perspective. It must involve outreach to different groups and communities of women to ensure a wide response.

In general:

- 6.** Politicians who say they are committed to free speech and reasoned debate must state clearly and repeatedly, that women have the right in a free society to express concerns and ask questions about policies that affect women and women's services. Any individual or group responsible for online abuse, threats and attempts to apply financial pressure to women who speak on this issue should not be part of any formal process of political debate or policy formation, and should not have privileged access to ministers or any role advising public bodies, formally or otherwise.
- 7.** Policy formation and political debate around this issue should proceed from the acceptance that there is a conflict of rights here: it is simply not possible to retain women's legal rights to exclude biological males for reasons of privacy, safety or fairness at the same time as including males who identify as trans.
- 8.** Parliament should establish in law a distinct category for biological women (those born female), a category that would inform the application of equalities law, inform public debate and foster the growth of civil society groups to speak for women in the public square, and thus avert any recurrence of the silencing this report has demonstrated.

Fact box:

VIOLENCE, THREATS AND TERF AS HATE SPEECH

Women – professionals, activists, ordinary women, and even survivors of sexual abuse and male violence – are being told by social media that they are ‘TERFS’ and deserve to be harmed, raped or die simply because they wish to discuss safeguarding and female rights in relation to trans lobby organisations and other trans activists demands.

Here are a few examples of tweets about ‘TERFS’¹⁴

- Transwomen ARE women. Everyone denying that PROVEN fact is happily invited to die in a fire #TERF.
- What if someone traced the IP of that Emily person and went and killed her because I’d do it but I’m a bit far ... that’s the only thing terfs deserve. Being doxxed and killed.
- I’m not into mass murder but I’ll commit TERF genocide if I have to tbh.
- Lemme know if ur a terf so I can beat the shit out of you.

Organisations involved in lobbying and even advising and training organisations supporting vulnerable women have suggested violence against those they call ‘TERFS’ is justified. The Director of Action for Trans Health (ATH) Jess Bradley openly suggested that it is OK to physically assault people they call ‘TERFS’¹⁵ and do not appear to have retracted or apologised for this statement. ATH have proactively contacted and offered training to women’s refuges on being trans-inclusive.¹⁶ ATH were one of the organisations who were called to give evidence to the Transgender Equality Inquiry with Bradley as their representative.¹⁷

This is set against a background of threatening behaviour and even violence from male-bodied people towards females trying to discuss the impact of self-ID. Some of these are described in this letter in the Morning Star calling for a halt to violent rhetoric and threats against women:

- **April 2018:** Tara Wood was convicted of the assault by beating of Maria MacLachlan, a 60-year-old woman who had gathered with others to attend a meeting discussing the potential impact on women changes to gender laws.¹⁸
- **March 2018:** At a Bectu picket line trans activists, with no connection to the industrial dispute itself, mobbed and verbally attacked a female union member, having recognised her as an attendee at a women’s rights meeting to discuss GRA reform.^{19, 20}
- **April 2018:** Women in Bristol trying to meet and discuss changes to the Gender Recognition Act at an event organised by We Need To Talk (WNTT) were met with masked activists blocking entrances to the venue, and intimidating those wishing to go inside. One activist was recorded shouting “you fucking cunt” at a woman trying to enter.²¹
- **June 2018:** A meeting organised by Woman’s Place UK was targeted with a bomb threat which Sussex Police said they were ‘taking seriously’.²²

The violent threats, harassment and attempts at silencing women wishing to discuss their rights have been extensively documented²³ and covered extensively in the press.²⁴

We include this evidence to help explain some of the reasons professionals within the sector are frightened to speak out. This language, threats and behaviour would be unacceptable in any circumstances, but is particularly concerning in the context of a debate about public policy and law around safeguarding and protections for vulnerable women and children.

INTERNATIONAL CASE STUDIES: IS THIS REALLY WHERE WE WANT TO BE HEADING?

International experience suggests the fears raised by our whistleblowers and the fears of our female survivors are well-founded. Below are four case studies that raise important questions for policy and law makers in the UK:

CASE STUDY A:

Kristi Hanna, a rape survivor, is filing a human rights complaint after she was forced to share a room with male-bodied pre-op transgender woman in a Toronto shelter. Seeking help from Ontario's Human Rights Legal Support Centre, she was told she was the one illegally discriminating by describing her room mate as a 'man'.²⁵

The transgender person was in their "late 20s, has facial hair, chest hair, and wears large black combat boots". Kristi Hanna spent two nights sharing the room — constantly looking over to make sure her roommate was still in bed, she said — before taking an indefinite leave from the shelter. The transwoman was admitted on July 20th and assigned to Hanna's bedroom, a double room with beds about five feet apart.

Impact on Kristi:

In her formal complaint to the Human Rights Tribunal of Ontario, Hanna alleges the shelter 'admitted a male-bodied transgender person into the safety of my home, bedroom and safe spaces.' She claims this has caused her stress, anxiety, rape flashbacks, symptoms of post-traumatic stress disorder and sleep deprivation.

Kristi said she told staff this person made her feel vulnerable and scared, a view she shared with other residents, some of whom signed a petition to staff.

She described herself as an "active ally in the LGBTQ community," but said this conflict has left her feeling as if vulnerable women are unable to voice their own sex-based rights for fear of violating someone else's.

Impact on the other women in the refuge:

Kristi said: "It's affecting everyone in the house. This can completely ruin your recovery, let alone your safety, let alone your life,"

"We were all choked by our own anxiety, our crippling PTSD symptoms. You could cut the tension in the house,' she said. She described other women having rape flashbacks, threatening suicide, and one requiring hospitalisation..."

"All of us were completely upset and flabbergasted, pretty much, and instantly all full of fear. They won't even allow a man on the property without permission by the staff and all the residents. And we had no pre-warning of any of this. There was never any discussions. It was never mentioned. We were all just blindsided," Hanna said. "Everyone in the house has at some point experienced male-enforced trauma. This is not about discrimination, this is about the safety of male-enforced trauma victims."

Response from the refuge:

Kristi said shelter staff told her: "We're all about inclusion and it's unfortunate that you feel this way ... Deal with it or leave."

Lucy Hume, the outgoing executive director of the Jean Tweed Centre said her agency is "fully aware of the requirements under the Ontario Human Rights Code and are well known for our work in providing trauma-informed care across our programs."

"With respect to accommodating transwomen, we do not discriminate; nor do we impose modifications with respect to accommodation," Hume said in a written statement to the National Post. "We do, however, do our best to meet the needs of all parties affected in a way that complies with the requirements of shelter standards and trauma-informed practice."

CASE STUDY B: Dangerous male offender jailed ‘indefinitely’ after claiming to be ‘transgender’ so as to gain access to and prey on women at two Toronto shelters.²⁶

A biological man claiming to be transgender so as to gain access to and prey on women at two Toronto shelters was jailed ‘indefinitely’ after being declared by a judge a ‘dangerous offender.’

Following the gender identity bill passed by the Ontario Government in 2012, Christopher Hambrook, 37 was able to take advantage of provisions designed for people who identify with the sex opposite to their biology, to get into the women’s shelters under the name ‘Jessica’. Inside, he sexually assaulted several women.

He had a previous criminal history of sexual assaults which evidently were not picked up in any risk assessment. The judge said “He has demonstrated from the age of 12 until the present an inability to control his sexual impulses.” Psychiatric and court records portrayed Hambrook as ‘hypersexual’ and a sexual predator. He couldn’t control his deviant urges, inside or outside of jail, sharing his sick sexual fantasies and irritating other inmates during a four-year prison sentence served for the sexual assault of a five year old girl who was a family friend, and for raping a mentally challenged 27 year old whilst on bail for the first crime.

CASE STUDY C: Women told to leave shelter after they objected to sharing it with male-bodied transgender woman.²⁷

“He wants to become a woman, I mean that is his choice but when a man comes into a women’s shelter who still has a penis and genitals he has more rights than we do.” Tracey said.

Impact on the women:

Tracey is upset that she was made to share a room with a transgender individual with full male genitalia and anatomy, a man transitioning to become a woman.

Another client named Blaine was also staying at the shelter. She recently fled from an abusive relationship and says she’s uncomfortable with a transgender person staying at women’s only facility. “Some women have had bad experiences with men so they are fleeing men and now we have a man showing up at the shelter,” Blaine said.

Both Blaine and Tracey were asked to leave the shelter for good after speaking to the media and breaking the confidentiality agreement designed to protect the safety of all the clients. But now they say their safety has been compromised after being tossed out on the street.

“Hopefully we will stay safe,” Blaine said.

Shelter’s Response:

“They said sorry if a person identifies themselves as female, then we have to go with that.” Tracey said.

NOW Canada, who run the shelter, would not comment about specific cases but said it is against the law to discriminate against transgender people. The organisation says its shelters don’t have enough space to allow transgender clients to have their own room and there are no shelters in the Okanagan designated specifically for transgender people.

CASE STUDY D: Vancouver Rape Relief Sued

“The case of Nixon v Vancouver Rape Relief (VRR) was a legal action case involving a transwoman whose application to volunteer to work with rape victims was refused by a rape crisis service. The case was settled in favour of VRR’s legal right to use sex-based exemptions to exclude transwomen from working with their female clients in 2007.

However, VRR have been relentlessly targeted as transphobic for exercising both their legal right and professional judgement that female victims of

sexual violence have the right to access female-only services. In 2013, a day of remembrance for the 14 women murdered in the 1989 L’Ecole Polytechnique Massacre was targeted by a trans activists protest.

The trolling continues in 2018: a local sweet shop and its female owner were targeted and the owner doxxed by trans activists after putting up a poster supporting a VRR fundraiser.”²⁸

AN ARGUMENT ALREADY WON: THE EVIDENCE-BASE FOR SINGLE SEX SERVICES

The case for, demand for, and social acceptance of safe, female-only spaces for women and children recovering from domestic violence, abuse and sexual assault is particularly high.

As FOVAS have pointed out, the need for male-free space in which women survivors can feel safe, secure and dignified is a fundamental part of the evidence-based practice models that leading organisations in this sector abide by:

“Women’s Aid clearly states on page 24 of their Power to Change manual that some survivors of male violence will not feel safe in groups with males; will not be able to talk honestly and freely in front of males. Yet no one is talking about what effect having males who identify as females will have on women. This is being treated like it is a non-issue.

“Rape Crisis clearly state in their evidence based best practice model that survivors need to be ‘safe and secure and have their dignity explicitly recognised’, that we need to be validated and that our ‘responses to trauma need to be validated as normal – not sick or maladaptive.’ Yet if we are not even allowed to say we are traumatised by having biological males in our spaces. How can this best practice model be adhered to?”²⁹ **FOVAS**

The evidence base for single-sex spaces is strong and well tested more generally in research literature by women’s organisations and human rights organisations such as the EHRC. The Women’s Resource Centre for example found³⁰ that of a poll of 1,000 women:

- 97 per cent stated that a woman should have the choice of accessing a women-only support service if they have been the victim of a sexual assault.
- 90 per cent felt it was important to have the right to report sexual or domestic violence to a woman.

An EHRC research report found³¹ a range of affirming evidence about the importance of single-sex spaces, finding that overwhelmingly the service users they consulted felt that women-only aspects of the services they accessed were important in their decision to attend in the first place. Reasons included safety and security, and women felt particularly strongly about the single-sex nature of domestic abuse services.

The EHRC found that overwhelmingly, service users interviewed felt ‘the women-only aspect of the service was important in their decision to attend in the first place. Reasons for this revolved around feelings of: safety and security; building confidence and trust; peer support; and the ability to talk more freely and open up about the issues facing them.’ It was also particularly the case for domestic abuse services.

The report also noted the particular impact removal of single-sex spaces would have on two additional vulnerable groups, both protected under the Equality Act:

- This was particularly the case for ethnic minority women who suggested that they simply would not be able to attend if the service was not women-only.
- Local funders of domestic violence services, in particular, recognised the need for specialist women-only services for specific ethnic minority groups in their locality, to provide a culturally sensitive approach to domestic violence, forced marriage and health issues.
- Their research has emphasised that women-only support services make a significant contribution to statutory services such as child protection; an evaluation of IDVA services (Howarth et al., 2009) found that over two-thirds (69 per cent) of victims accessing IDVA services had children, a large proportion of whom were of primary school age or younger. The level and frequency of abuse was found to be higher where children were present.

If any biological male can become a woman in the eyes of the law and of organisations, it would no longer be possible in practice to ensure we can provide:

- Emotional safety for rape and sexual assault survivors in the form of women-only support groups or female police officers with whom to share details of their experiences.
- A proven way to prevent abusive males from accessing and harming vulnerable women and children in women's refuges.
- A male-free space for the women and children who have survived domestic abuse.
- The security and safety of single- sex spaces and female-only services for survivors.
- Single-sex facilities such as changing rooms and sleeping spaces to protect women and girls from additional assaults.

These are rights the overwhelming majority of women and girls in Britain will naturally and rightly assume they have, should they need them. Yet it is simply not possible to provide these evidence-based and much needed single-sex services and spaces if any man can also access them simply on his say so. It is not possible to tackle male violence if we cannot name it, because violent and abusive men can choose to have their crimes recorded as committed by women, simply on their say so. We cannot even organise as a sex against this epidemic of violence and sexual assault if we cannot differentiate women from men in society and law.

Appendix 1: Professionals' biographies

Professional A: **Karen Ingala Smith** has worked in services for women who have been subjected to men's violence for 29 years. She runs the project Counting Dead Women, commemorating women killed by men in the UK and a co-founder of the Femicide Census in partnership with Women's Aid. She runs a London-based domestic and sexual violence charity working to end violence against women and girls but speaking here in a personal capacity.

Professional B: **Clare Phillipson** founded several refuges, outreach services and helplines and pioneered lots of innovative work in the sector that has gone nationwide in her 37 years of working in DV.

Professional C: is on the management committee of an organisation that supports people who have suffered from rape and sexual abuse. The organisation provides services to both women and men, (including both transwomen and transmen) but organised so that there is a women-only space. Has been active in the feminist movement for over 20 years, much of it working in the women's voluntary sector, but also in community activism and volunteering.

Professional D: has devoted over two decades of her life to ending violence against women and girls (VAWG). She has worked in frontline services in both domestic abuse and sexual violence services across the country and now heads up a VAWG sector charity. She has written anonymous blogs for A Woman's Place UK about her concerns.

Professional E: has worked in the womens sector for 30 years, working with survivors of VAWG and also leading women's organisations. She is also a survivor of VAWG and used women only services herself prior to working in the sector.

Professional F: **Pat Craven**, author of the Freedom Programme, a domestic violence programme primarily designed for women as victims of domestic violence. The programme evolved from her work with perpetrators.

Professional G: (via FOVAS open letter) worked for Women's Aid.

Professional H: (via FOVAS open letter) worked in women's refuges.

Professional I: (via FOVAS open letter) has been both a Women's Aid Advice worker and a refuge worker.

Professional J: (via FOVAS open letter) refuge worker who worked for a large city-based organisation with multiple refuges.

Professional K: (via FOVAS open letter) six years working at a women's refuge.

Professional L: has worked in the sexual violence sector for a number of decades.

Appendix 2:

¹<https://kareningalasmith.com/2017/02/12/2017/>

²<https://rapecrisis.org.uk/statistics.php>

³<https://petition.parliament.uk/petitions/214118>

⁴Stonewall/NFP:

'Supporting transwomen in domestic and sexual violence services'

Published summer 2018 and accessed here:

https://www.stonewall.org.uk/sites/default/files/stonewall_and_nfpsynergy_report.pdf

⁵<https://fovas.wordpress.com/>

FOVAS stands for Female-Only, Violence and Abuse Survivors.

It was started in 2017 and initially was for female survivors of male violence to write an open letter to women's organisations about their stories and why it is so important to them to have male-free spaces. (some of the testimony from the open letter we have included as survivors testimony in this report)

⁶For example, from **Stonewall (2018)**, p15:

'...where there are other service users that have discomfort around sharing services with trans users we will work with them to support and educate them in the same way as we would with any other equality issue in general.'

⁷Mr Lammy:

"The Bill does not specifically deal with people who are born with ambiguous genitalia. They are, of course, already able to re-register their birth certificates with the general registrar after having the appropriate medical assessment. The Bill deals specifically with people with gender dysphoria who present themselves as having acquired a new gender because they are driven to that by the medical condition surrounding gender dysphoria."

Hansard Gender Recognition Bill

[Lords]: New Clause 7 (25 May 2004)

⁸Lynne Jones:

"Again, I would dispute that. The majority of transsexual people want to undergo a medical process that will leave them physical as congruent as possible with their gender identity."

Gender Recognition Bill

[House of Commons] (23 Feb 2004)

⁹"There are exemptions that allow disclosure for valid public policy reasons – such as preventing or investigating crime ... if the individual is not identifiable, disclosing protected information will not be an offence – for example, in the use of information for statistical reporting purposes"
Hansard, Ibid

¹⁰<https://www.gov.uk/Government/publications/providing-services-for-transgender-customers-a-guide>

¹¹<https://womansplaceuk.org/references-to-removal-of-single-sex-exemptions/>

¹²<https://www.socfem.net/2017/11/equality-act-2010>

¹³**Stonewall, 2018** p. 23

¹⁴Source:

<https://terfisaslur.com>

¹⁵<https://www.thetimes.co.uk/article/trans-group-ath-condones-punching-feminists-n6mz06pj3>

¹⁶actionfortranshealth.org.uk/2015/04/27/help-us-improve-rape-and-sexual-assault-crisis-centres/

¹⁷<https://www.parliament.uk/business/committees/committees-a-z/commons-select/women-and-equalities-committee/news-parliament-2015/evidence-session-transgender-inquiry-first-session-15-16/>

¹⁸<https://morningstaronline.co.uk/article/misogynist-violence-speakers'-corner>

¹⁹<https://morningstaronline.co.uk/article/female-trade-union-official-bullied-own-picket-line-international-womens-day>

²⁰<https://www.facebook.com/womansplaceuk/videos/575443279476529/>

²¹<https://www.youtube.com/watch?v=sBll45tSKzc>

²²<https://www.hastingsobserver.co.uk/news/police-investigating-bomb-threat-against-hastings-meeting-1-8539357>

²³See for example

<https://terfisaslur.com/> or

https://fairplayforwomen.com/misogyny_hate_silencing/

²⁴See for example:

<https://www.thetimes.co.uk/article/trans-activists-think-debate-is-hate-speech-hsh7vpmzt>

<https://www.newstatesman.com/politics/feminism/2018/04/madness-our-gender-debate-where-feminists-defend-slapping-60-year-old>

<https://blogs.spectator.co.uk/2018/03/fear-and-loathing-grips-the-gender-debate/>

<https://www.morningstaronline.co.uk/article/women-have-every-right-discuss-changes-law-could-affect-them>

<https://www.telegraph.co.uk/news/2018/09/11/soviet-labour-camps-compassionate-educational-institutions-say/>

<https://www.theguardian.com/commentisfree/2018/apr/29/violent-misogyny-not-confined-to-internet-incels>

²⁵<https://nationalpost.com/news/canada/kristi-hanna-human-rights-complaint-transgender-woman-toronto-shelter>

²⁶ <https://torontosun.com/2014/02/26/predator-who-claimed-to-be-transgender-declared-dangerous-offender/wcm/fc2c70f0-b1a1-41e2-85db-bec9d0012ce5>

²⁷<https://globalnews.ca/news/3300518/concerns-over-transgender-client-at-okanagan-shelter/>

²⁸<https://womansplaceuk.org/the-silencing-of-feminists-silences-survivors/>

²⁹<https://fovas.wordpress.com/>

³⁰<https://thewomensresourcecentre.org.uk/wp-content/uploads/Making-the-case-for-women-only-July-2011.pdf>

³¹<https://www.equalityhumanrights.com/en/publication-download/research-report-86-impact-changes-commissioning-and-funding-women-only-services>