



Briefing note for the Independent Expert on protection against violence and discrimination based on Sexual Orientation and Gender Identity (IE SOGI)

4 May 2023

Who we are

Fair Play For Women Ltd is a campaigning and consultancy organisation which raises awareness, provides evidence and analysis and works to protect the sex-based rights of women and girls in the UK. Founded in 2017, our work is focused on understanding when and how gender-and sex-based rights conflict in law and policy making. Our aim is to ensure that everyone's needs are fairly balanced and that women and girls are properly considered in good policy making.

We believe in compassion and fairness for all. We support the rights of trans people to live in safety and to be treated fairly. We also support the rights of women and girls, and this is our focus. Protecting these rights in law requires that sex is not conflated with gender identity. Any policies considering gender identity must consider the impact of those policies on other service users, particularly females.

We strongly oppose all forms of violence and discrimination against people based on their sexual orientation or gender identity. We see conflicts between these two issues, as illustrated in previous submissions to you. We welcome the opportunity to discuss this conflict of rights with you.

We have previously contributed to the IE on SOGI's work on exploring the right to freedom of belief or religion in relation to sexual orientation and gender identity (January 2023) and to his report on gender, sexual orientation and gender identity (March 2021). We also refer you to our submission made in March 2023 when we requested this meeting.

Key points for the Independent Expert's report on his UK visit

Sexual orientation and gender identity are separate characteristics which need to be addressed separately in order to create good policies and to tackle discrimination.

Gender identity cannot be treated as if it were sex. Sometimes sex, male or female, is what matters. In those cases, self-identification of sex based on gender identity is not an acceptable option.

Single-sex spaces, services and sport are important for both sexes, but especially for women and girls. Trans-identifying males (transwomen) do not belong in female-only spaces. This is not because of their gender identity but because of their sex, which is male.

Inclusion of trans-identifying males leads to exclusion and self-exclusion of females.

There are intersectional issues. Some religious and cultural groups do not permit females to be in mixed-sex spaces. When a trans-identifying male is in a female space, those women self-exclude.

Lesbians are disproportionately affected by male inclusion in the women's category in sport because lesbians are over-represented in team sports.

Self-ID of sex is not compatible with safety, privacy, self-determination and fairness for females.