For Women Scotland

17 November 2026

By email from: info@forwomen.scot
to: EHRCJ.committee@parliament.scot

Dear Dear Ms Hagmann & Members of the Equalities, Human Rights and Civil Justice Committee,

Following remarks made by substitute Committee member, Kate Nevens, at the committee meeting on 11th November and on social media, we should like to provide additional evidence to the Committee to ensure there is a full understanding of the operation of women's services over the last five decades in Scotland.

Published in 2009, Woman to Woman, An Oral History of Rape Crisis in Scotland 1976-1991, records the foundational principles of the first Rape Crisis centres in Scotland. There is no mention of trans-inclusion, although there are chapters on lesbian women and ethnic minority women.

The exclusion of anyone male was debated:

> *The debate around supporting men and the importance of maintaining a women-only service was often aired within the network and was a challenge that centres wrestled with for many years. It was divided opinion on this issue in particular that created the fissure that ultimately separated some centres from those that went on to form Rape Crisis Scotland, which retained the feminist gendered analysis of rape.*

Isla Laing is quoted saying, *"None of us would have contemplated there being male volunteers in the group, and we had a clear stance on taking calls from women only…our attitude was that if men wanted a support group they could go and set one up just as we had!"*

Rosemary Whyte, the co-founder of Glasgow Rape Crisis, is clear that the services were "by women, for women". She said they decided that no men would be on the premises while survivors were there: "if women were traumatised, seeing the embodiment of their attacker could re-traumatise them." She said that no one questioned the premise until Sandy Brindley and the employment of Mridul Wadhwa.

The RCS website archived in 2009 used to say, "Our centres are women only and work from a feminist perspective". By March 2011, this had been changed.

The now disbanded Women's National Commission surveyed 650 UK women's sector organisations in 2010 with 297 responding. The report noted that 99% of the respondents "believe that it is important for a woman who has been sexually assaulted or has

experienced any other form of violence to have the choice to access a women-only support service." They were clear that "The presence of men and male staff in violence against women and girls support services would deter many women from seeking support and from accessing longer-term after-care services." The report stressed that if services were mixed-sex they should offer women-only services at point of delivery.

Two years later, the Equality and Human Rights Commission (EHRC) conducted a report on The impact of changes in commissioning and funding on women-only services, surveying 25 women's organisations. The findings were very similar, with 95% of users saying the women-only nature of the service was important. They cited "safety and security" and an "ability to talk more freely". The report noted that this was "particularly the case for ethnic minority women".

Organisations like Scottish Trans Alliance and LGBT Youth Scotland began to push for male inclusion in women's services from around this time. The report Stronger Together materially misrepresented the law in an effort to persuade centres that they had to include men who identified as women. The document says that it is not "acceptable to refuse to provide a service to a trans woman because she is trans", missing the key point that the basis for inclusion or exclusion is not gender reassignment but sex. Shockingly, it also advises that if other service users are uncomfortable sharing a service 'this is rightly seen as no reason for the trans woman to be moved', and that in this situation 'we would work to educate other service users – much in the same way that we would if we received comments regarding other service user's ethnicity, religious affiliation or sexual orientation'.

These organisations also began to provide training to centres, misrepresenting the law in the manner outlined above. Cash-strapped centres were often unable to pay for independent legal advice. In addition, in 2017, the Scottish Government imposed confusing Equally Safe Funding Conditions which led centres to believe they had to be "trans-inclusive".

Fears about funding cuts were borne out when - as we said in evidence - an Edinburgh Scottish Green Councillor, Alex Staniforth, attempted to cut funding to Edinburgh Women's Aid for stating that group work sessions and communal accommodation were women-only. Linda Rodgers said that the motion provided a threat to EWA's ability to use their expertise to provide specialist services in line with trauma-informed principles.

Rape Crisis Centre managers have also said that pressure was imposed by Rape Crisis Scotland (RCS), Rosemary Whyte has said of Sandy Brindley "how could she do that to women?" Brindley claimed on Twitter in 2019 that the centres that moved from being single-sex consulted survivors. We cannot find any record of such a consultation. RCS changed their Articles of Association in 2013 from "to relieve the emotional distress of WOMEN AND GIRLS who have been raped" (as in the 2003 Articles) to: "to relieve the emotional distress of INDIVIDUALS who have been raped".

The change in foundational principles was in large part due to the employment of Mridul Wadhwa. Wadhwa claimed to be "out" as transwoman in 2010 and was employed by RCS in 2014, a decision which would ultimately prove disastrous.

Ms Nevens accused “GCs” (by which we presume she means “gender criticals”) on her Bluesky account of taking women’s services to court. We can only assume she means that Edinburgh Rape Crisis (ERCC) was taken to tribunal for the constructive dismissal of Roz Adams. The judge found that Wadhwa had conducted a “heresy hunt” against Ms Adams and subjected her to harassment on the basis of belief. A damning report into ERCC said that Wadhwa “did not understand the limits on her role’s authority, when to refer decisions to Trustees and failed to set professional standards of behaviour”, Vicky Ling also said that the “strategy...did not put survivors first” and there was “a failure to protect women only spaces”.

Rather than an example of “trans inclusion”, events at ERCC should serve as a warning.

The Scottish Women's Convention report into single sex spaces in 2022 concluded with the following recommendations:

- *That all organisations state clearly that they have women only spaces under the equality Act 2010 single sex space provision.*
- *That the NHS and hospitals provide single sex spaces to protect the mental and physical health of all women.*
- *That proper support, counselling and trauma informed services are available to all women at all times which can help them to deal with the violence they have faced at the hands of males.*

The report was ignored by the Government.

Earlier this year, the four west coast Rape Crisis Centres, which represent 41.42% of Scotland’s female population, across 12 of Scotland’s 32 local authority areas, formed the Scottish Rape Crisis Alliance to combat rise in sexual violence against women and girls. The centres had all broken with RCS, with one reason for the split being differences over gender ideology and women-only spaces.

It is clear that none of these centres find the provision of women-only services “discriminatory and unworkable” as suggested by Ms Nevens. Her questioning revealed hostile, pre-conceived ideas about the history of the women’s sector in Scotland. We hope the above is of some help in correcting these misconceptions.

We should also like to clarify a point which Susan was unable to make in full when Holly Bruce interrupted and talked over her. This concerns the operation of law. Definitions in law must be robust and enforceable. Sex is immutable and binary and, as such, is one of the most clear-cut categories in the Equality Act 2010. The Code offers practical solutions for service providers to understand when single-sex spaces are appropriate and how to manage them. Part of that may entail finding alternative provision for those who are uncomfortable in a space for their biological sex or who may make others uncomfortable. Neither the law nor the Code can fully set out those conditions or define which individuals this may be applicable to and in what circumstances. We felt that Ms Bruce failed to grasp that discretion over service provision does not amount to the law being vague or unclear on definitions.

Everyone is fully aware what sex they are. A functioning society depends on public

understanding and respect for the law not, as Ms Bruce suggested, on policing people.

The Committee should also be clear that it is not possible to isolate the Code of Practice from the law. The law dictates the limits of the Code rather than the other way round. We worry that by trying to disassociate the Code from the law, the Convener risked creating the false idea that any disapplication would be justified.

Finally, as we have set out above, much of the mischief in the women's sector was caused by deliberate attempts to undermine or misrepresent the law, including by the organisations who will be before the Committee next week. As we were asked about the supposed "cost" of following the law, we hope the Committee will question those who encouraged women's centres, the Police, the Prison Service, and hospitals to deviate from best practice and are directly responsible for any subsequent expense incurred.

Yours sincerely,

Trina Budge, Marion Calder and Susan Smith
Directors, For Women Scotland

Emma Humphreys Memorial Prize, Legal Award 2025
Herald Award, Political Campaigner of the Year 2025