EQUALITIES AND HUMAN RIGHTS COMMITTEE
DRAFT BUDGET SCRUTINY 2020-21
SUBMISSION FROM WOMEN’S RIGHTS ACTION GROUP

Women’s Rights Action Group Edinburgh has serious misgivings about how funding to third sector organisations is being used by some organisations to undertake social engineering without any democratic debate, oversight or indeed right to do so. There is at best an unthinking and at worst a systematic deliberate attempt to undermine women’s and girls’ sex-based rights, as enshrined in international and national laws, by many third sector organisations working in the field of women’s rights/services and those for LGBT communities.

It is our understanding that Women’s Aid, Engender, Rape Crisis Scotland, Women’s Aid Scotland, Equality Network, Scottish Trans Alliance, Stonewall all supported the GRA reform which would result in gender self id. It is our understanding these organisations also supported getting rid of sex-based exclusions from the Equality Act. It is our understanding Stonewall wanted it to be illegal for organisations or services to gain an exemption from the Equality Act on the basis of sex i.e. services could not advertise for a female employee to meet legitimate aims. They have already changed the way they deliver services to make them mixed sex and to allow men who self-identify as women to deliver services. This has all been done without any law being changed, with the Equality Act still being in place and no reform of the GRA having happened.

These organisations all proselytise a particular ideology based on a belief in the existence of an (as yet wholly unevidenced) innate gender identity (not defined by them or in law) which defines what gender someone has (of which there are many to choose). Biological sex, i.e. whether you are male or female is understood to be a social construct, indeed, one is not born a sex, one has a gender assigned to you at birth (which may be wrong). We cannot know what gender someone is by looking, they must tell us. Men can have vaginas and women can have penises and we, the public, must ‘get over it’. Or indeed receive training from these same organisations, who get public money and can then charge other organisations to be trained in the language of genderism.

The public doesn’t know how or why these organisations decided to adopt this position. They weren’t consulted, far less the groups with protected characteristics this policy change affected. No equality impact assessments were done. Although the government itself decided to stop funding single sex services and make receipt of funding dependent on organisations opening up their services to men who identified as women (no clarity as to what this means, other than a man says he’s a woman and the world is obliged to go along with this belief he has of himself)
We understand that these organisations did not have to
- Evidence that they had engaged with the communities they purport to represent/serve regarding their support for gender self id and changing the definition of women to include men;
- Evidence how they had engaged with service users before allowing men in e.g. refuges
- Engage with women who disagreed with their views, indeed Engender cancelled a meeting on GRA Reform
- Undertake full Equality Impact Assessments to assess the potential impact of their stance on the introduction of gender id on other groups with protected characteristics (e.g. women, those with certain religious beliefs)
- Be accountable or transparent in their decision making (how and why did these organisations decide to support gender self id)
- Be answerable to the public regarding the impact their services have had.

There are many testing questions facing the third sector and the government.

Has there been policy capture of the third sector and government regarding the introduction of gender self id?

Is the government funding lobbying groups with a particular ideological slant to enable it, the government, to introduce policies without public debate on the grounds they are doing it on ‘expert’ advice?

Is there a danger of an echo chamber being created where ministers, civil servants and third sector employees are pushing through policies which each party involved convinces each other that they are right and progressive, but have not been subject to public discussion or parliamentary scrutiny?

Is the business of government being outsourced to third sector organisations i.e. they are writing policies (Scottish Trans Alliance wrote the transgender policy for the Scottish Prison Service); having undue influence on how consultations are conducted (e.g. ill written consultation on GRA Reform; not holding any public meetings); having undue influence on drafting legislation (e.g. Equal Gender Representation on Public Boards). We have seen public policy regarding women’s prisons produced by Scottish Trans Alliance and schools’ guidance produced by LGBT Youth Scotland. It is our understanding that equality impact assessments weren’t done, or not done taking women and girls’ concerns into account. It is unacceptable to have major policies written by organisations without the transparency, accountability and scrutiny we expect from the public sector. It is our understanding that LGBT Health and Wellbeing offer no courses or activities which are for lesbians only - lesbians being women who are attracted to other women. Many LGBT organisations do not accept sexual orientation as a protected characteristic, meaning people who are attracted to persons of the same sex preferring to use their own definition of meaning people who are same gender protected. Gender is not a protected characteristic, nor is gender orientation.

Women and girls face oppression, discrimination and prejudice based on our sex. This is getting worse. The increase in the number of girls and young women, especially those with ASD, attending gender identity clinics is very troubling as they want to opt out of
girl/womanhood. If they don't conform to a restrictive notion of femininity, they are told they must be boys/transmen. The ever-increasing pressure for girls to perform femininity, to look a certain way coming from social media has a huge impact on women and girls' mental health. Porn has become progressively normalised in real life, men now expecting the degrading, violent acts they see performed on screen to be enacted by women and girls in real life. Moves to legalise extreme sexual exploitation in the form of prostitution, to further commodify women’s bodies through changes in surrogacy laws are further severe challenges to women’s rights.

We have seen an increase in the number of cases of sexual harassment/assault and rape in society and in schools in particular. Yet we had guidance from LGBTY for schools which in our view entirely ignored girls and also indeed, in our view, breached their rights in a number of ways as outlined in the paper by Women and Girls Scotland.

Girl Guides now accept boys on the basis of self id who can access toileting and sleeping accommodations of girls. The girls’ parents won’t be informed they have a boy who self identifies as a girl in the same tent or dormitory. Sports organisations are now accepting men into women’s sports on the basis of self id and women are seeing their hopes of winning medals disappearing in the name of inclusivity. Safeguarding issues, fairness, recognition of women’s rights to our own spaces and activities are undermined if not destroyed. Women’s rights are clearly not human rights - they are there at the behest of men who can decide to take them over when it suits. When rights conflict, which does happen, we’d normally take a pragmatic, even-handed common-sense view and try to accommodate different needs as far as possible. We do not play top trumps and decide that one person’s rights supersede another.

We need a third sector that understands rights can and do conflict and ‘no debate’ or playing the oppression Olympics with people’s rights isn’t how to deal with such instances. Too many third sector organisations now exist for their own ends rather than to provide a voice or services for communities facing structural inequality. We need better democratic decision-making mechanisms which allow equality groups a greater say in how funding is distributed and spent. At the moment we have a cabal of organisations working in the field of sex equality, sexual orientation and transgenderism who all subscribe to a particular ideological position which was not reached after any democratic public discussion and decision making.

Which leads to another issue: the number of grassroots women’s organisations that have been formed over the past 18 months or so and done the work unpaid that funded organisations should have undertaken. The work undertaken by Women and Girls Scotland, Women’s Spaces in Scotland, For Women Scotland, Women’s Place UK, Scottish Women, Murray Blackburn Associates around the GRA consultation, census, schools info around transgender education etc has all been unpaid. In order for us to defend women’s sex-based rights we have had to organise ourselves - on top of our work, caring responsibilities, managing health conditions and disabilities- without support from any funded organisation.

There needs to be a thorough investigation into how we have come to a pass where public money is being used to undermine women and girls’ sex based rights and where our rights to dignity, privacy and safety are routinely ignored by voluntary and public sector bodies. We need greater transparency in deciding who gets what money and clear
lines of accountability. We need distance between a genuinely independent third sector and the government.

There needs to be much clearer criteria established to determine who gets funded. The criteria need to be based on the expressed needs/ambitions of groups who fall under the Equality Act.

The public needs to understand what is being funded, why and what the change the funding will bring about, over what time scale and how that change will be measured. There needs to be mechanisms whereby organisations receiving x amount of public money with x amount of turnover are subject to greater public scrutiny e.g. FOIs/ombudsman

Organisations should be rooted in the communities they represent or provide services to and be accountable to those communities

There needs to robust guidelines, outlining duties under the Equality Act and stating clearly that there are legitimate reasons for providing single sex services/activities. Organisations providing women/girls only services are not bigoted and indeed, are an absolute necessity in the fight against women’s oppression.

We need organisations that understand women’s lived reality. Increasing levels of poverty and inequality have hit women and children harder and in different ways than men. We still experience discrimination in the workplace due to our sex, not our gender. We are paid less because of our sex, not whether we are feminine or not. We’re still being sacked when pregnant or on maternity leave, or not getting employed in case we might get pregnant. The list is endless. Women’s rights are still not seen as human rights, but privileges bestowed on us which can be taken away. The very definition of woman as adult human female is now seen as being bigoted in many quarters. If the definition of woman now includes men as far as policy makers are concerned, we cease to exist. If we can’t see sex, we can’t see sexism. We cannot hand over public money to organisations whose stated intent is to undertake a degree of social engineering in the face of public disagreement never before witnessed.