



# SCOTTISH LESBIANS

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Dear Member of the Scottish Parliament,

We are a small but growing grassroots group of lesbians based in Scotland. We are writing to you ahead of the Stage 3 vote on the Gender Recognition Reform (Scotland) Bill, about our concerns regarding this bill and its likely effects on the lives of lesbians.

The proposed move to gender self-identification has serious implications for everything from lesbian community and social groups to our ability to meet life partners. Lesbians are exclusively same-sex attracted women, and our sexuality provides a unique focal point for our concerns about self-ID. As we will illustrate in this letter, the GRR bill as it stands is likely to have far-reaching consequences for us, including the loss of lesbian spaces and groups, increased risk from men who claim to be lesbians and a risk of litigation from men who wish to be included in our spaces.

As lesbians we already face a number of challenges in our lives, which can include coping with societal homophobia, cultural, religious and familial pressures, unwanted sexual attention from men, and a culture which all too often portrays our lives in pornographic terms. For many of us, the ability to meet exclusively with other lesbians is central to our wellbeing.

We have followed with keen interest the debates about the GRR bill, and have noted the oft-repeated argument that the bill will involve an administrative change only, as both trans-identifying people and predators already manage to access spaces intended for the opposite sex. We find it astounding that members of the Scottish Government are advocating for change on such a fatalistic basis, which appears to be that the situation is already poor and therefore there is no credible barrier to making it worse. However, in this letter we will engage with this argument, illustrating the current concerning situation for lesbians and the changes that we foresee happening should the GRR bill pass.

The culture for lesbians has changed drastically over recent years. There are now very few lesbian spaces and groups, and we are not aware of any lesbian-only organisations, charities or commercial social venues in Scotland. Social and networking groups which do exist tend to be unfunded, underground and reliant on the voluntary efforts of individual women. Within Scottish Lesbians we put a lot of time and effort into risk assessing and protecting our group membership, something that we know our sister feminist organisations also need to do in order to keep their activities safe for women.

Lesbians face multiple challenges in the current climate. We are banned from ostensibly lesbian groups and events, for defining ourselves as exclusively same-sex attracted. We are accused of 'dog-whistling' and 'transphobia'. We are ostracised when we explain to friends that we will not date men. When we attempt to use lesbian dating sites and apps, we are presented with heterosexual male 'matches'; men now seem to feel particularly entitled to self-describe as lesbians in order to put pressure on young lesbians to date them. We are compared to 'sexual racists' by organisations which previously existed to combat homophobia, most notably Stonewall. We have to organise our meetings privately within networks of trusted women, despite there being a clear need to reach out more widely to other lesbians. Young lesbians experience peer pressure to 'transition' rather than be



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lesbian, and are over-represented within gender services. This last point is particularly pertinent given the proposed move to allow 16 year olds to self-identify.

Twenty years ago, these things would have been understood as obvious examples of homophobia or, more specifically, lesbophobia. As 'gender' has come to replace 'sex' in more and more settings and gender ideology has replaced our understanding of sex-based differences, there has been a marked deterioration in conditions for same-sex attracted people. There has been a push to provide 'inclusion' at all costs, overlooking the fact that our sexuality is exclusive and we have a clear need for spaces which reflect this.

The situation for lesbians has reached such a critical point that LGB Alliance Cymru, Filia, and the barrister Naomi Cunningham recently produced a [guide](#) to the legalities of having lesbian-only spaces. We are extremely grateful for the time and thought that has been put into this guide, although we could never have anticipated the need to arm ourselves with legal knowledge, or to mentally prepare for legal challenges from men who feel entitled to be in our lesbian-only groups.

It is crucial to highlight that the above guidance regarding lesbian spaces hinges on an understanding of the exceptions provided for single-sex spaces in the Equality Act 2010. The Scottish Government has, of course, recently taken part in legal proceedings in which it took the position that a Gender Recognition Certificate changes 'legal sex' for all purposes. The outcome of this judicial review is not yet known, but should the Scottish Government prevail, then single sex spaces may not after all be protected. This will leave lesbians unable to meet or organise female-only events.

Further, during debates about the GRR bill, we have heard Labour MSP Pam Duncan-Glancy make the argument that a GRC changes sex for all purposes under the Equality Act. It is our belief that what legal protection we have as lesbians is under imminent threat, both from the above judicial review and from the GRR bill.

There are already international examples of the impact on lesbians of similar legal decisions. In Tasmania, a lesbian has just received a [tribunal ruling](#) which states that lesbian-only groups cannot legally be held, in accordance with their equalities law which protects gender identity rather than sex. We are sure that when the Equality Act 2010 was passed in the UK, the intention was not to use it to diminish the rights of minority groups, yet we are now facing exactly this risk.

We would like to highlight that during the development of the GRR bill, there has been a failure by the Equalities, Human Rights and Civil Justice Committee to engage with groups or individuals representing lesbians; when a lesbian applied to join the Scottish Government's cross-party LGBTQI+ group to take part in the discussions, she was [excluded](#). LGBTQ+ organisations, which were widely consulted, do not represent the interests of lesbians (or indeed, gay men or bisexual men and women); these groups overwhelmingly advocate for changes which lead to the erasure of our rights and spaces. LGBTQ+ organisations frame our need for single-sex spaces and groups as problematic, and are therefore not in a credible position to represent us.



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In addition we have noted some of these LGBTQ+ groups asserting, incorrectly, that gender recognition reform has been introduced in other countries without problem.

MurrayBlackburnMcKenzie have produced an excellent [briefing paper](#) on the international context which highlights the lack of evidence of the impact of self ID on women and girls- and the lack of will to look for this evidence. The impact is not limited to abusive behaviour; we are aware of women who are already self-excluding from facilities which should be female only because they are afraid of encountering males. It is impossible for women to raise these concerns without being accused of 'transphobia'.

In summary, should the GRR bill be passed in its current form, we anticipate the following changes for lesbians in Scotland:

- loss of single-sex and lesbian-only spaces
- increased risk from men claiming to be lesbians
- increased reluctance from services to challenge individuals who enter single-sex spaces
- our activities becoming, by necessity, completely covert to avoid litigation by men
- the diminishing of lesbian lives and culture

Throughout the GRR debates we have heard references to 'unintended consequences' of potentially passing the bill and allowing self-identification of sex. At this stage, we are aware that you have received a great deal of information from various concerned groups. Indeed, we believe that we are nearing the stage at which 'unintended consequences' might more accurately be described as 'disregarded consequences'. The tone of the debate from some within the Government has been dismissive and, at times, confrontational, with MSPs framing the concerns of women and lesbians as 'dog whistles', 'mistruths', 'scaremongering' and 'disinformation'.

We offer this letter as our contribution towards ensuring that every potential consequence of this bill has been highlighted to you, and we do so in the hope that our concerns will be heard and taken into account. We hope that many of our MSPs will find the courage to reject the GRR bill at stage 3 or, at a minimum, that the bill should be paused until its impacts on the Equality Act 2010 are fully understood and settled in law.

Yours,

Scottish Lesbians.