

UCU Women Members' Standing Committee statement on the Supreme Court ruling on the definition of 'woman'

UCU's Women Members' Standing Committee, an advisory committee to UCU's NEC, unequivocally rejects the ruling of the Supreme Court in a case brought by For Women Scotland, which asked 'Is a person with a full gender recognition certificate ("GRC") which recognises that their gender is female, a "woman" for the purposes of the Equality Act 2010 ("EA 2010")?'. The [judgment](#) in this case was announced on 16 April 2025. As adherents of the principle 'nothing about us, without us', we are grateful to UCU's LGBT+ Committee member Gina Gwenffrewi for her expert feedback on this statement.

Legal researcher and activist Jess O'Thompson has produced a very clear breakdown of the lengthy ruling [here](#), which we would encourage you to read.

This judgment is disrespectful and offensive, and is potentially problematic for all women. We set out our main objections below:

- We unequivocally reject the ruling's reduction of 'womanhood' to 'biology'. As Olympic testing and related media furores have indicated, the category of biological sex is potentially exclusionary for some women, including those assigned female at birth. This includes chromosomes, hormone levels, and secondary sexual characteristics. In addition, the 'biological' policing of women's bodies can lead to the harassment of gender nonconforming women and Black women, as was demonstrated again at the [recent Olympic games](#). Women are not physically inferior versions of men, and our function is not one of broodmares. We repudiate the equation of women with reproductive function as profoundly misogynistic.
- Contrary to the tone of the ruling, and the subsequent interpretations of it by the [chair of the EHRC](#) and [UK government ministers](#), we do not recognise a conflict between the rights of cisgender women and transgender people. Indeed, the only structure which benefits from such a conflict is the patriarchy. At one point, the judgment explicitly refers to a trans woman as 'a man who identifies as a woman'. This is not a neutral judgment in any way: it is deeply transphobic from the outset.
- The focus on access to 'female-only spaces' not only assumes that transgender women have ulterior motives in accessing toilets, refuges and changing rooms, but also that any woman who does not conform to typical gender norms may be harassed and even prevented from using these spaces. The ruling gives power to the policing of gender, which is misogynistic. It will lead to trans and gender nonconforming women being fearful to take part in public life, or self-policing their presentation to appear more 'acceptable'.
- The ruling's contradictory points on transgender men's access to gendered spaces is profoundly alarming; giving the potential for trans men to be both excluded from women's facilities as they 'appear male' but excluded from men's for being transgender. This is nothing short of an attempt at erasure from public life.

- Excluding trans women from refuges poses a severe threat to their physical safety. Refuges have always had a case-by-case policy on trans inclusion and there is no need for this to change.
- The ruling's definition of 'lesbian' as based solely on sexual attraction and 'biological sex' is homophobic, transphobic and aphobic, and we completely reject any policing of LGBTQIA+ identities.
- The policing of access to any toilet facility is ableist, dehumanising and degrading.

While this ruling is at present 'advisory', we have no doubt about it causing an immediate emboldening of transphobia, misogyny, racism and ableism in public spaces, and are alarmed that no trans people, who are most affected by the consequences of this ruling, were allowed to provide evidence. Indeed, we have already seen British Transport Police complying in advance, stating that [transgender women in their custody will be strip searched by male officers](#).

We therefore call on businesses and institutions with toilets and changing facilities to loudly and boldly indicate that their space is one of trans inclusion, and that these spaces are not policed. Wherever possible, spaces should have accessible toilets/changing cubicles, and all toilets/cubicles should be gender neutral and fully enclosed. Where this is not feasible, we call for a trans-inclusive approach to be maintained towards such gendered spaces.

This ruling is not in our name, and we stand in solidarity with our trans, gender nonconforming and nonbinary siblings. Their identities, lives and wellbeing are not up for debate.