# U.K. Supreme Court to rule on the definition of a woman in landmark case



On Wednesday, the U.K. Supreme Court is set to deliver a significant ruling regarding the definition of a woman, stemming from a legal challenge that pits the women's rights group For Women Scotland (FWS) against the Scottish government. This case could have far-reaching implications for sex-based rights and the provision of single-sex services across the United Kingdom.

The origin of the case dates back to a 2018 law enacted by the Scottish Parliament, which mandated that public bodies achieve a minimum of 50% female representation on their boards. Crucially, this law included transgender women in its definition of women. FWS contends that this amended definition exceeds parliamentary powers and dilutes the meaning of "woman" to a point where it may allow for a board to meet female representation targets while being composed of 50% men and 50% men who hold gender recognition certificates.

“The ordinary meaning of sex should not be altered," insisted Trina Budge, the director of FWS. She expressed concern that failing to tether the definition of "woman" to its traditional understanding could lead to misrepresentation on public boards.

A Scottish court ruled against FWS in 2022, prompting the group to seek recourse at the Supreme Court, where they have argued that the legal definition of sex should denote biological sex as understood in common parlance. Aidan O’Neill, representing FWS, highlighted this stance during the court proceedings, stating, “Our position is your sex, whether you are a man or a woman or a girl or a boy is determined from conception in utero, even before one’s birth, by one’s body. It is an expression of one’s bodily reality. It is an immutable biological state.”

This case has attracted significant attention and support from notable public figures, including author J.K. Rowling, who has reportedly made substantial financial contributions to support FWS’s efforts. Rowling has been an outspoken critic of policies that she believes undermine the rights of biologically born women in favour of trans woman rights.

Conversely, the legal challenge has garnered opposition from various rights organisations, including Amnesty International, which has voiced its concerns regarding the potential fallout for transgender rights. Amnesty submitted a brief to the court arguing that restricting access to single-sex services for trans women represents an infringement of their human rights, stating, “A blanket policy of barring trans women from single-sex services is not a proportionate means to achieve a legitimate aim.”

The decision from the Supreme Court will be closely watched, not only for its immediate impact on Scottish law but also for its implications across the U.K., particularly in relation to rights and equality measures affecting the transgender community. The court's ruling on the matter, involving five judges, is expected to resonate well beyond the borders of Scotland and influence ongoing debates concerning gender identity and sex-based rights.

Source: [Noah Wire Services](https://www.noahwire.com)

## References

* <https://www.independent.co.uk/news/uk/home-news/definition-woman-trans-supreme-court-b2734090.html> - This article supports the claim about the UK Supreme Court's forthcoming ruling on the definition of a woman, stemming from a legal challenge by For Women Scotland against the Scottish government. It highlights the implications for sex-based rights and single-sex services.
* <https://en.wikipedia.org/wiki/Gender_recognition_certificate> - This Wikipedia article explains what a Gender Recognition Certificate (GRC) is, which is relevant to the case involving transgender women being included in the definition of women for public board representation targets.
* <https://news.scotland.gov.uk/news/landmark-legislation-on-board-diversity-comes-into-force> - This article from the Scottish Government discusses the legislation aimed at achieving better representation on public boards, including the requirement for at least 50% female representation, which is central to the case involving For Women Scotland.
* <https://www.amnesty.org.uk/what-we-do/sexual-and-reproductive-rights/trans-rights> - Amnesty International's stance on trans rights supports the claim that the organization has voiced concerns about the potential fallout for transgender rights if trans women are barred from single-sex services. They argue this could infringe human rights.
* <https://www.bbc.com/news/uk-scotland-65959923> - This BBC article provides context on the ongoing legal challenges and debates regarding gender identity and sex-based rights in the UK, which are influenced by cases like the one involving For Women Scotland.