



WE Party Conference
15 – 18 October 2020

Form for Policy Motions and Emergency Motions

Thank you for submitting your policy motion to the Women's Equality Party's third Party Conference. Please use this form and ensure you include all the information requested. Submissions that don't adhere to these rules will be rejected automatically. Please see the drafting tips below.

Policy motions and emergency motions for debate may be proposed by a local WE branch (or branches) or by not less than 20 WE members working together. The Party Leader, the Policy Committee and the Steering Committee can also put forward policy motions.

Policy motions need to be sent by email to agenda@womensequality.org.uk with the subject 'Party Conference Motion' at the latest by 12 noon on 14 August 2020.

Emergency Motions on issues or circumstances that have arisen since 14 August 2020 should be sent in at the latest by 12 noon on 24 September 2020. There will be a chance to submit emergency motions at Conference itself, but such motions will only be accepted if they concern matters that have arisen between 15 August 2020 and the end of Conference.

Title: Upholding the Equality Act 2010	
Proposed by:	<i>(29 names redacted)</i>
Type of motion: Policy	

**Motion text:**

[A maximum of 300 words explaining what the policy or emergency motion is calling for. The wording should be precise and the desired outcome should be stated in the motion, with any suggested action to achieve it. Any cited material should be brought by the Proposer to Conference, if the motion is accepted for debate. If the Motion is approved by Party Conference, this text will be published as WE's official stand on the issue.

PLEASE NOTE: For any motion to be considered for voting at Conference, the entire motion must be presented to Conference in the precise form it was accepted. If Conference does not accept the motion, it may either refer it back for further editing and possible presentation to the next Conference, or reject it.]

WEP affirms the vital importance of the provisions in the Equality Act 2010 ('the EA')¹ that sex is a protected characteristic in discrimination law and that women and girls have certain rights to single-sex services, in order to protect their safety and dignity.

WEP affirms that upholding sex as a protected characteristic in discrimination law and in safeguarding the safety and dignity of women and girls underpins each of WEP's seven core policy objectives². Our women's movement campaigned for generations to secure these rights.

WEP recognises that some public bodies and other providers of services have failed to apply these provisions of the EA correctly, causing women and girls to lose access to their rights³.

WEP calls on the Government urgently to issue a statement of the law on the correct application of the EA, to all government departments, public bodies and relevant private bodies.

The Government's statement of the law must make clear, with worked examples and guidance:-
-(a) when and how the EA allows separate services for men and women, or provision of services to only men or only women;
-(b) how public bodies and private bodies that perform public functions must account for the protected characteristic of sex in applying the Public Sector Equality Duty, and
-(c) how private bodies should take account of which of those EA duties apply to them.

Further, WEP calls on the Government to provide urgent education to the general public on sex as a protected characteristic in discrimination law and our rights to single-sex services, so that we can all understand our rights and hold service providers to account.

Motion rationale:

[A maximum of 500 words explaining the rationale behind the policy or emergency motion, the issue it is addressing, the solutions it proposes and links to WE's existing policies. Please include references for any statistics, research or quotes you refer to. For help with drafting, please see the drafting tips in the Motions Guidelines and the Sample Motions documents.]

¹ The Equality Act 2010 - <https://www.legislation.gov.uk/ukpga/2010/15/contents>

² WEP website, at 14.8.20 <https://www.womensequality.org.uk/objectives>

³ House of Commons Women and Equalities Committee report, 30.7.19 - <https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/1470/1470.pdf>



It is well-documented that public and private bodies often misunderstand and misapply the law in relation to sex discrimination⁴ and, in particular, where the Equality Act 2010 ('the EA') allows for provision of single-sex services⁵. This has led some bodies to apply the law incorrectly, including Councils⁶ and private service providers⁷.

This misapplication of our law lets down the women and girls whom the legislation was designed to protect. WEP must note that some groups have recently called for the removal of these rights and protections⁸. But women's and girls' rights and protections are not dispensable and WEP must fight for them with all our might.

All groups with protected characteristics require full protection of the law. All rights carry equal weight. Therefore, a foundational principle of equality and discrimination law is that the rights of these groups will sometimes come into conflict and that competing rights need to be balanced in a lawful and fair way. This is what the EA provisions described above were intended to achieve, and can achieve if applied correctly. WEP must support the proper balancing of competing rights.

The defining of sex as a protected characteristic in discrimination law and in safeguarding the safety and dignity of women and girls are principles which underpin each of WEP's seven core policy objectives⁹.

Here are some examples:

- WEP's policy of equality in healthcare and medical research requires both (a) that women and girls can ask for intimate health treatment and care from female staff and sleep safely in female-only wards, and (b) that research is sex-specific so that women's different biology and experiences are not ignored;
- WEP's policy of ending violence against women requires that those women fleeing male violence can choose to rest and heal in female-only refuges and be helped by female counsellors so that their trauma is not compounded;
- WEP's policy of equal representation in politics, business, industry and throughout working life requires that it should be permissible to have all-women shortlists;
- WEP's policy for an education system that creates opportunities for all children requires that girls should be able to play and compete in single-sex sports, for fairness and safety.

Motion Guidelines

⁴ Legal briefing by lawyer Audrey Ludwig, 20.07.2020 - <https://womansplaceuk.org/2020/07/20/making-policies-equality-act-compliant/>

⁵ Legal briefing by lawyer Rebecca Bull, 11.2.20 - <https://mbmpolicy.files.wordpress.com/2020/02/impact-of-gender-recognition-on-sex-based-rights.-r-bull-11-feb-2020.pdf>

⁶ WPUK website at 14.8.20 - <https://womansplaceuk.org/grassroots-womens-pressure-forces-local-authorities-to-comply-with-the-law-over-sex-and-gender/>

⁷ Ibid, and House of Commons Women and Equalities Committee report, 30.7.19, chapter 7 -

https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/1470/147010.htm#_idTextAnchor067

⁸ WPUK website, at 14.8.20 - <https://womansplaceuk.org/references-to-removal-of-single-sex-exemptions/>

⁹ WEP website, at 14.8.20 <https://www.womensequality.org.uk/objectives>

[Type text]



Please see the guidelines for submitting motions and amendments and the 2020 sample motion documents that you can refer to when you are writing your motion. You can access these documents at https://www.womensequality.org.uk/conference_2020_motions_timeline.

Drafting tips:

- 1) Please use succinct and precise language.
- 2) Your motion, if passed, will become the official policy of the Women's Equality Party.
- 3) Because of this, you should word the motion as if you are speaking as the Women's Equality Party, not as someone asking the Women's Equality Party to change something.
- 4) If your motion is calling for something to change, and you believe a specific body (e.g. the Government, the Advertising Standards Authority etc.) can achieve that change by e.g. revising a law, you should call upon that body to do or agree to the specific thing you believe is necessary to create the change you want.
- 5) Please refer to the way in which WE's existing policies relate to your motion, giving specific details.
- 6) Please back up your case with examples and, where possible, references to existing research or press on the issue, which the Agenda Committee and Policy Committee may read.

*Glossary

A **Motion** is a proposal for discussion and possible adoption as a resolution.

A **Policy Motion** is a proposal to reaffirm the policy of the Party or adopt a new policy.

A **Business Motion** is a proposal about the internal work of the Party.

An **Emergency Motion** is a proposal put forward after the deadline for standard motions is past to address an issue that has come up in the meantime¹⁰.

A **Special Debate** is a proposal for an in-depth debate for clarification about a subject you believe the Party should consider. It will not be voted on, nor become Party policy.

¹⁰ Updated 08/06/2020
[Type text]