

## Letter to UN Independent Expert on Sexual Orientation and Gender Identity

I've left up the full letter for reference below, but if possible, please use the special procedures complaints form to submit your correspondence to the UN Expert. (Big apologies for the faff!). You *can* send by email (see full letter below for details), but the online form is recommended.

I've also included below information I have sent via Special Procedures as an Update, following publication of the draft Code of Practice by the EHRC.

You can find the Special Procedures complaint form here:

<https://spsubmission.ohchr.org/>

Use the following details:

**The submission is about:** bill, legislation or policy

**It's in the area of:** sexual orientation and gender identity

**Fill in your personal details.**

**Country:** UK (no additional countries)

Here is what I put in each submission box (which annoyingly has a 4,000 character limit!), which you can use as a template. The full letter with all info is also still below.

Feel free to amend your submission info as you see fit; in fact, it's probably best if you personalise it as much as you can, so he doesn't see multiple submissions as just cut-and-paste spamming! NOTE: don't include weblinks, as these will get the text rejected.

**Dates:**

16th April 2025

25th April 2025

**Please provide a detailed description of the context; summarize the concerned bill, legislation or policy, including their stage of development, or describe the concerned practice:**

In 2023, your predecessor Victor Madrigal-Borloz was "particularly alarmed" to learn that the UK's Equality and Human Rights Commission was recommending that "sex" in our UK Equality Act should be defined as "biological sex" only - a position he found "wholly unbecoming" of a human rights organisation.

Following a UK Supreme Court ruling on 16th April 2025, this is now the position we are in.

The UK Supreme Court ruled that the definition on “sex” in the UK Equality Act 2010 refers only to “biological” sex (“sex at birth”), and that a Gender Recognition Certificate (GRC), obtained under our Gender Recognition Act 2004 and changing a person’s legal sex “for all purposes”, is disapplied for this central piece of equalities legislation.

This Supreme Court case was ostensibly about the inclusion of trans women with a GRC (Gender Recognition Certificate) in legislation regarding the representation of women on public boards, but became a focus for many other aspects of equality law and transgender rights, from sports to single-sex services, associations to the definition of sexual orientation.

Ultimately, the ruling overturned how “sex” in the Equality Act has been understood and applied for the last 15 years. Those involved directly in drafting the Equality Act 2010 at the time state that the Supreme Court ruling is at odds with “the basis on which the legislation was drafted and considered by Parliament.”

Following the Supreme Court ruling, on 25th April, the UK’s Equality and Human Rights Commission (EHRC) released an interim update on how the ruling should be implemented in practice. This interim update states:

“In workplaces and services that are open to the public:

- trans women (biological men) should not be permitted to use the women’s facilities and trans men (biological women) should not be permitted to use the men’s facilities, as this will mean that they are no longer single-sex facilities and must be open to all users of the opposite sex
- in some circumstances the law also allows trans women (biological men) not to be permitted to use the men’s facilities, and trans men (biological woman) not to be permitted to use the women’s facilities.”

Following an extremely brief (2-week) public consultation and conditional on the agreement of the Government, the EHRC is due to formalise this interim update into Statutory Codes of Practice within the next two months. However, the interim update is already being taken up by service providers, employers, organisations and businesses up and down the country, despite the fact that there has been no formal consultation - of trans people or anyone else - on these policies.

The trans community feel not only deeply shocked by the Supreme Court ruling, but also deeply frightened and hurt by the position the EHRC has taken - one which our current Labour Government also seems keen to embrace.

The impact of these proposals - which are soon due to be encoded in Statutory guidance - range from anxiety and confusion for service providers, employers and the general public, to

increased risk of humiliation, harassment and abuse for trans and cisgender people alike, to a complete withdrawal of trans people from public and professional life.

**Please describe on whom or which group the bill, legislation, policy or practice has/would have an impact, what rights would allegedly be affected and how:**

This ruling and the policy the EHRC are pushing, would affect those with the protected characteristic of gender reassignment (trans people), as well as cisgender men and women, and lesbian, gay and bisexual individuals, all of whom are protected from discrimination under the UK Equality Act 2010.

The Supreme Court's ruling that the meaning of "sex" is no more than "biology" fundamentally undermines the identities of trans people as a protected class. By definition, a trans person's gender does not align with their birth sex. Therefore, to relegate trans people to the sex of their birth under the law annihilates the most core aspect of a trans person's identity.

It undermines the fundamental intentions of the UK Equality Act, and means the impact of a Gender Recognition Certificate, which allows a trans person's legal sex to be changed "for all purposes" is completely disappplied in this fundamental piece of equalities legislation.

The EHRC's interim update also states:

"Membership of an association of 25 or more people can be limited to men only or women only and can be limited to people who each have two protected characteristics. It can be, for example, for gay men only or lesbian women only. A women-only or lesbian-only association should not admit trans women (biological men), and a men-only or gay men-only association should not admit trans men (biological women)."

The overall policy being pushed by the EHRC is a potential breach of trans people's anti-discrimination protections, their right to privacy, and also freedom of association for women, men, lesbian, gay and bi-sexual people.

Under the EHR's proposals, trans women are to use a men's facility, and trans men should use the women's. But trans men can also be barred from the women's, whilst trans women can also be barred from the men's. The EHRC reference "third spaces", but these remain relatively rare and inconsistent in their accessibility. It would also be potentially dangerous to trans people to use these, as well as a breach of their privacy, as they will increasingly be seen as the designated 'trans' space, and risk trans people having to "out" themselves.

This means trans people are likely to be severely hampered in their public and professional lives due to difficulties accessing suitable facilities for something as basic as toileting or changing, in a way that will not be the case for cisgender people.

These sex-based proposals run the risk of any service user who does not present in stereotypical masculine or feminine ways being targeted and harassed for using "the wrong

facility". Any effort to police this would require inspection of either birth certificates, genitals, proof of chromosomes, or some other indicator of birth sex – an intolerably intrusive and demeaning prospect for all concerned.

These proposals are likely to apply to NHS single-sex hospital wards. Anxiety about being segregated into a side room or being allocated to a ward that does not match their presenting gender (once again, potentially outing them as trans) means trans people may avoid seeking the healthcare they need.

For contrast, this is what our current (2011) Statutory Code of Practice for Services, Public Functions and Associations (p.197-198) says

"If a service provider provides single- or separate sex services for women and men, or provides services differently to women and men, they should treat transsexual people according to the gender role in which they present. However, the Act does permit the service provider to provide a different service or exclude a person from the service who is proposing to undergo, is undergoing or who has undergone gender reassignment. This will only be lawful where the exclusion is a proportionate means of achieving a legitimate aim. [...] The intention is to ensure that the transsexual person is treated in a way that best meets their needs."

#### **Documents uploaded:**

Download a copy of the SC ruling here, which you can then upload:

[https://supremecourt.uk/uploads/uksc\\_2024\\_0042\\_judgment\\_aea6c48cee.pdf](https://supremecourt.uk/uploads/uksc_2024_0042_judgment_aea6c48cee.pdf)

Plus details of the EHRC's interim update here, which you can download and save as a PDF:

<https://www.equalityhumanrights.com/media-centre/interim-update-practical-implications-uk-supreme-court-judgment>

Plus a copy of the current Statutory Code of Practice, which you can download and save as PDF here: [https://www.equalityhumanrights.com/sites/default/files/servicescode\\_0.pdf](https://www.equalityhumanrights.com/sites/default/files/servicescode_0.pdf)

#### **Additional information:**

The Supreme Court case was brought by anti-trans gender-critical campaign group For Women Scotland, with interventions by a further four anti-trans gender critical groups. It was partially funded by a donation of £70,000 by billionaire author JK Rowling, who has waged a relentless campaign against trans people and their rights since 2020.

No trans rights organisations (or individuals) were involved in the Supreme Court hearings.

A large part of the judgement relied heavily on evidence submitted by anti-trans gender critical campaign group Sex Matters. Sex Matter's ideological position is best summed up by their recent endorsement of President Trump's anti-trans policies in the US:

“Sex Matters welcomes President Trump’s executive order reaffirming the legal status of the two sexes, male and female, across America’s federal government. This is a bold and necessary step in the fight back against trans-activism, an ideology which prioritises identity claims over material reality and seeks to prevent the use of ordinary language to express ordinary facts. Fully defeating gender ideology will take time and hard work. But this executive order is a game changer in the fight to protect women’s rights and defend children from the harms of gender medicine, both in America and elsewhere.”

Sex Matters’ Director of Advocacy, Helen Joyce, has previously said the following about transgender people:

“... while we’re trying to get through to the decision makers, we have to try to limit the harm, and that means reducing or keeping down the number of people who transition, and that’s for two reasons. One of them is that every one of those people is a person who’s been damaged. But the second one is every one of those people is, basically, you know, a huge problem to a sane world; like, if you’ve got people that — whether they’re transitioned; whether they’re happily transitioned; whether they’re unhappily transitioned; whether they’re de-transitioned — if you’ve got people who’ve dissociated from their sex in some way, every one of those people is someone who needs special accommodation in a sane world where we re-acknowledge the, the truth of sex. And, I mean, the people who’ve been damaged by it, the children who’ve been put through this, those people deserve every accommodation we can possibly make, but every one of them is a difficulty.

[...]

“I know that sounds heartless: I’m trying to say exactly the opposite of sounding heartless. I’m saying everyone of those people for 50, 60, 70 years is going to need things that the rest of us just don’t need because the rest of us are just our sex. So the, the fewer of those people there are, the better in the sane world that I hope we will reach.”

The EHRC is the body responsible for ensuring trans people’s anti-discrimination protections are upheld in the UK. However, the trans community have felt betrayed and attacked by the EHRC for many years.

In 2023, its Chair Baroness Kishwer Falkner was investigated for complaints of bullying, harassment and discrimination. Following an intervention by Kemi Badenoch (the Conservative Minister for Women and Equalities), the investigation was closed by the EHRC without public resolution. By this point, the political bias of the EHRC was so bad that the right-wing press described the EHRC as the “anti-woke allies” of Badenoch’s Conservative Government.

In 2022, twenty LGBTQ+ organisations, including Stonewall, first asked the UN to review the independent status of the EHRC. This appeal was rejected, but concerns about the EHRC’s bias and lack of independence continued. In 2023, these organisations appealed again, yet in 2024 the EHRC was re-issued its “A-status”.

Following an extension of her term by the Labour Minister for Women and Equalities Bridget Phillipson, Falkner remains the Chair of the EHRC under the new Labour Government, with her term due to run until December 2025.

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Do also consider sending a copy of your Special Procedures submission to:

Bridget Phillipson, Minister for Women and Equalities, % Women and Equalities Unit, via this “contact the Cabinet Office” form: <https://www.gov.uk/guidance/contact-the-cabinet-office>

The Women and Equalities Select Committee: [womeqcom@parliament.uk](mailto:womeqcom@parliament.uk)

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**I’ve left my original letter here, if you wish to submit by email instead.**

28th April 2025

To: Graeme Reid, UN Independent Expert on Sexual Orientation and Gender Identity

<https://www.ohchr.org/en/special-procedures/ie-sexual-orientation-and-gender-identity>

**Email address:** [hrc-ie-sogi@un.org](mailto:hrc-ie-sogi@un.org)

**Subject:** Special Procedures Submission

Example email body text:

“Dear Graeme Reid, UN Independent Expert on Sexual Orientation and Gender Identity

Please find attached a letter detailing potential violations of the rights of transgender people in the UK, following a Supreme Court ruling on 16th April 2025, and the UK Government and Equality and Human Rights Commission’s response to this ruling in the following days.

Many thanks for your time in reading this correspondence.

Yours sincerely,

**Dr Philippa East**  
**Clinical Psychologist, Author and Trans Ally”**

Then attach a copy of the letter below as a Word doc (personalize as you wish). NB: When you make a copy of the letter below, check that the footnotes copy across correctly too!

### Also worth copying in:

cc: Bridget Phillipson, Minister for Women and Equalities, % Women and Equalities Unit, via this “contact the Cabinet Office” form: <https://www.gov.uk/guidance/contact-the-cabinet-office>

cc: The Women and Equalities Select Committee: [womeqcom@parliament.uk](mailto:womeqcom@parliament.uk)

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Dear Graeme Reid,

I write to you in your position of UN Independent Expert on Sexual Orientation and Gender Identity to beg for your intervention to protect the human rights of transgender and non-binary people in the UK, in the face of the increasing legal, political and social attacks against them.

In 2023, your predecessor Victor Madrigal-Borloz was “**particularly alarmed**” to learn that the UK’s Equality and Human Rights Commission was recommending that “sex” in our UK Equality Act should be defined as “biological sex” only - a position he found “wholly unbecoming” of a human rights organisation.

Following a UK Supreme Court ruling on 16th April 2025, this is now the position we are in.

This overturning of 15 years of legal precedent has been relentlessly driven by organizations with a virulent anti-trans agenda, against a background of ever-increasing legal, social and political attacks on trans rights and inclusion.

The ruling, and the EHRC’s subsequent response to it, have been devastating for the UK trans and non-binary community, and trans people are now in danger of severe discrimination and of being forced out of public life entirely.

## Context: The Recent UK Supreme Court Ruling

As you may be aware, on 16th April 2025, the UK Supreme Court issued a ruling<sup>1</sup> that the definition on “sex” in the UK Equality Act 2010 refers only to “biological” sex (“sex at birth”), and that a Gender Recognition Certificate (GRC), obtained under our Gender Recognition Act 2004 and changing a person’s legal sex “for all purposes”, is disapplied for this central piece of equalities legislation.

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<sup>1</sup> [https://supremecourt.uk/uploads/uksc\\_2024\\_0042\\_judgment\\_aea6c48cee.pdf](https://supremecourt.uk/uploads/uksc_2024_0042_judgment_aea6c48cee.pdf)

This Supreme Court case was ostensibly about the inclusion of trans women with a GRC (Gender Recognition Certificate) in legislation regarding the representation of women on public boards, but became a focus for many other aspects of equality law and transgender rights, from sports to single-sex services, associations to the definition of sexual orientation.

Ultimately, the ruling overturned how “sex” in the Equality Act has been understood and applied for the last 15 years<sup>2</sup>, as well as the rulings of two lower courts (Scotland’s Outer<sup>3</sup> and Inner<sup>4</sup> Houses). Those involved directly in drafting the Equality Act 2010 at the time state that the Supreme Court ruling is at odds with “the basis on which the legislation was drafted and considered by Parliament.”<sup>5</sup>

## The Role of Anti-Trans Gender-Critical Groups

The legal case was brought by anti-trans gender-critical campaign group For Women Scotland<sup>6</sup>, with interventions by a further four anti-trans gender critical groups. It was partially funded by a donation of £70,000 by billionaire author JK Rowling<sup>7</sup>, who has waged a relentless campaign against trans people and their rights since 2020.

### No trans rights organisations (or individuals) were involved in the Supreme Court hearings.

A large part of the judgement relied heavily on evidence submitted by anti-trans gender critical campaign group Sex Matters<sup>8</sup>. Sex Matter’s ideological position is best summed up by their recent endorsement of President Trump’s anti-trans policies in the US:

“Sex Matters welcomes President Trump’s executive order reaffirming the legal status of the two sexes, male and female, across America’s federal government. This is a bold and necessary step in **the fight back against trans-activism**, an ideology which prioritises identity claims over material reality and seeks to prevent the use of ordinary language to express ordinary facts. **Fully defeating gender ideology will take time and hard work.**

<sup>2</sup>

<https://web.archive.org/web/20250416214936/https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/sex-discrimination>

<sup>3</sup>

<https://www.scotcourts.gov.uk/media/lgu fy1zd/court-of-session-petition-of-for-women-scotland-limited-for-judicial-review-13-december-2022.pdf>

<sup>4</sup>

<https://www.scotcourts.gov.uk/media/l1imtxvx/court-of-session-judgement-reclaiming-motion-by-for-women-scotland-limited-against-the-scottish-ministers-01-november-2023.pdf>

<sup>5</sup>

[https://www.linkedin.com/posts/melanie-field\\_well-its-been-a-long-and-difficult-day-activity-7318386361789501440-hOAU](https://www.linkedin.com/posts/melanie-field_well-its-been-a-long-and-difficult-day-activity-7318386361789501440-hOAU)

<sup>6</sup> <https://forwomen.scot/>

<sup>7</sup> <https://www.msnbc.com/opinion/msnbc-opinion/jk-rowling-uk-trans-women-ruling-rcna201947>

<sup>8</sup> <https://sex-matters.org/>

But this executive order is a game changer in the fight to protect women's rights and defend children from the harms of gender medicine, both in America and elsewhere."<sup>9</sup>  
[emphasis added]

Sex Matters' Director of Advocacy, Helen Joyce<sup>10</sup>, has previously said the following about transgender people<sup>11</sup>:

"... while we're trying to get through to the decision makers, we have to try to limit the harm, and that means **reducing or keeping down the number of people who transition**, and that's for two reasons. One of them is that **every one of those people is a person who's been damaged**. But the second one is **every one of those people is, basically, you know, a huge problem to a sane world**; like, if you've got people that — whether they're transitioned; **whether they're happily transitioned**; whether they're unhappily transitioned; whether they're de-transitioned — if you've got people who've dissociated from their sex in some way, **every one of those people is someone who needs special accommodation in a sane world** where we re-acknowledge the, the truth of sex. And, I mean, the people who've been damaged by it, the children who've been put through this, those people deserve every accommodation we can possibly make, but **every one of them is a difficulty**.

[...]

"I know that sounds heartless: I'm trying to say exactly the opposite of sounding heartless. I'm saying everyone of those people for 50, 60, 70 years is going to need things that the rest of us just don't need because the rest of us are just our sex. **So the, the fewer of those people there are, the better in the sane world that I hope we will reach.**" [emphasis added]

I note that the Supreme Court judgement was welcomed<sup>12</sup> by Reem Alsalem, the UN Special Rapporteur on Violence Against Women and Girls, who has recently firmly aligned herself with gender critical groups<sup>13</sup>.

## The Response of the UK Equality and Human Rights Commission

Following the Supreme Court ruling, on 25th April, the UK's Equality and Human Rights Commission (EHRC)<sup>14</sup> released an interim update on how the ruling should be implemented in

<sup>9</sup>

[https://www.facebook.com/SexMattersOrg/photos/sex-matters-welcomes-us-president-donald-j-trumps-executive-order-reaffirming-th/927181779622067/?\\_rdr](https://www.facebook.com/SexMattersOrg/photos/sex-matters-welcomes-us-president-donald-j-trumps-executive-order-reaffirming-th/927181779622067/?_rdr)

<sup>10</sup> <https://sex-matters.org/about-us/team/helen-joyce/>

<sup>11</sup> [https://www.youtube.com/watch?v=8\\_u1MQFjxvI](https://www.youtube.com/watch?v=8_u1MQFjxvI), timestamp: 04:48:00

<sup>12</sup> <https://x.com/UNSRVAW/status/1912444568932409613>

<sup>13</sup>

<https://www.sexualrightsinitiative.org/news/2023-feb/sris-statement-special-rapporteur-vaw-reem-alsalem-harmful-position-gender-identity>

<sup>14</sup> <https://www.equalityhumanrights.com/about-us/who-we-are>

practice<sup>15</sup>. Notably, their update says nothing about public boards, but focuses exclusively on “single-sex spaces”. This interim update states:

“In workplaces and services that are open to the public:

- trans women (biological men) should not be permitted to use the women’s facilities and trans men (biological women) should not be permitted to use the men’s facilities, as this will mean that they are no longer single-sex facilities and must be open to all users of the opposite sex
- in some circumstances the law also allows trans women (biological men) not to be permitted to use the men’s facilities, and trans men (biological woman) not to be permitted to use the women’s facilities.”

This position, so brutal for trans people and which completely warps the original Equality Act provisions, was first outlined by the Chair of the EHRC (Equality and Human Rights Commission) Baroness Kishwer Falkner in a BBC Radio interview less than twenty-four hours after the 88-page decision was handed down by the Supreme Court<sup>16</sup>.

Despite a former Supreme Court justice subsequently stating that this interpretation was incorrect<sup>17</sup>, the EHRC nonetheless pushed ahead and issued the interim update outlined above.

Following an extremely brief (2-week) public consultation and conditional on the agreement of Government, the EHRC is due to formalise this interim update into Statutory Codes of Practice within the next two months<sup>18</sup>. However, the interim update is already being taken up by service providers, employers, organisations and businesses up and down the country, despite the fact that there has been no formal consultation - of trans people or anyone else - on these policies.

## A Brutal Change

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<sup>15</sup>

<https://www.equalityhumanrights.com/media-centre/interim-update-practical-implications-uk-supreme-court-judgment>

<sup>16</sup> <https://www.youtube.com/watch?v=jaR0tbIGe0E>

<sup>17</sup>

<https://www.independent.co.uk/news/uk/politics/lord-sumption-trans-biological-woman-supreme-court-b2735828.html>

<sup>18</sup>

<https://www.equalityhumanrights.com/media-centre/interim-update-practical-implications-uk-supreme-court-judgment>

For reference, this is what our current Statutory Code of Practice, written alongside the Equality Act 2010, says about how single-sex service providers should accommodate trans people (those with the protected characteristic of gender reassignment)<sup>19</sup>:

“If a service provider provides single- or separate sex services for women and men, or provides services differently to women and men, they should treat transsexual people according to **the gender role in which they present**. However, the Act does permit the service provider to provide a different service or exclude a person from the service who is proposing to undergo, is undergoing or who has undergone gender reassignment. This will **only be lawful where the exclusion is a proportionate means of achieving a legitimate aim**. [...] The intention is to ensure that the transsexual person is treated in a way that best meets their needs.” [emphasis added]

The trans community therefore feel not only deeply shocked by the Supreme Court ruling, but also deeply frightened and hurt by the position the EHRC has taken - one which our current Labour Government also seem all too keen to embrace<sup>20</sup>. This is despite the fact that when North Carolina and Mississippi brought in similar “bathroom bills” in the US in 2016, the UK Foreign Office issued explicit warnings which allowed cancellation compensation to LGBT travelers planning to visit the area.<sup>21</sup>

The impact of these proposals - which are soon due to be encoded in statutory guidance - range from anxiety and confusion for service providers, employers and the general public, to increased risk of humiliation, harassment and abuse for trans and cisgender people alike, to a complete withdrawal of trans people from public and professional life<sup>22</sup>.

## **Dereliction of Duty by the Equality and Human Rights Commission (EHRC)**

**The EHRC is the body responsible for ensuring trans people’s anti-discrimination protections are upheld in the UK<sup>23</sup>.** However, the trans community have felt betrayed and attacked by the EHRC for many years<sup>24</sup>.

Baroness Kishwer Falkner was deliberately appointed as EHRC Chair in 2020 by Liz Truss (Minister for Women and Equalities of the previous Conservative Government). In 2023, Kishwer Falkner was investigated for complaints of bullying, harassment and

<sup>19</sup> [https://www.equalityhumanrights.com/sites/default/files/servicescode\\_0.pdf](https://www.equalityhumanrights.com/sites/default/files/servicescode_0.pdf) p.197-198

<sup>20</sup> <https://www.thepinknews.com/2025/04/22/equalities-minister-bridget-phillipson-trans-women/>

<sup>21</sup> <https://www.voanews.com/amp/uk-issues-travel-advisory-north-caroline-mississippi/3297063.html>

<sup>22</sup> <https://feministgenderequality.network/email-sent-to-over-80-mps-and-ministers/>

<sup>23</sup> <https://www.equalityhumanrights.com/about-us/who-we-are>

<sup>24</sup> <https://translucent.org.uk/category/investigations/ehrc-exposed/>

discrimination. Following an intervention by Kemi Badenoch (the subsequent Conservative Minister for Women and Equalities), the investigation was closed by the EHRC without public resolution<sup>25</sup>. By this point, the political bias of the EHRC was so bad that the right-wing press described the EHRC as the “anti-woke allies” of Badenoch’s Conservative Government<sup>26</sup>.

Badenoch has been set on redefining “sex” in the Equality Act for a number of years<sup>27</sup>, in alignment with the overall ideological agendas of gender-critical campaign groups like Sex Matters<sup>28</sup>. In 2023, your predecessor Victor Madrigal-Borloz visited the UK; in his report, he described how he was “**particularly alarmed**” by a 3 April 2023 letter from the Equalities and Human Rights Commission (EHRC) to the Minister for Equalities [Kemi Badenoch], by which it advised that defining the term “sex” as “biological sex” under the Equality Act would “bring greater legal clarity” to the implementation of the Act” [emphasis added]. He went on to state that he found this action of the EHRC “wholly unbecoming” of a human rights organisation.<sup>29</sup>

In 2022, twenty LGBTQ+ organisations, including Stonewall<sup>30</sup>, first asked the UN to review the independent status of the EHRC. This appeal was rejected, but concerns about the EHRC’s bias and lack of independence continued<sup>31</sup>. In 2023, these organisations appealed again, yet in 2024 the EHRC was re-issued its “A-status”<sup>32</sup>.

Following an extension of her term by the Labour Minister for Women and Equalities Bridget Phillipson, Falkner remains the current Chair of the EHRC under the new Labour Government, with her term due to run until December 2025.

## Trans People Are Exhausted

These most recent (legal) attacks on trans rights come against a backdrop of years of virulent and regressive socio-political attacks against the UK trans community. Over the last few years the trans community has experienced:

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<sup>25</sup>

<https://www.equalityhumanrights.com/media-centre/news/update-equality-and-human-rights-commissions-handling-concerns-regarding-baroness>

<sup>26</sup>

<https://www.telegraph.co.uk/news/2023/05/27/tories-failed-to-give-anti-woke-allies-support-they-deserve/>

<sup>27</sup> <https://www.politico.eu/article/uk-minister-kemi-badenoch-mulling-law-change-define-sex-biological/>

<sup>28</sup> <https://sex-matters.org/campaigns/stand-up-for-single-sex-services/>

<sup>29</sup>

<https://www.ohchr.org/sites/default/files/documents/issues/sexualorientation/statements/eom-statement-U-K-IE-SOGI-2023-05-10.pdf> pp. 4-5

<sup>30</sup> <https://www.stonewall.org.uk/about-us>

<sup>31</sup> <https://translucent.org.uk/category/investigations/ehrc-exposed/>

<sup>32</sup> <https://www.equalityhumanrights.com/human-rights-regulator-retains-status-0>

- Reform of our Gender Recognition Act in Scotland to introduce a self-declaration approach, initially passed by the Scottish Parliament with a huge majority of 86 to 39, but then indefinitely blocked by the UK Government (2023).<sup>33</sup>
- No other change to the medicalised UK process of obtaining a Gender Recognition Certificate (other than moving the process online and reducing the fee)<sup>34</sup>, despite reform and simplification first being pledged by the UK (Conservative!) Government over eight years ago (2017).<sup>35</sup>
- Publication of the Cass Review<sup>36</sup> into children's gender identity services (April 2024), which has been globally criticised and condemned<sup>37</sup>. This review led to a permanent legal ban by Health Secretary Wes Streeting on the prescription of puberty blockers to under-18 trans children (December 2024)<sup>38</sup>, despite Cass not even recommending such a ban<sup>39</sup>.
- Successive Governments' ongoing failure to ban LGBT conversion practices in the UK, despite this first being pledged in 2018.<sup>40</sup>
- Waiting times of up to seven years for child and adult NHS gender identity services<sup>41</sup>.
- Publication of an "independent" review for the Government into data collection practices<sup>42</sup> by **member of Sex Matters** Professor Alice Sullivan<sup>43</sup>. The review (unsurprisingly) recommended the prioritization of birth-sex data over data that captures lived gender (March 2025). This led, just a day later, to Health Secretary Wes Streeting banning under-18s from changing their gender marker on NHS records<sup>44</sup>, with no apparent public consultation or impact assessment. (NB: The evidence of a "serious safeguarding risk" presented by Sullivan comprised one

<sup>33</sup> <https://commonslibrary.parliament.uk/section-35-of-the-scotland-act-and-vetoing-devolved-legislation/>

<sup>34</sup> <https://www.gov.uk/apply-gender-recognition-certificate>

<sup>35</sup>

<https://www.theguardian.com/society/2017/oct/18/theresa-may-plans-to-let-people-change-gender-without-medical-checks>

<sup>36</sup>

<https://webarchive.nationalarchives.gov.uk/ukgwa/20250310143933/https://cass.independent-review.uk/home/publications/final-report/>

<sup>37</sup>

<https://ruthpearce.net/2024/04/16/whats-wrong-with-the-cass-review-a-round-up-of-commentary-and-evidence/>

<sup>38</sup> <https://www.gov.uk/government/news/ban-on-puberty-blockers-to-be-made-indefinite-on-experts-advice>

<sup>39</sup>

<https://webarchive.nationalarchives.gov.uk/ukgwa/20250310143842/https://cass.independent-review.uk/home/publications/final-report/faqs/>

<sup>40</sup> <https://commonslibrary.parliament.uk/research-briefings/cbp-9972/>

<sup>41</sup> <https://transactual.org.uk/medical-transition/gender-dysphoria-clinics/>

<sup>42</sup>

<https://www.gov.uk/government/publications/independent-review-of-data-statistics-and-research-on-sex-and-gender>

<sup>43</sup> <https://sex-matters.org/about-us/advisory-group/alice-sullivan/>

<sup>44</sup> <https://pcse.england.nhs.uk/help/patient-registrations/gender-reassignment>

hearsay anecdote, in which no child protection issues were identified<sup>45</sup>, but which for some reason made Sullivan feel “physically sick”<sup>46</sup>.)

- A relentless barrage of anti-trans coverage on mainstream UK media, with around a hundred articles about trans people published every month (counting just the UK’s four main papers), with the majority pushing negative narratives about trans people.<sup>47</sup>
- The brutal murder of trans teenager Brianna Ghey (2023).<sup>48</sup>

## Trans People are Strong, But They Need Your Help

In response to this latest persecution by the EHRC and Government, the trans community have turned out in their tens of thousands at protests all over the country<sup>49</sup>.

Thousands of members of the community have written to hundreds of MPs expressing their terror and dismay at the EHRC’s brutal statements, as well as detailing how unworkable, damaging and dangerous these policies will be for trans and cis people alike<sup>50</sup>.

The Good Law Project is seeking redress in the UK High Court on the grounds that the UK is now in breach of its obligations under the Human Rights Act and the European Convention of Human Rights.<sup>51</sup>

### And I am writing to you now.

The UK trans and non-binary community - and the broader LGBTQ+ community - desperately need you to intervene to hold our human rights watchdog and Government to account.

Trans and non-binary people simply want to live and enjoy their lives, but the judiciary, Government, media and our own human rights commission are making this more impossible every day.

Please reach out to our frightened but brave community, to begin to discuss the ways in which you can help us.

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<sup>45</sup>

<https://assets.publishing.service.gov.uk/media/67d98b8a4ba412c67701ed92/review-of-data-statistics-research-on-sex-and-gender.pdf> pp. 92-93

<sup>46</sup> <https://archive.is/tBIOj>

<sup>47</sup> <https://hleeHurley.substack.com/p/the-trans-agenda-70-journalists-attack>

<sup>48</sup> [https://en.wikipedia.org/wiki/Murder\\_of\\_Brianna\\_Ghey](https://en.wikipedia.org/wiki/Murder_of_Brianna_Ghey)

<sup>49</sup> <https://whatthetrans.com/compilation-of-protests-against-the-supreme-court/>

<sup>50</sup> <https://feministgenderequality.network/email-sent-to-over-80-mps-and-ministers/>

<sup>51</sup> <https://goodlawproject.org/crowdfunder/supreme-court-human-rights-for-trans-people/>

You can contact me on this email address, and I can then link you in with the network of trans organisations and representatives in the UK who are so keen to engage with you.

With many thanks for your time and intervention.

**Dr Philippa East**  
**Clinical Psychologist, Author and Trans Ally**

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### **Submission update sent to UN SOGI following UN Experts' press statement**

*Please provide a detailed description of the context; summarize the concerned bill, legislation or policy, including their stage of development, or describe the concerned practice:*

Issue: UK Supreme Court ruling on the definition of "sex" in the Equality Act 2010, and subsequent guidance produced by the UK Equality and Human Rights Commission (EHRC).

Thank you for the statement released by 18 UN Experts raising concerns about this Supreme Court ruling:

<https://www.ohchr.org/en/press-releases/2025/05/un-experts-warn-legal-uncertainty-and-rights-implications-following-uk>

Our EHRC has now written an updated statutory Code of Practice to the Equality Act to reflect this ruling.

<https://www.equalityhumanrights.com/equality/equality-act-2010/codes-practice/services-public-functions-and-associations-code-0>

It is currently out for a six-week public consultation ending 30th June, before being submitted to the UK Parliament.

*Please describe on whom or which group the bill, legislation, policy or practice has/would have an impact, what rights would allegedly be affected and how:*

Trans and non-binary people  
 Gay, lesbian and bisexual people  
 Cisgender people

## Disabled people

The EHRC's updated Code of Practice seeks to implement exactly the exclusionary and segregationist policies that the Experts' press statement expressed concern about:

"(trans) men in women's spaces, (trans) women in men's spaces, and no safe access for trans people at all."

The updated Code of Practice is currently out for public consultation, but the trans and non-binary community have no faith that their responses will be taken into consideration.

Additionally, our Labour Government appears happy to simply agree to whatever Code of Practice the EHRC write, despite evidence of severe transphobia in the EHRC for years, as outlined in previous submissions to you on this issue.