

**FURTHER STATEMENT ON EHRC NON-STATUTORY GUIDANCE
ON SINGLE AND SEPARATE SEX SPACES:
BLANKET BANS OF TRANS WOMEN**

APRIL 5, 2022

In July last year, we wrote to the EHRC as we were worried it was adopting legal positions that would allow blanket bans excluding trans women from single/separate sex services. Melanie Field, the Joint Acting Chief Executive, gave us a written assurance that the law did not allow trans women to be excluded from single/separate sex services on a blanket basis.

We are disgusted that the EHRC has gone back on its written assurance and has produced guidance that claims that in some circumstances blanket bans against trans women are lawful. The guidance gives examples of blanket bans against trans women from attending group counselling for victims of sexual assault, domestic abuse refugees, women only fitness classes and using the women's toilet in a community centre.

The EHRC is apparently now claiming that its latest guidance does **not** include example of blanket bans. But it is obvious to everyone, not just lawyers, that guidance suggesting the exclusion of all trans women without exception from women's toilets is lawful, is just that. Given trans women will be at different stages of their transition, any blanket ban against all trans women must be driven purely by bigotry.

It is unbelievable that a body that is under a statutory duty to encourage a society where trans people are not restricted in their potential by prejudice or discrimination has published guidance that claims that blanket discrimination against them is legal.