Response from Helen Hayes, Member of Parliament for Dulwich and West Norwood to Motion 3.10 (Equality and Human Rights Commission's Code of Practice) agreed at the London Assembly (Plenary) meeting held on 2 July 2026.

Response:

"Dear Mr Boff,

Thank you for your letter, received 09 July 2026. Please accept my profuse apologies for the delay in responding.

I have noted the content of Motion 3.10 passed by the London Assembly. I strongly believe trans people deserve safety, dignity and respect. Everyone should be able to live their lives free from intimidation or abuse. I remain committed to building a fairer, more inclusive society and to standing up for our marginalised communities.

As you know, in its April 2025 ruling, the Supreme Court stressed that its role was to interpret the legal meaning of sex under the Equality Act 2010, not to determine arguments in the public domain on issues of sex and gender. It concluded, within the context of this Act, that sex refers to biological sex.

I know the judgment has caused concern. Ministers have emphasised that while single-sex spaces must be safeguarded, trans people must also be protected. Importantly, this judgment does not alter the fact that trans people remain a protected group under the Equality Act 2010 and should be able to live their lives free from harassment and discrimination.

The Equality and Human Rights Commission consulted on its draft Code of Practice for services, public functions and associations from May to June 2025. The purpose of the code is to help relevant organisations ensure they can comply with the Equality Act, including access to single-sex spaces.

As MPs, it is part of our role to make sure a diverse range of voices are heard, including those of the trans community. Ministers made it clear to the Equality and Human Rights Commission that the consultation had to be meaningful and properly engage with affected groups. I understand more than 50,000 people responded to the consultation, and that the Commission met with people representing affected protected characteristic groups, as well as parliamentarians.

I appreciate the concerns of trans people that the guidance may put them at increased risk of physical and verbal assault, further marginalise them within society, and leaves many questions about its implementation unanswered. I am particularly concerned that trans men may be at risk of a double discrimination, required to use women's spaces but at risk of exclusion and abuse based on their appearance.

Ahead of the Code of Practice being laid before Parliament, I wrote to the Minister for

Equalities to raise the concerns of my constituent and to seek urgent clarity on these issues. The Code of Practice was tabled in Parliament on 21 May 2026. I understand that some changes were made to the draft Code of Practice but I do not believe these were sufficient to address the serious concerns of trans people. I subsequently again urged Ministers to reject the code.

The Code of Practice has now come into effect. However, I am continuing to raise my constituents concerns about the level of distress that is being caused to some trans people as a consequence of the current position following the Supreme Court judgement.

I believe that there is more to do to ensure that trans people are able to rely upon the protections afforded to them by the Equality Act, access appropriate facilities that provide fully for their needs in all circumstances and can live their lives free from prejudice and discrimination. It will be particularly important to monitor the impact of the Code and to listen and respond to the experiences of trans people now that the Code has come into force.

Thank you again for contacting me about this important issue.

With best wishes,

Yours sincerely,

Helen

Sent on behalf of Helen Hayes MP
Member of Parliament for Dulwich and West Norwood"