Model letter to Lab MPs re FWS Supreme Court & EHRC Guidance Delay

Dear (your Labour MP),

I am writing to ask you to press the Government to lay the revised EHRC Code of Practice before Parliament without further delay. The lack of clarity is already causing problems for public bodies and for women who rely on the Equality Act's protections.

You will probably already be aware of my interest in, and relief at, the *For Women Scotland* Supreme Court judgement of 16 April.

The law is the law, and no amount of guidance from the EHRC can alter what the Supreme Court has now confirmed: the Equality Act uses 'sex', 'man' and 'woman' according to their ordinary meaning. These definitions apply wherever the Act prohibits discrimination or permits it through the single-sex exceptions designed to protect groups with protected characteristics.

There is still some confusion about how these provisions operate in practice. In simple terms, a women's service must be for women only, or it risks unlawful direct or indirect discrimination. The Labour Party, many businesses and most sporting bodies have already updated their policies to reflect this legal position.

However, many organisations - including government departments - are delaying compliance while waiting for the updated guidance. In the meantime, the law is what it is, and failure to apply it exposes both women and the public purse to avoidable legal challenges.

The continuing delay gives an impression of hesitation at a time when clarity and consistency are needed. It also risks damaging confidence among women members and voters, many of whom feel the Party has not given adequate priority to women's rights in recent years. As we think ahead to the next election

and with the elections for the devolved administrations looming as early as May next year, clarity on women's rights is increasingly important for the public's trust. Many women members, including lesbians, have left the Party because they feel that women's sex-based rights and the rights of same-sex attracted gays and lesbians have not been given sufficient priority. Rebuilding that trust will require leadership, certainty and respect for the Supreme Court's ruling.

I would be grateful if you could do everything possible to ensure the revised EHRC Code of Practice is laid before Parliament immediately. Given the ruling's clarity, the Code will simply need to accurately reflect it.

Best regards,