

Rt Hon Sir Keir Starmer MP

Prime Minister
10 Downing Street
LONDON
SW1A 2AA

9 June 2026

Dear Prime Minister,

We have all written to this government numerous times in the past year to warn you about the devastating impact of your approach to LGBTQ+ policy on the ability of trans people to participate in public life with dignity. This Government failed to act at any point to secure and defend trans people's fundamental rights and protections, and the current situation has become completely untenable for a rights-respecting nation.

The Supreme Court's job is to interpret statute, it is for our political representatives to set out a coherent vision for what the law should be and to make the law better. Even before the *For Women Scotland* judgment, the Equality and Human Rights Commission has acted in a way that has shredded our community's trust in regulators and institutions. This is not good enough.

The Code of Practice now before Parliament is set to crystallise an interpretation of the law that is fundamentally in conflict with the UK's human rights obligations. Many MPs have already spoken out about the unjust and unworkable situation the code would create, and more than a hundred have already used the limited available scrutiny process to oppose it.

We urge you to listen to these concerns. The Code does not provide clarity; it exacerbates confusion, conflict, and risk. We have consistently argued that a Code of Practice must pass three tests to be workable: it must protect trans people's ability to participate fully in society, support organisations that wish to remain inclusive, and comply with the UK's domestic and international human rights obligations. **This Code fails on all counts.**

Prime Minister, the everyday harms this causes will be wide-ranging. This will be viewed as Labour's legacy on LGBTQ+ rights for a generation.

You still have the opportunity to intervene – scrap this harmful guidance and change the law to fix the mess we find ourselves in. There is nothing in the Supreme Court judgment, in any interpretation, requiring workers to police service users based on "physique or physical appearance" - or requiring Ministers to tell the house that "most people have the common sense to step in when necessary".

This Code will not be remembered as a technical piece of guidance. It will be remembered as a political choice: one that upended a norm of inclusion for trans people and service providers, one that pushed a minority group further out of public life, and one that accelerated the UK's rapid fall in international standing on LGBTQ+ rights.

The choice before you is clear: intervene now, or accept responsibility for the consequences.

The government's own Equality Impact assessment outlines these consequences starkly, warning of discrimination, physical danger, and limiting trans people's access to vital services. Beyond just our trans communities, the assessment warns of the dangers of appearance-based gender policing on the safety of the public at large.

This Code of Practice could absolutely have been better within the current legal framework, and its current draft is dangerous and unacceptable. This is, however, also a symptom of the broader legislative problem facing our community and requiring action from our government.

Last year's Supreme Court ruling turned Parliament's intentions for UK equality law on its head. It interpreted the Equality Act in a way that is clearly in direct opposition to decades of deliberate policymaking and well-documented intent. It has turned decades-old settled policy on how trans people should be treated into a mess of contradictory, harmful and incoherent rules.

The current Deputy Prime Minister, David Lammy MP, said this in response to a proposed amendment to prevent trans people accessing services in line with our gender identities when debating the Gender Recognition Act before it was passed more than twenty years ago:

"The hon. Gentleman may well approach the issue on the basis of separate-but-equal treatment, but the Government entirely reject the implication of the new clause that transsexuals might set out to cause offence to others. That is not the Government's experience, and we therefore reject the new clause. The Government also believe that separate facilities for minority groups are objectionable, and we urge the House to reject the proposal."

Yet now your Government is set to approve a Code that not only condones that approach but encourages it as the norm across Britain. The Supreme Court said that their ruling "would not be disadvantageous to or remove protection from trans people with or without a GRC", but the government's own impact assessment now makes clear that widespread harm is happening.

If this is the EHRC's view of the law, the law quite clearly must now be changed.

Will you please commit to meet urgently with us to discuss where we go from here?

Yours sincerely,

Helen Belcher OBE

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