

Gendered Spaces and the Impact of the Supreme Court Judgement/EHRC Interim Update on Trans, Intersex and Gender Non-Conforming Adults

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Foreword

Trans and non-binary people in the UK will tell you that the Supreme Court ruling on the definition of sex in the Equality Act has brought unprecedented challenges in going about their daily lives. This report clearly shows that people – those who are trans and those who are not – have been more regularly challenged and intruded upon when accessing gendered spaces. Bathroom busybodies now believe they have license to scrutinise anyone who doesn't have a conventional gender presentation.

When the Supreme Court handed down its judgement, perhaps somewhat cynically the judges made clear that their ruling was not an intervention into the public debates over definitions of a man, or a woman. Instead it was a particular interpretation of “sex” confined to the Equality Act 2010. Nevertheless, the British media took the ruling as an opportunity to loudly declare that “trans women are not women”, contradicting the specific advice of the Lord and Lady Justices.

The Equality and Human Rights Commission, an institution already mired in anti-trans controversy, took the opportunity to release “interim guidance” (at 8pm on a Friday) recommending that trans men should not use men's facilities nor should trans women use women's spaces, and that there might be circumstances where trans people should not use any gendered space at all.

This intensified the wave of anti-trans hostility already sweeping through British society. Our report finds that trans people are facing a lose-lose situation. Trans women who use the men's bathroom have (unsurprisingly) been mocked and humiliated, while those who use the women's are also challenged and required to leave. A trans man who used the women's toilet had a group bang on his cubicle door insisting he had to leave. Gender non-conforming women report being on the receiving end of transphobic comments because people incorrectly assume they are trans and therefore ripe for challenge. In short, the EHRC's interim guidance made it nearly impossible for many people to go out in public and participate in society.

This report is being published at a time when the Minister of Equalities is considering whether to ask for Parliament's approval for the EHRC's revised Code of Practice to the Equality Act – a Code no one outside the Government or the EHRC has yet seen. If the EHRC's own statements are to be believed it would make trans exclusion the norm. It would mean the many providers who want to be inclusive and run services for men that are inclusive of trans men (and also those who wish to run trans inclusive women's services and spaces) may find it incredibly difficult to do this. Our report demonstrates the harm caused to everyone by trying to organise services along the lines of sex assigned at birth. Indeed, in almost all cases, sex assigned at birth has no relevance to the way someone lives their day-to-day life.

What is clear is that the EHRC's now withdrawn interim guidance has opened the door to grave human rights violations towards trans and non-binary people in the UK. The Council of Europe's Commissioner on Human Rights has condemned the assumption of trans exclusion and has warned of violations of trans people's basic human rights. The government has been told that international businesses are leaving opportunities in the UK because of the problems it would cause for their trans staff.

If the UK continues on this trajectory, it will become an international outlier, with our policies on trans people closer aligned to US Republican-led states and out of sync with established European human rights law which the UK has signed up to and helped create. If we are happy to deny the basic human rights of trans and other gender non-conforming people, and let the state define individuals' identities, the question arises: who is next? It is a dangerous precedent. This report demonstrates why it must be avoided.



Helen Belcher OBE

Managing Director – TransActual

Executive Summary

This study examines how the hastily released non-statutory EHRC interim update (following the April Supreme Court Judgement on the definition of sex for the purposes of the Equality Act 2010) have shaped real-world access to, and experiences within, gendered spaces in the UK. Despite Equality Act 2010 protections for trans people remaining in law, our data demonstrates that current interpretations and practices cause a clear risk to the effectiveness of those protections. In practice, it is harder now for trans people to seek protection under the Equality Act 2010 – including with regards to aspects that the Supreme Court judgement has not changed.

Key Findings

- Gatekeeping is widespread: incidents typically follow a pattern of misgendering/mistaken identity → challenge or refusal → avoidance, reported by trans people and some cis gender, gender-non-conforming women.
- Incidents of being openly challenged in public spaces increased markedly following the non-statutory interim update: frequency of incidents and the perception that they are identity-based rose after April 2025, with toilets in pubs/leisure venues featuring strongly.
- Avoidance has become routine: many respondents now avoid gendered facilities following incidents, reporting significant consequences on health, work and social participation.
- Some people are more likely to have experienced difficulties: disability/long-term condition status and more visibly gender-non-conforming presentation are linked to higher challenge rates; cis gender non-conforming/masculine women have been misidentified and targeted regularly.
- Public messaging matters: inconsistent interpretations have been understood by many members of the public as permission to challenge people in gendered spaces if they think they shouldn't be there. These challenges are inappropriate and risk unlawful harassment; there is no factual evidence that excluding trans people from spaces that align with their gender improves public safety.
- Attempts to sabotage research: the hundreds of hostile responses to this survey and attempts to sabotage the research act to corroborate trans, intersex and gender-nonconforming respondents' fears of harassment from those opposed to their inclusion in society.

Abbreviations and Language Context

BPOC: Black people or People of Colour

EA 2010: Equality Act 2010

FWS Ltd: For Women Scotland Ltd

GRA: 2004 Gender Recognition Act 2004

GRC: Gender recognition Certificate

GSC: Gendered Space Challenge

LTC: Long-term Condition

SCJ: Supreme Court Judgement

Why we use this language

This terminology lets us discuss access, safety and dignity without assuming that “biological sex” is the only way to organise these places. It aligns with international research and policy practice that treats gender as a social organiser of space and focuses on behaviour—factors that shape people’s real experiences. Our use of gendered spaces is an analytical term for research and policy design commonly employed in international research on matters pertaining to gender, discrimination and society. We do not interpret or apply legal tests for UK facilities; our role is to report experiences and governance practices, not offer legal conclusions.

Why Gendered Spaces?

In this report we use gendered spaces (in place of single-sex spaces) to describe places that are organised, designed, governed, or socially policed in ways that reflect gender norms—such as toilets, changing rooms, shelters, hospital wards, sports facilities, dormitories, and some faith or cultural spaces. This includes both formally sex-segregated facilities and mixed-gender settings that are nevertheless socially policed (for example, gyms or staff rooms).

What we mean by ‘gendered space challenge or barrier’

A gendered space challenge (GSC) or barrier is any interaction or obstacle someone faces in a gendered space—being questioned, misgendered, monitored, refused entry, or otherwise discouraged from using the space—whether by staff, other users, or through informal rules. After first use, we shorten this to gendered space challenge.

1. Introduction

While this report focuses on the EHRC non-statutory interim update, the Supreme Court Judgment (SCJ) that prompted it must be set in context. For Women Scotland Ltd appealed against the Gender Representation on Public Boards (Scotland) Act 2018, which includes trans women within its scope. To resolve the appeal, the Supreme Court was led to determine the statutory meanings of ‘woman’ and ‘sex’ in the Equality Act 2010 and how those definitions interact with the Gender Recognition Act 2004. Although the appeal was a statutory-definition dispute about the Scottish 2018 Act, the judgment set out wider implications for UK Equality Act 2010, including for the definition of sexual orientation (which the Court read by reference to ‘biological sex’), as well as for higher education exceptions, the Public Sector Equality Duty, sport, charities and associations, and the armed forces.

In practical terms, the SCJ conclusions narrow the circumstances in which trans people are recognised in law by sex, with knock-on effects for access, data and governance across public and private life. It is worth noting that contemporaneous parliamentary debates (Hansard Archive 2004)¹ on the Gender Recognition Act 2004 and the Equality Act 2010 indicate ministers intended that acquiring a Gender Recognition Certificate would change a person’s legal sex for many Equality Act purposes; however, the Supreme Court grounded its judgment in the Act’s text and structure and did not rely on Hansard.

Notably however, the judgement concluded:

This interpretation of the EA 2010 does not remove protection from trans people, with or without a GRC. Trans people are protected from discrimination on the ground of gender reassignment. They are also able to invoke the provisions on direct discrimination and harassment, and indirect discrimination on the basis of sex.²

Media coverage the EHRC non-statutory interim update (released 25th April 2025) quickly reframed the ruling as grounds to exclude trans people — especially trans women — from public spaces, particularly toilet facilities (see Appendix 1). This narrative shift had immediate documented consequences for trans, intersex and gender-nonconforming adults spanning work, home and public life. This study builds on testimonial evidence³ to provide deeper analysis and a detailed snapshot of peoples lived realities, testing official assurances that protections under the EA2010 and GRA2004 remain intact. It aims to examine effects beyond trans communities, focusing on any adult read as non-conforming to UK societal gender norms.

1.1 Study Objectives:

1. Document intersectional experiences of discrimination or challenges based on trans gender identity, intersex identity or perceived trans gender identity.
2. Assess whether these incidents compromise personal safety for those not conforming to gendered expectations/appearances.
3. Compare experiences before and after SCJ and subsequent release of the EHRC non-statutory interim update.

1.2 Scope and Definitions:

The study population is UK-based adults — both trans and non-trans (cis gender and/or intersex) — including people perceived as trans or gender-non-conforming by others. Descriptors follow our analysis conventions: trans women/men (identity = woman/man with a trans identity or history); non-binary (trans) (non-binary with a trans identity or history); non-binary (not trans) (non-binary without a trans identity or history); gender-non-conforming (e.g., butch women or others

1. Gender Recognition Bill Volume 418: debated on Monday 23 February 2004 <https://hansard.parliament.uk/Commons/2004-02-23/debates/7fa2c35f-8043-4516-af9c-b12e02e672ec/GenderRecognitionBill>

2. Press Summary For Women Scotland Ltd v The Scottish Ministers: https://supremecourt.uk/uploads/uksc_2024_0042_press_summary_8a42145662.pdf

3. Trans Segregation in Practice Report, Trans Actual August 2025 <https://transactual.org.uk/impacts-of-the-supreme-court-ruling-on-trans-people/trans-segregation-in-practice/>

whose presentation departs from gender norms). Unless stated otherwise, legal references are to UK equality legislation (noting Northern Ireland's separate framework). The timescale of the survey covers the early post-judgment period [June–July 2025], integrating quantitative prevalence and qualitative narratives. Some situations (e.g., competitive sport eligibility, prisons, and specific clinical settings) were out of scope for this research, except where respondents reported knock-on effects for everyday access. A copy of survey questions can be found in Appendix 2.

1.3 Ethics & Safeguards:

Participation was voluntary with informed consent collected online before any questions. No identifying data were required; IPs/logs were not retained beyond essential security, and responses were pseudonymised. Participants could skip any item or exit at any time without penalty. Sensitive items carried content notes and links to support. Data were stored on encrypted servers with access limited to the research team; small-n groups are aggregated to reduce re-identification risk, and quotes are lightly edited to remove indirect identifiers. Researchers followed GDPR/UK DPA-compliant handling, used exposure limits for malicious content, and received debriefing/wellbeing support. Procedures were reviewed under internal research-governance standards.

An increasingly common phenomenon to open access online research is the prevalence of malicious or fake respondents. There was a high level of human identified malicious responses aimed at sabotaging the data collection and/or taking the opportunity to declare violence towards or celebration at the potential erasure of trans people from public spaces. These responses were isolated during the data cleaning stages and kept in a separate file. Rather than dismiss these malicious responses, a decision was made to complete a separate discourse analysis to compare with the open question responses of valid respondents. Some reference will be made to this data where appropriate in this report, though it should be noted that deeper analysis goes beyond the scope of the study objectives and therefore will be used for a separate report.

2. Brief Literature Review

2.1 Public Health Impacts of Defining Sex and Policing Gendered Spaces: law, space, and lived effects.

International research extensively documents that restricting trans people's access to public facilities — especially toilets — produces measurable harms without delivering public-safety benefits. In Massachusetts (US), where “public accommodations” protections were historically excluded, a state-wide study of 452 gender-minority adults found 65% experienced discrimination in everyday venues (transport, retail, restaurants, healthcare). Such discrimination was independently associated with higher odds of recent emotional and physical symptoms and with postponing needed care — clear evidence that access rules shape health and movement through public space.⁴

A 2024 open-access study in JAMA Network Open of gender-minoritised adults in China reports that restroom hostility and bathroom avoidance are linked to higher anxiety, depression, post-traumatic stress, suicidality and self-harm, with trans women reporting the most adverse outcomes; participants preferred gender-neutral facilities where available.⁵ In the workplace, a 2025 Australian survey found that being able to use a toilet of choice and having all-gender options were each associated with significantly better wellbeing — consistent with minority-stress theory, which predicts health gains when day-to-day stressors are removed.⁶

Evidence from the United States also indicates that inclusive laws do not compromise safety. A peer-reviewed analysis of Massachusetts municipalities found no increase in privacy or

safety violations in restrooms, locker rooms or changing facilities after gender-identity protections were enacted.⁷ Further, qualitative and mixed-methods research documents how the gatekeeping of gendered facilities drives avoidance, dehydration, urinary problems, and curtailed participation in public life, reinforcing structural barriers well beyond the restroom itself.⁸ A recent 2024 study centred on non-binary adults describes “social intrusiveness and control” in gendered spaces (including being barred or scrutinised when using facilities), and notes spill-over harms for cis gender people who present outside norms (e.g., butch women).⁹

In his in depth study on surveillance and trans people in connection to US anti-terror legislation, academic Toby Beauchamp documents how attempts to further LGBTQ+ protections in Arizona State (against discrimination in employment, housing and public accommodation), to bring them equal to other marginalised identities, became quickly reframed by conservative lobbyists:

In order to reframe the law from one that sought to protect certain marginalised groups to one that would actively endanger other groups, the ordinances opponents dubbed it the ‘bathroom bill’ and described it as primarily changing city policy governing public restrooms.

Beauchamp shows how bathroom regulation operates as a surveillance regime: public sex-

4. Reisner, S. L., White Hughto, J. M., Dunham, E., Heflin, K. J., Begenyi, J. B. G., Coffey-Esquivel, J., & Cahill, S. (2015). Legal protections in public accommodations settings: A critical public health issue for transgender and gender-nonconforming people. *The Milbank Quarterly*, 93(3), 484–515. <https://doi.org/10.1111/1468-0009.12127>

5. Wang, Y., Liu, D., Han, M., Li, J., & Yu, H. (2024). Public restroom access and mental health among gender-minoritized individuals in China. *JAMA Network Open*, 7(5), e2410546. <https://doi.org/10.1001/jamanetworkopen.2024.10546>

6. Perales, F., Giang, M., & Elkin, N. (2025). Access to inclusive public-toilet options and the wellbeing of trans and gender diverse employees: Novel evidence from a large Australian workplace survey. *International Journal of Transgender Health*. <https://doi.org/10.1080/15532739.2025.2469278>

7. Hasenbush, A., Flores, A. R., & Herman, J. L. (2019). Gender identity nondiscrimination laws in public accommodations: A review of evidence regarding safety and privacy in public restrooms, locker rooms, and changing rooms. *Sexuality Research and Social Policy*, 16(1), 70–83. <https://escholarship.org/uc/item/4rs4n6h0>

8. Reisner, S. L., White Hughto, J. M., Dunham, E., Heflin, K. J., Begenyi, J. B. G., Coffey-Esquivel, J., & Cahill, S. (2015). Legal protections in public accommodations settings: A critical public health issue for transgender and gender-nonconforming people. *The Milbank Quarterly*, 93(3), 484–515. <https://doi.org/10.1111/1468-0009.12127>

9. DeChants, J. P., Price, M. N., Nath, R., Hobaica, S., & Green, A. E. (2024). Transgender and nonbinary young people's bathroom avoidance and mental health. *International Journal of Transgender Health*, 26(2), 351–359. <https://doi.org/10.1080/26895269.2024.2335512>

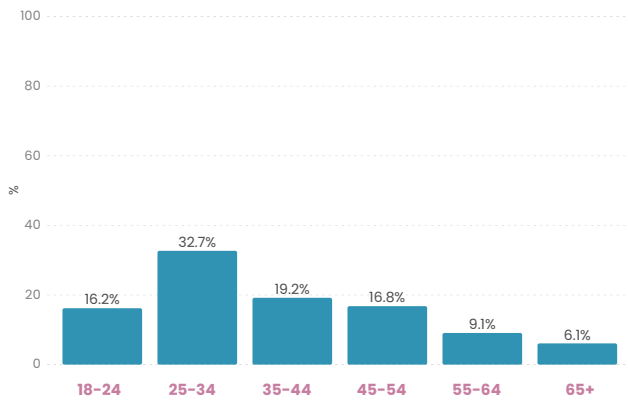
segregated spaces become sites of citizenship testing, where gender nonconformity is cast as deception and enforcement is effectively deputised to staff and bystanders – mirroring border-control logics and amplifying racialised and ableist sorting. This helps explain why “show-me-your-papers” approaches and ad-hoc policing generate misidentification and conflict, rather than safety.¹⁰

Overall, the academic research points in one direction: policies that narrow access to gender-appropriate toilets increase minority stress, worsen mental and physical health, and constrain everyday mobility, while inclusive or all-gender provision is associated with improved wellbeing and no evidence of increased victimisation of others. These findings provide essential context for interpreting and for assessing downstream effects on trans adults and on anyone read as gender-nonconforming in UK public spaces.

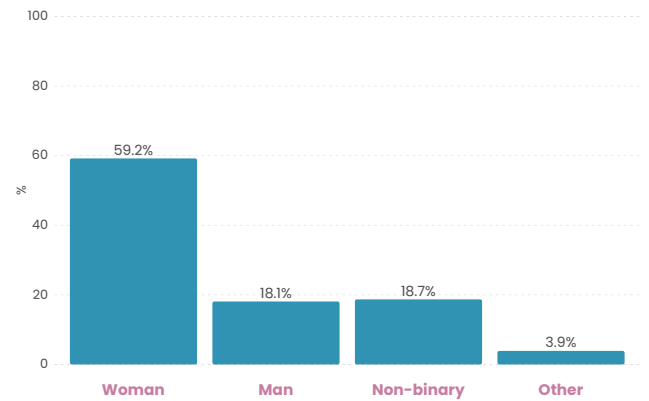
10. Beauchamp, T. (2019). *Going Stealth: Transgender Politics and U.S. Surveillance Practices*. Duke University Press. <https://doi.org/10.2307/j.ctv11cw8g8>

3. Characteristics of Respondents

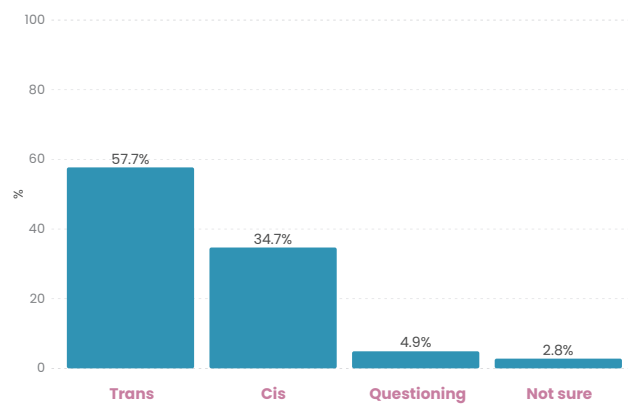
AGE



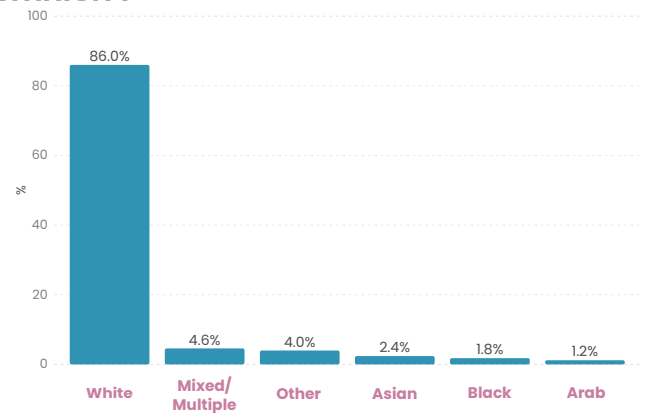
GENDER IDENTITY



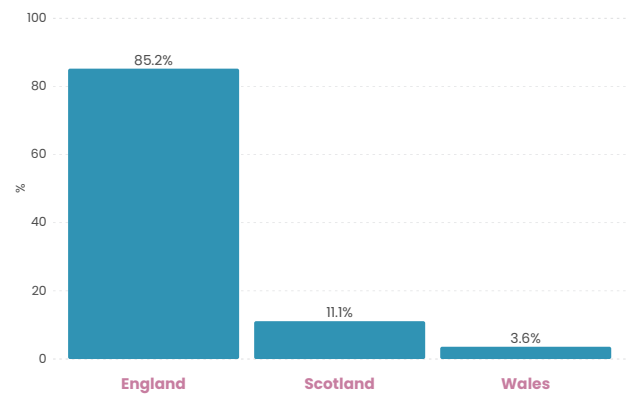
GENDER HISTORY



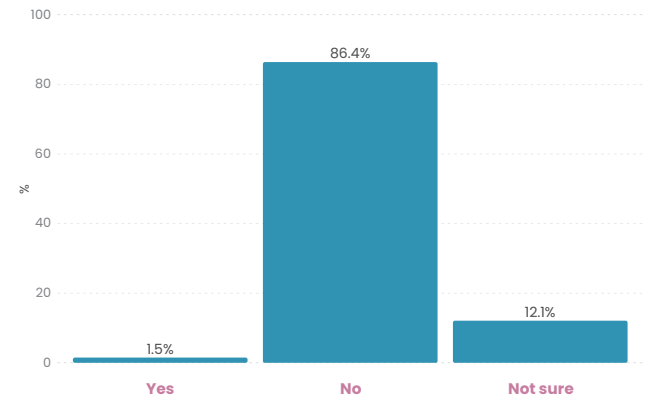
ETHNICITY



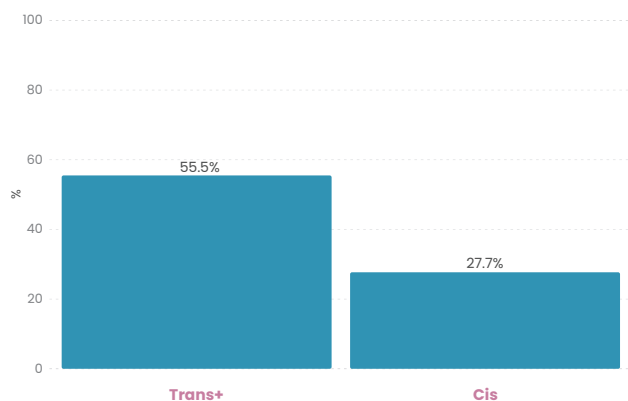
REGION/NATION



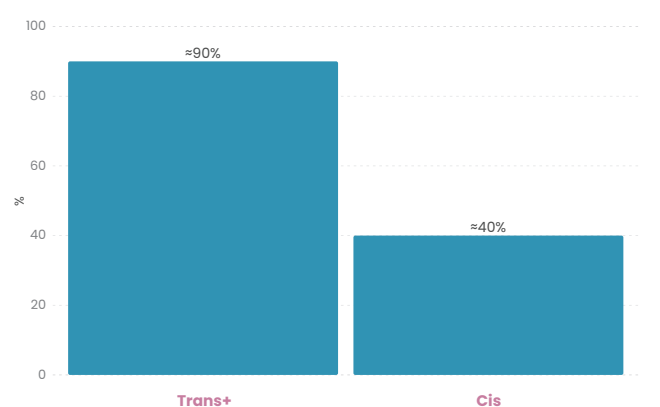
INTERSEX IDENTITY



DISABILITY/LTC (BY TRANS HISTORY)



EVER PERCEIVED AS TRANS/GNC



4. Thematic Findings

Theme 1: Discrimination & Challenges

All respondent groups had experienced discrimination and challenges in gendered spaces but trans respondents were disproportionately affected; within trans groups, disabled respondents were more likely to have had these experiences.

4.1 EMERGING SUB-THEMES

- **Misgendering and Mistaken Identity:** Being called the wrong gender or accused of being in the “wrong” space.
- **Verbal Challenges or Questioning:** Direct questioning from staff or other users.
- **Denial or Restriction of Access:** Prevented from entering or told to use another facility.
- **Emotional Distress and Withdrawal:** Avoidance of spaces due to shame, fear, or embarrassment.

4.2

Approximately 53% of trans respondents and 17% of cis respondents reported having ever been stopped, questioned or harassed (throughout their adult lives) while entering a gendered space in the UK. Experiences of being confronted in gendered spaces were reported by both trans and cis respondents, at a rate of approximately 1 in 2 for the average trans respondent and 1 in 5 for the average cis woman respondent. Trans respondents were approximately twice as likely as cis respondents to report living with a disability or long-term condition (LTC), and trans respondents living with a disability or long-term condition were approximately 50% more likely than their non-disabled trans counterparts to have ever experienced a gendered space challenge or barrier (GSC) Further intersectional quantitative analysis incorporating and cross-referencing ethnicity and gender presentation would be beneficial. As a relatively small number of respondents were Black people or People of Colour (BPOC), it was not possible to gain reliable quantitative insights into how the ruling has uniquely affected BPOC.

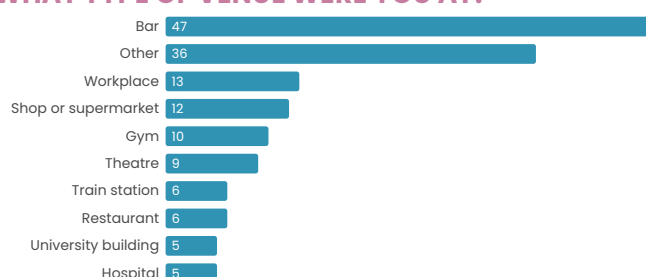
The most prevalent incidents reported were among trans men and non-binary people, and the least common among cis men. The higher percentage of trans men (as seen in the snapshot below) can be interpreted in different ways. Whilst arguably, as noted in the Trans Segregation in Practice Report¹¹, the presumption would be that trans women or gender non-conforming women are at greater risk of challenge in gendered spaces. While this survey sample is limited, an analysis into the context of individuals experiences reveals trans men and masculine looking non-binary individuals being challenged in women’s spaces when attempting to comply with the mixed messaging of the EHRC interim update. Experiences of ‘passing’ – i.e. trans men being read as cis men – are complex. Many trans men early in medical transition or those who have socially transitioned will opt to use women’s toilets, for example. because they feel they do not ‘pass enough’ to enter a men-only space. Some will use women’s toilets and changing facilities for an increased sense of their own safety only to find themselves challenged by women in these spaces. Some trans men and masculine presenting respondents changed to using women’s toilets post Supreme Court Judgement and EHRC interim update because they thought they were following the law. Again, they reported increased incidents in being challenged because they were now in a space that did not reflect their gender presentation and others saw them as a threat to the space. Trans people in this quandary are left with no space to occupy, leading to social exclusion and the health inequalities that are associated with that.

11. Trans Segregation in Practice Report, Trans Actual August 2025 <https://transactual.org.uk/impacts-of-the-supreme-court-ruling-on-trans-people/trans-segregation-in-practice/>

4.3 SPACES AND PERPETRATORS

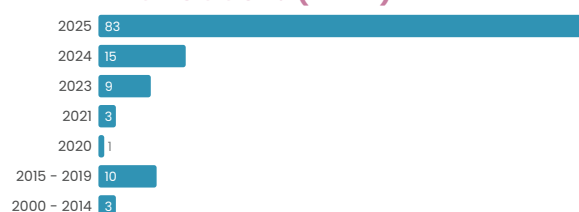
The bar charts below illustrate the most common places and spaces to experience challenge or denial of access, and the who it is that is challenging people. It is interesting to note that bars/pubs appear to be most represented across all genders. This could be influenced by alcohol being a contributing factor to aggressive behaviour and over-confidence in challenging others. For people of all genders, members of the public were more likely to have been the person challenging our respondents, and this was most likely to happen in toilets. Data shows a significant increase in overall incidents in the last two years:

WHAT TYPE OF VENUE WERE YOU AT?



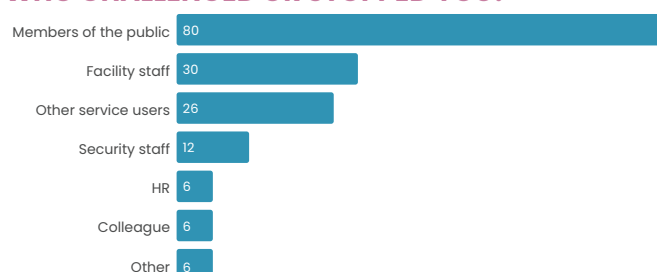
*Respondents were able to select multiple responses

APPROXIMATELY WHEN DID YOUR MOST RECENT SUCH EXPERIENCE OCCUR? (YEAR)



*The year 2022 is not included as no corresponding responses were recorded.

WHO CHALLENGED OR STOPPED YOU?



*Respondents were able to select multiple responses

WHICH TYPE OF SPACE DID THIS OCCUR IN?



*Respondents were able to select multiple responses

4.4 QUALITATIVE NARRATIVE OVERVIEW: EXPERIENCE OF BEING CHALLENGED

- Misgendering and mistaken identity trigger scrutiny or ejection (e.g., “wrong space” accusations).
- Verbal challenges escalate to denial or redirection to other facilities.
- Emotional aftermath includes shame, avoidance, and curtailed routines.

Examples:

“I was stared at by someone who then started talking very loudly about me, making transphobic remarks, questioning how I was a woman. They had also assumed incorrectly that I was transgender. I’m just a visibly GNC/Butch lesbian. It made me very concerned for my safety as a Deaf Lesbian too.”

CIS GNC WOMAN, WALES

“I have been harassed and threatened when using a bathroom. A group came up and started banging on the door, telling me I had to leave. I was not out as transgender at this time, I was presenting as female and using a girls’ bathroom. However, I was often perceived as a trans woman because I have naturally masculine facial features”

TRANS MAN, ENGLAND

“I was attending a work party event in a restaurant in central London. I am an intersex trans woman who has started HRT but not out at work yet, and therefore presenting as male, the gender I was assigned at birth. I went to use the male toilets, which was in accordance with the gender I was presenting as, the gender I was assigned at birth, and EHRC guidance. The security staff believed I should be using the female toilets, presumably misgendering me as a trans man and ordered me to leave the event.”

TRANS INTERSEX WOMAN, LONDON

"Security guards followed me into the women's toilets and waited outside my stall until I left. I felt like a criminal just for needing the bathroom."

NON-BINARY PERSON, YORKSHIRE

"I was in the men's toilets, washing my hands. It was after the supreme court ruling and interim guidance from EHRC and I was already feeling anxious so was trying to be as discrete as possible. A man started muttering under his breath sounding aggressive and I assumed he was on the phone, but I realised he was talking to me when I heard "you look like a dick, you should be in that other bathroom", another man besides me looked at me. I just said nothing and looked away, I left the bathroom. I felt ashamed, unsure of my safety, and that I couldn't stand up for myself because of the guidance and not knowing how other people might view the situation. It has left me afraid to use public toilets, and generally to appear in public, though I still do because what else can I do?"

TRANS MAN, ENGLAND

"The most recent is that I went to the ladies' loo at Victoria station. A group of young women gathered around me and told me I should get out saying 'don't you know you're not allowed in here anymore'. I ... locked myself in a loo. They stood outside and were banging on the door and shouting that they were going to call the police and that I was 'disgusting' and had no right to be born and all sorts of horrible things ...I'm a cis woman and just happen to be tall and quite flat chested and wear my hair short. Before the ruling any challenges had been gentle, like 'oh by the way this is the ladies' and people were embarrassed or apologetic when I said 'it's okay I'm a girl'. but now it's aggressive and horrible..."

CIS WOMAN, ENGLAND

4.6 MALICIOUS-RESPONSES — THEME 1 (DISCRIMINATION AND CHALLENGES)

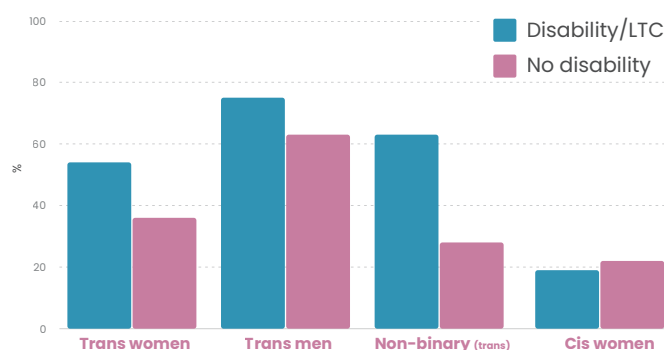
Analysis of the isolated malicious response data for these questions revealed the following:

- Justificatory language: frequent use of "can now", "allowed to", "the law is clear" to justify an increased sense of permission to challenge other people.
- Behavioural advocacy: from verbal challenges and gatekeeping to reporting and surveillance; a minority promote threats/force.
- Misinterpretations: celebrating that protections for trans people are removed, or that blanket exclusion is required/approved.
- Media mirroring: headline-like phrases ("win for women", "common sense prevails") and triumphalism/legal finality rhetoric.

4.7 INTEGRATED INTERPRETATION & INTERSECTIONAL HIGHLIGHTS

- **Convergence:** The prevalence of negative experience among trans people aligns with narratives of misgendering → challenge → exclusion.
- **Divergence:** Cis women's concerns primarily relate to privacy and facility design, indicating that infrastructure improvements are also advisable.
- **Intersectional:** Disability/LTC was found to compound risk among trans groups (+17–34pp within-group gaps as shown below).

EVER EXPERIENCED CHALLENGE, HARASSMENT IN GENDERED SPACES BY DISABILITY STATUS



Theme 2: Safety Threats

Experiences of incidents of challenge or denied access impact people's sense of safety. In total 80% of trans respondents and 47.7% of cis respondents reported now avoiding single sex spaces. Many of our respondents were already modifying their behaviour to avoid situations of challenge or denial, even before the SCJ and EHRC interim update.

4.8 EMERGING SUB-THEMES

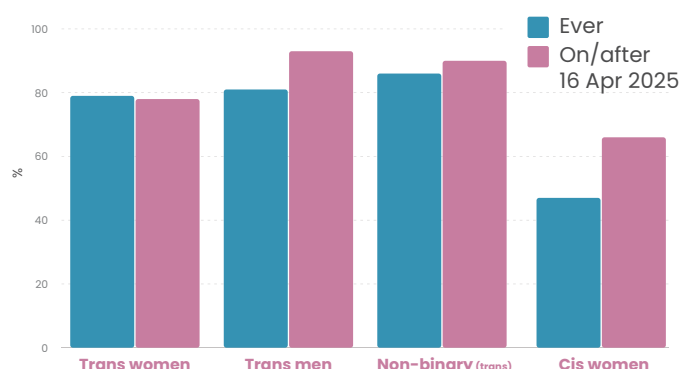
- **Fear of Violence or Intimidation:** Staring, threats, or perceived danger of assault
- **Privacy Concerns:** Lack of locks, surveillance or design flaws
- **Absence of Staff Support:** No intervention or fear that staff would side against them
- **Requests for Gender-Neutral or Private Options:** Calls for safer, single-occupancy, or gender-neutral facilities

4.9

Experiencing even one threat in a public gendered space can have a permanent impact on an individual's sense of safety. While the average trans respondent stated that their experience of being confronted in a Gendered space affected their sense of safety 'Moderately' to 'Very Much', the average cis respondent reported a 'Slight' to 'Moderate' effect (as shown in the snapshot below). Trans and cis respondents both reported avoiding gender specific spaces following an incident, as well as an effect on their safety. Trans respondents of all genders were more likely than cis respondents to avoid gendered spaces and negative experiences had a larger impact on their feelings of safety. For cis respondents navigating a sense of safety could come from their awareness that ultimately, they align with their sex assigned at birth and therefore feel more confident in their legal protections.

4.10 QUANTITATIVE SNAPSHOT

AVOIDANCE AFTER INCIDENT IN GENDERED SPACES BY TIMING, EVER VS POST-JUDGMENT



4.11 QUALITATIVE NARRATIVE OVERVIEW: PERCEPTIONS OF SAFETY

- Fear of violence/intimidation: hypervigilance and avoidance of using public toilets all together.
- Privacy/design flaws (locks, sightlines) heighten people's perception of risk.
- Limited staff intervention or staff fear of siding against the target.

Examples:

"I felt so ashamed I avoided using public toilets for weeks."

GNC CIS WOMAN, EAST MIDLANDS

"A staff member told me I was in the wrong toilet and asked me to leave. I stood frozen while people stared. It took me weeks to build the courage to go out again."

TRANS WOMAN, LONDON

"It's made me more paranoid. I avoid using toilets in public places and try to accompany my wife when she goes as she also presents as gender non-conforming. I feel like the world is closing in on trans identities but mainly because so much attention has been drawn to the issue"

NON-BINARY PERSON, ENGLAND

"There are no locks on the cubicles, so anyone can just barge in. It feels unsafe every time."

CIS WOMAN, WALES

"I don't feel safe because the staff never step in when there's a problem. You're on your own."

NON-BINARY PERSON, LONDON

"I have been targeted in public by strangers directly for being trans. Hearing all this in the news is upsetting for me. It makes me feel unsafe to exist in public."

TRANS MAN, ENGLAND

"I have been threatened by cis gender men in the bathroom, they told me they would 'make me a woman again so I can sit down in the correct bathroom'. As a victim of previous sexual assaults, I was absolutely terrified and now only exclusively use the disabled or gender-neutral bathrooms."

NON-BINARY TRANS PERSON, NORTH OF IRELAND

"I want to leave the country now- I fear for my safety at work, out in public life... I'm only safe in my own home or with people who know I am intersex and will help keep me safe."

INTERSEX MAN, ENGLAND

4.12 MALICIOUS-RESPONSES — THEME 2 (SAFETY THREATS)

Responses identified as attempts to sabotage data collection corroborated the fears that trans and GNC respondents felt those wishing to discriminate against trans people would be emboldened by the language in the interim update and media reporting of it:

- Escalation ladder: malicious respondents indicated an increased confidence to challenge → denial/reporting → surveillance/outing; and tended to advocate for intimidation or removal.
- High-harm rhetoric paired with misinterpretations (e.g., asserting mandated checks or total exclusion based upon perception of trans identity).
- 'Public safety' invoked by malicious respondents as justification, often without specific risks/evidence.
- Crisis metaphors (threat/invasion) correlate with an increased tendency to advocate for more harmful approaches.

4.13 INTEGRATED INTERPRETATION & INTERSECTIONAL HIGHLIGHTS

- **Convergence:** Increased avoidance and reduced feelings of safety are consistent across groups, reflecting both fear of potential confrontation and inadequate design or management of gendered spaces. Divergence: For some cis women, safety concerns stem mainly from inadequate facilities and privacy issues, rather than from being questioned or policed for their identity.
- **Intersectional:** Trans men and non-binary (trans) respondents report the highest levels of space avoidance after the ruling, with disability further increasing vulnerability.

Theme 3: Post-Judgment and Interim Update Changes

To allow us to explore the comparative impact of incidents and perceptions of safety following the SCJ and EHRC interim update, respondents were asked how often they have been stopped, questioned, or harassed in gender specific spaces before and the judgement and interim update were made public.

4.14 EMERGING SUB-THEMES

- **Increased Anxiety or Hypervigilance:** More careful planning, fear of confrontation.
- **Empowerment or Awareness of Perceived Rights Amongst Bystanders:** Greater willingness to assert legitimacy over policing the gender of others.
- **Behavioural Changes:** Avoiding spaces, carrying documentation, altering routines.

4.15

The comparison between incident frequency since the SCJ and EHRC interim update is interesting and correlates with the ongoing anecdotal reporting to TransActual during the same period.¹² This study not only supports the aforementioned reports from trans individuals but also includes experiences of cisgender people who are seen as gender non-conforming or often perceived as not fitting typical cisgender expectations.

The Likert scores measuring the frequency of discrimination or challenge incidents since the SCJ and EHRC interim update announcement reveal a large increase in incidents for trans people. Cross-referencing the open question responses from those reporting an increase explain these have mostly been in gendered spaces such as toilets and changing rooms. For trans respondents there is an average increase of +1.18 points on the respective Likert scale. This data shows that this sub-population of the trans sample (approximately one third/30.6%) is most vulnerable to the effects of the SCJ and public interpretations of EHRC interim update.

The 'frequency of incidents since SCJ/EHRC interim update' sample is the only one in which a small (+0.14 points on the corresponding Likert scale) but notable increase is identified among

the cis respondents. This tells us that frequency of discrimination and harassment have increased overall for both cis and trans people as a result of the EHRC non-statutory interim update, however significantly more for trans people than cis.

Across both trans and cis respondents, incidents occurring after the EHRC non-statutory interim update were widely attributed to how others read a person's gender presentation and vocal assumptions made about this (measured in the survey by questions around perceived motivation of perpetrators). This can be translated as appearance-based gatekeeping, something also problematically encouraged by the code of practice shared for public consultation.¹³

When we look at the frequency of challenge incidents for cis respondents over a period prior and post the SCJ (between 04/2024 – 07/2025 for comparison), we find what looks like a gradual decline of incidents and then a small increase post April 2025 (+0.14 points as previously mentioned). The relatively small increase in recent incidents for cis people is misleading, however. It chiefly reflects a pre-emptive behaviour change. Among the respondents that had ever experienced a challenge or refusal, 53% of cis people (compared to 19% of trans people) reported that their most recent incident occurred more than a year before the ruling. However, open question answers from this 53% indicate many of these cis respondents were more gender non-conforming in the past but have modified their appearance since to conform. This was not by choice, but to avoid being challenged or attacked again. In other words, 'fewer recent incidents' here signals self-protection, not a benign environment.

This chronology and testimony together show that people's decision-making behaviour to challenge or stop someone from accessing a gendered space tends to arise because of appearance-based assumptions. That is why official statements or guidance that normalise questioning users of a space on a subjective perception of being trans would create the very dynamic that produces harm – inviting challenges that are likely to constitute illegal harassment or discrimination.

12. *Trans Segregation in Practice Report, Trans Actual August 2025* <https://transactual.org.uk/impacts-of-the-supreme-court-ruling-on-trans-people/trans-segregation-in-practice/>

13. *Trans Actual, Responding to the EHRC consultation: What Do I Say* <https://transactual.org.uk/equality-act-campaign/responding-to-the-ehrc-consultation/>

4.16 QUALITATIVE NARRATIVE OVERVIEW: IMPACTS POST-JUDGEMENT ALL GENDER'S EXPERIENCE OF GENDERED SPACES

- Heightened anxiety and logistical planning to pre-empt confrontation.
- Perceived increase in 'licence to challenge' post-ruling among those doing the challenging.
- Experiences vary but there were group-level increases overall.

Examples:

"Since the Supreme Court decision, I feel more nervous about using women's spaces. It feels like permission has been given to question me."

TRANS WOMAN, MIDLANDS

"The ruling made me feel like I have to defend my right to be here, so I carry a copy of the policy in my bag."

TRANS MAN, LONDON

"I'm avoiding certain places altogether now. It's easier not to risk it."

NON-BINARY PERSON, SOUTH EAST ENGLAND

"It's made everything much worse for me. I'm a cis woman and it was supposed to protect me. I was never scared of men in the first place. I didn't need this ruling, but now we've got it I am now scared of some women, so will avoid the places they gather in their so-called safe women only spaces."

CIS WOMAN, ENGLAND

"It has made me sad to be British, because my trans sisters and brothers are being made to feel unsafe, vulnerable and victimised, and as the parent of a non-binary young person it's made me fearful for their future in a country that lets such bigotry lead the way"

CIS WOMAN, ENGLAND

"I feel less safe in gendered changing rooms and toilets as I don't know who's

going to decide I don't belong today, and feel people are more emboldened to say or do something. I feel I am less and less likely to have neutral spaces available that suit me best as a non-binary person - the obsession with gendering everything is getting turned up to 11."

NON-BINARY PERSON, ENGLAND

"I'm nervous to shower or even use the men's toilets at my gym. I also try to avoid pubs that don't have a disabled toilet and I try to dress more cis."

TRANS MAN, SCOTLAND

4.17 MALICIOUS-RESPONSES — THEME 3 (POST-JUDGEMENT CHANGES)

Qualitative answers derived from the malicious response data confirms that people already wishing to discriminate against trans people feel that the SCJ ruling and the wording of the EHRC non-statutory interim update give permission for them to do so. In this data, relating to this theme we found statements including:

- Entitlement tied directly to the ruling/guidance (“can now”, “finally allowed”, “law is clear”).
- Misinterpretations: ‘protections removed’, ‘blanket exclusion required’, ‘mandatory body/ID checks’.
- Media mirroring: triumphalism/legal finality slogans; crisis framings; co-occurs with higher-harm advocacy.
- Alignment: These discourses track the observed post-ruling increases in trans respondents’ frequency/motivation metrics.

4.18 INTEGRATED INTERPRETATION & INTERSECTIONAL HIGHLIGHTS

- **Convergence:** Trans respondents show clear increases in incident frequency since the ruling, consistent with qualitative accounts of heightened vigilance and avoidance. The challenges were based on people’s perception of their identities.
- **Divergence:** Cis respondents felt forced to adapt to being less gender non-conforming in appearance to avoid harassment, whereas many trans and non-binary participants who may not have this option.
- **Intersectional:** Trans women and non-binary (trans) respondents report the steepest increases; trans men adapt with avoidance of spaces all together, while disabled and trans BPOC respondents face compounded risks that also intersect with other forms of societal discrimination.

5. Integrated Findings & Discussion

5.1 SYNTHESIS ACROSS THEMES

Across all three themes, the data traces a consistent pathway for the typical incident of challenge or refusal:

misgendering or “mistaken identity” → challenge/gatekeeping → exclusion or avoidance.

This impacts trans people and cis people who do not conform to gender norms. Respondents report markedly higher rates of being stopped, questioned or harassed in gendered spaces following the EHRC non-statutory interim update, as well as increases in both incident frequency motivations to challenge people based on perceived trans identity. Responses to the free text questions help us to understand the mechanism by which this happens: staff or bystanders feel newly “licensed” to challenge; pubs and leisure venues feature prominently; and some butch/masculine-presenting cis women are caught in the net of harassment on the perception of being trans. Together, the strands show how policy signals are converted into day-to-day gatekeeping which impacts the day to day lives of both cis and trans people.

5.2 POSITIONING WITHIN EXISTING RESEARCH

These patterns align with international studies showing that restrictive restroom/access policies heighten minority stress, increase avoidance of certain spaces and exacerbate health risks (dehydration, urinary issues), with the overall impact of curtailing people’s participation in social life. Meanwhile, inclusive or all-gender provision shows no evidence of an increased victimisation of others. Conceptually, work on toilet facilities as sites of surveillance helps to explain why ad-hoc “look tests” and deputised enforcement lead to misidentification and conflict rather than to anyone’s safety.

Any suggestion that people should carry proof of either their sex or gender is not only an erosion of the right to privacy for everyone, but moreover existing research has proved that this approach has no influence in the overall safety of citizens or any impact on reducing rates of gender-based violence (which is overwhelmingly evidenced to be carried out by cis men).

5.3 POLICY LANDSCAPE & IMPLEMENTATION CHALLENGES

For providers of gendered spaces, the priority should be to uphold lawful access and prevent harassment. Appearance-based or bystander “checks,” ID requests, and ad-hoc gatekeeping are inappropriate and risk unlawful harassment or discrimination. Such practices also produce harmful misidentification (including of cis gender women and other gender non-conforming people), reinforce gender stereotypes, escalate conflict, and cause trans and gender non-conforming people to avoid certain spaces and services.

Providers should adopt non-restrictive, universal measures that do not condition entry or imply screening:

1. a short, visible access policy affirming respectful use and making clear that members of the public must not challenge other users;
2. staff de-escalation scripts centred on dignity and safety; and
3. privacy-by-design improvements (e.g., reliable locks, sightline baffles). Where space allows, offer a single-occupancy, all-user facility would be beneficial. This should be an additional option, not as a gatekeeping route or substitute for trans people’s access to gendered spaces.

Any proposal to restrict access should be an exception rather than the norm. Under the Equality Act 2010, any such step must be a proportionate means of achieving a legitimate aim. In practice this requires: (1) a clearly evidenced, specific aim (e.g., a concrete, current safeguarding or privacy risk in a defined setting), (2) necessity — no less-intrusive measure would suffice, (3) suitability — credible evidence the step will address the risk, (4) minimal intrusion with no appearance-based or bystander challenges, (5) narrow tailoring, time-limiting and periodic review, and (6) contemporaneous records, an equality impact assessment, and clear complaints routes. Where these conditions cannot be met, the restriction should not be applied. Organisations should ensure

complaints handling meets Equality Act duties and regulators and sector bodies should provide consistent, practice-focused guidance and monitoring to reduce harm and confusion.¹⁴

5.4 EQUITY & INTERSECTIONALITY

Using gender × trans-history as the primary lens, trans respondents are disproportionately affected across all themes. Within-group contrasts indicate that disability compounds risk and qualitative data highlights a particular vulnerability for those early in transition or who are more visibly gender-nonconforming. Participant accounts of racialised scrutiny in gendered spaces are consistent with broader surveillance dynamics in relation to race. Age patterns differ: younger adults cite public-facing leisure settings as the places in which they experience challenge or refusal; older adults mitigate risk by avoiding certain spaces or place completely and therefore increasing social isolation.

5.5 CONCLUDING NOTE ON LEGAL PROTECTIONS

The SCJ states that the Equality Act 2010 continues to protect trans people (with or without a GRC) from discrimination and harassment, including via indirect sex discrimination. Regardless of this, our data and desk-based research shows that misinterpretations of the Equality Act 2010 and exclusionary behaviour and/or changes to policies are having material, detrimental impacts on both trans and cis people with a direct link to the chronology of the SCJ and the subsequent release of EHRC non-statutory guidance.

14. Acas: Using protected characteristics to make decisions <https://www.acas.org.uk/employer-decision-protected-characteristic>

6. Inclusion-Led Policy and Action Recommendations

6.1 ISSUE A CLEAR, EVIDENCE-BASED NATIONAL STATEMENT REAFFIRMING LAWFUL ACCESS

Government departments and regulators (including the Equality and Human Rights Commission, DCMS, DLUHC, and devolved administrations) should jointly release a concise public statement confirming that trans and gender-diverse people remain protected under the Equality Act 2010. The statement should:

- Reaffirm that trans people may lawfully use gendered facilities aligned with their gender identity.
- Make clear that members of the public, staff, or service users must not challenge others based on appearance or perceived trans status.
- Reference that any restriction on access must meet the Equality Act test of being a proportionate means of achieving a legitimate aim.

Justification: This coordinated clarification will correct misinformation created by the EHRC non-statutory interim update, reduce confusion among service providers, and reinforce lawful, inclusive practice.

6.2 MANDATE EQUALITY IMPACT ASSESSMENTS AND TRAINING FOR ALL VENUE AND SERVICE PROVIDERS

All organisations providing gendered facilities should be required—either through statutory duty or regulatory guidance—to:

- Complete and publish an Equality Impact Assessment (EIA) evaluating the accessibility and safety of gendered spaces for trans, intersex, and gender-non-conforming users.
- Deliver mandatory training for all staff on dignity, privacy, de-escalation, and the Equality Act's protections for gender reassignment.
- Maintain clear incident-logging and complaints procedures that enable monitoring by regulators and provide transparency for users.

Justification: This measure ensures that equality duties are met in practice, preventing ad-hoc or appearance-based gatekeeping and creating accountable, inclusive environments.

6.3 FUND A NATIONAL PRIVACY-BY-DESIGN UPGRADE PROGRAMME FOR GENDERED FACILITIES

A dedicated national or local grant scheme should be established to support small-scale infrastructure improvements that enhance privacy and safety in gendered spaces. Eligible works should include:

- Installing full-height cubicles, reliable locks, and improved sightline design.
- Adding clearly signposted single-occupancy, all-user toilets as an optional facility—not as a replacement for lawful access to gendered spaces.
- Updating signage and communications to emphasise inclusion, dignity, and respect.

Justification: Investing in privacy-by-design directly addresses the environmental shortcomings that drive avoidance and conflict, improving wellbeing and safety for all users while reinforcing inclusive principles.

Appendix 1: UK Media Framing Examples (Supreme Court ruling & EHRC interim update)

Media Outlet	Date	Frame	Evidence (headline or brief paraphrase)	URL
The Telegraph	16 Apr 2025	UKSC ruling framed as a win for women's rights	Opinion headline: "A long overdue victory for women."	https://www.telegraph.co.uk/opinion/2025/04/16/a-long-overdue-victory-for-women-scotland-trans/
The Telegraph	16 Apr 2025	UKSC ruling framed as a win for women's rights	News feature: "The women who took on the trans lobby ... and won."	https://www.telegraph.co.uk/news/2025/04/16/the-ordinary-women-who-took-on-the-trans-lobby-and-won/
Evening Standard	16 Apr 2025	UKSC ruling framed as a win for women's rights	Report notes campaigners hailed the ruling a "victory"/"watershed moment."	https://www.standard.co.uk/news/uk/transgender-women-equalities-act-supreme-court-judges-ruling-b1222750.html
The Guardian	27 Apr 2025	EHRC interim guidance framed as a bathroom ban	News headline: "Trans people banned from toilets of gender they identify with, says UK minister."	https://www.theguardian.com/society/2025/apr/27/trans-people-banned-from-toilets-of-gender-they-identify-with-says-uk-minister
The Independent	27 Apr 2025	EHRC interim guidance framed as a bathroom ban	News: EHRC says trans women/men 'should not be permitted' to use gender-aligned toilets in workplaces/services.	https://www.independent.co.uk/news/uk/home-news/supreme-court-equality-and-human-rights-commission-schools-government-david-lynch-b2740165.html
The Independent	27 Apr 2025	EHRC interim guidance framed as a bathroom ban	Follow-up: Minister signals government will bar its own trans employees from using gender-aligned toilets.	https://www.independent.co.uk/news/uk/politics/trans-supreme-court-ruling-gender-pat-mcfadden-b2740252.html
The Guardian	6 Jun 2025	Guidance/ approach framed as eroding rights	Report on EHRC commissioner calling for a 'period of correction' on trans rights; critics warn of rights erosion.	https://www.theguardian.com/society/2025/jun/06/ehrc-commissioner-calls-for-trans-people-to-accept-reduced-rights-after-years-of-lies
Evening Standard	27 Jun 2025	Legal uncertainty / confusion	NI equality body flags "significant legal uncertainty" after the ruling; implications debated.	https://www.standard.co.uk/news/uk/supreme-court-northern-ireland-belfast-london-andrew-matthews-b1235224.html
The Independent	6 Jun 2025	Rollbacks / practical erosion	NHS body revokes guidance allowing trans people to use chosen bathrooms after ruling/guidance fallout.	https://www.independent.co.uk/news/uk/home-news/trans-toilets-guidance-nhs-supreme-court-b2765074.html

Appendix 2. Method Summaries

We ran a UK-wide, opt-in online survey of adults to understand access to and experiences within Gendered spaces after the April 2025 ruling. The study used a mixed-methods design: closed questions produced numbers on *how often* things happened and *whether they changed* before vs after the judgment; open-text questions captured people's own words about what happened and why.

Quantitative Method Overview

Responses to closed-ended questions were analysed to understand how the April 2025 Supreme Court judgement has affected transgender and cis gender adults' experiences of being stopped, questioned, or harassed in Gendered spaces in the UK. Prior to analysis, survey submissions were screened against the exclusion criteria (e.g. <50% survey completion, duplicate submissions) and removed if deemed invalid.

Descriptive statistics, including frequencies and percentages, were generated to summarize key demographic characteristics of the sample (e.g. age, ethnicity, gender identity). Rates of ever experiencing a Gendered space incident and Gendered space avoidance following a Gendered space-related incident were also described.

We analysed changes in reported incident frequency and motivation by comparing opinion scale scores before and after the ruling among trans and cis respondents. Difference scores were calculated to understand how mean incident and motivation scores changed following the ruling, and Wilcoxon signed-rank tests were utilized to determine the statistical significance of these differences. Kruskal-Wallis tests were then used to examine the statistical significance of differences in incident and motivation scores before and after the ruling among trans men, trans non-binary people, trans women, and cis women whose most recent incident occurred on or after 16 April 2025. Mean effect scores were also generated to describe to what extent experiencing a GSC affected perceived safety among trans and cis respondents.

Chi-square tests of independence were conducted to understand the relationship between gender history and disability status, as well as the association between disability status and incident prevalence among transgender and cis gender respondents. Chi-square tests were also used to examine the relationship between gender history and Gendered space avoidance following an incident.

Qualitative Method Overview

We analysed the open-text answers from our UK survey to understand how people experienced Gendered spaces after the April 2025 Supreme Court judgment and the EHRC's interim update. The survey included trans and non-trans adults, plus people who said they had been perceived as trans or gender-non-conforming by others. Before analysis, we removed invalid or incomplete responses (for example, no consent or very short submissions) and kept standard demographics (gender identity, trans history, age, ethnicity, disability, region).

Our reading and coding had two simple steps. First, we read every response line-by-line and attached short labels describing what was happening in people's accounts (for example, being challenged when entering a toilet, being misgendered by staff, carrying proof of identity, or seeking a private cubicle). Second, we grouped similar labels into three clear themes that run through the report:

1. Discrimination & Challenges (e.g., misgendering, verbal challenge, being refused entry).
2. Safety Threats (e.g., fear of harassment or violence, lack of staff support, privacy worries).
3. Post-judgment Changes (e.g., increased anxiety, altered routines, seeking alternatives).

To show scale as well as stories, we counted how often each theme and sub-theme appeared ("prevalence"). Headline percentages appear in the main text; fuller tables are in the appendix. We also compared experiences across groups using clear definitions (e.g., trans women, cis women, trans men, cis men, non-binary with/without a trans history). Where relevant, we highlight differences linked to ethnicity and disability, noting where numbers are very small.

We include a bank of anonymised illustrative quotes to bring lived experience into focus. Edits are minimal and only for clarity or to remove identifying details.

How this fits with the numbers: The qualitative findings explain the “how” and “why” behind the survey statistics — linking policies and staff practices to what people actually face day-to-day.

Limits to keep in mind: This is an opt-in survey, so people with strong experiences may be more likely to respond. One analyst coded the data (which supports consistency, though a second coder would add an extra reliability check). Very small groups are aggregated in published tables to protect anonymity. Overall, the patterns are strong and consistent, but they should be read as indicative rather than exact population estimates.

Ethics & Safeguards:

Participation was voluntary with informed consent collected online before any questions. No identifying data were required; IPs/logs were not retained beyond essential security, and responses were pseudonymised. Participants could skip any item or exit at any time without penalty. Sensitive items carried content notes and links to support. Data were stored on encrypted servers with access limited to the research team; small-n groups are aggregated to reduce re-identification risk, and quotes are lightly edited to remove indirect identifiers. Researchers followed GDPR/UK DPA-compliant handling, used exposure limits for malicious content, and received debriefing/wellbeing support. Procedures were reviewed under internal research-governance standards.

An increasingly common phenomenon to open access online research is the prevalence of malicious or fake respondents. There was a high level of human identified malicious responses aimed at sabotaging the data collection and/or taking the opportunity to declare violence towards or celebration at the potential erasure of trans people from public spaces. These responses were isolated during the data cleaning stages and kept in a separate file. Rather than dismiss these malicious responses, a decision was made to complete a separate discourse analysis to compare with the open question responses of valid respondents. Some reference will be made to this data where appropriate in this report, though it should be noted that deeper analysis goes beyond the scope of the study objectives and therefore will be used for a separate report.

Appendix 3. Survey Questions

SURVEY INSTRUMENT QUESTIONS

Q1. We only collect personal information that is strictly necessary for this research. All survey responses are fully anonymised and combined into aggregate summaries. No individual respondent can be identified in any internal or external reports.

GDPR Consent: Please confirm that you:

1. Have read and understood the information provided
2. Are aged 18 or over
3. Understand your responses will be anonymised and only used for research
4. Consent to take part in this survey

Options:

- Yes
- I consent
- No
- I do not consent

Q2. Which of the following best describes your gender identity?

Options:

- Cis gender woman
- Cis gender man
- Transgender woman
- Transgender man
- Non-binary
- Intersex woman
- Intersex man
- Intersex non-binary Prefer to self-describe
- Prefer not to say

Q3. Have you ever been perceived or treated as transgender or gender non-conforming by others?

Options:

- Yes
- No
- Not sure
- Prefer not to say

Q4. Which of the following do you consider to be single-sex spaces? (Select all that apply)

Options:

- Toilets and washrooms (workplaces and public buildings)
- Changing
- shower and washing facilities (gyms, leisure centres , swimming pools, sports clubs)
- Hospital wards or medical sleeping accommodation
- Refuges or crisis-support services (domestic violence, rape crisis, safe houses)
- Prisons and custodial accommodation
- Single-sex counselling or therapeutic services
- Women-only or men-only classes
- sessions or clubs
- Other (please specify)

Q5. Have you ever been stopped, questioned, or harassed while entering or using a single-sex space in the UK?

Options:

- Yes
- No
- Prefer not to say

Q6. Approximately when did your most recent such experience occur? (Month and Year)

Q7. Did this incident occur before or after the Supreme Court judgment announcement on 16 April 2025?

Options:

- Before 16 April 2025
- On 16 April 2025
- After 16 April 2025
- Not sure

Q8. In which city or town did this incident occur?**Q9. What type of venue were you at?**

Options:

- Bar
- Cinema
- Theatre
- Concert venue
- Workplace
- Supermarket
- Gym
- Community group
- Sports ground
- University building
- Hospital
- Other (please specify)

Q10. Which type of space did this occur in? (Select all that apply)

Options:

- Toilets and washrooms
- Changing
- shower and washing facilities
- Hospital wards or sleeping accommodation
- Refuges or crisis-support services
- Prisons or custodial accommodation
- Single-sex counselling or therapeutic services
- Women-only/men-only classes, sessions or clubs
- Other (please specify)

Q11. Who challenged or stopped you? (Select all that apply)

Options:

- Security staff
- Facility staff
- HR
- Colleague
- Members of the public
- Other service users
- Other (please specify)
- Not sure

Q12. To what extent did the experience affect your sense of safety?

Options:

- Not at all
- Slightly
- Moderately
- Very much
- Extremely

Q13. As a result of these experiences, have you ever avoided going to a single-sex space?

Options:

- Yes
- No
- Prefer not to say

Q14. How often were you stopped, questioned, or harassed in single-sex spaces BEFORE 16 April 2025?

Options:

- Never
- Rarely
- Occasionally
- Frequently
- Very often

Q15. How often have you been stopped, questioned, or harassed in single-sex spaces SINCE 16 April 2025?

Options:

- Never
- Rarely
- Occasionally
- Frequently
- Very often

Q16. To what extent do you believe incidents BEFORE 16 April 2025 were due to others' perception of your gender presentation?

Options:

- Not at all
- A little
- Somewhat
- A great deal

Q17. To what extent do you believe incidents SINCE 16 April 2025 were due to others' perception of your gender presentation?

Options:

- Not at all
- A little
- Somewhat
- A great deal

Q18. Which of the following is NOT a type of single-sex space? (Select all that apply)

Options:

- Toilets and washrooms
- Changing rooms
- Hospital wards
- Football stadium
- Prisons and custodial accommodation

Q19. For quality control, please select 'Strongly agree' for the following statement: 'I am completing this survey carefully.'

Options:

- Strongly disagree
- Disagree
- Neutral
- Agree
- Strongly agree

Q20. Earlier, you answered questions about experiences in single-sex spaces. For validation purposes, please confirm which best describes your responses today.

Options:

- My answers reflect my genuine experiences and/or perspectives
- I provided random responses
- I answered dishonestly
- Prefer not to say

Q21. Please describe a time you were stopped, questioned, or harassed in a single-sex space. What happened, and how did it make you feel?

Q22. What would help you feel safer or more affirmed when accessing single-sex spaces?

Q23. Do you feel that the Supreme Court judgment announced on 16 April 2025 has affected you personally? If so, please describe how it has affected you, in your own words.

Q24. Are you an intersex person?

Options:

- Yes
- No
- Not sure
- Prefer not to say

Q25. What is your age range?

Options:

- Under 18
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65 or older
- Prefer not to say

Q26. Which of these terms most closely describes your broad ethnic group?

Options:

- Asian/Asian British
- Black/Black British
- White/White British
- Mixed/multiple ethnic groups
- Arab/Middle Eastern
- Other ethnic group
- Prefer not to say

Q27. Please select the specific group that best describes your background:

Options:

- For Asian: Chinese
- Bangladeshi
- Indian
- Pakistani
- Asian other. For Black: Black African
- Black Caribbean
- Black other. For White: White British
- White Irish
- White Gypsy or Irish Traveller
- White other. For Mixed: Black African and South Asian
- Black African and White
- Black Caribbean and White
- South Asian and White
- Any other mixed. For Arab/Middle Eastern: Arab
- Ashkenazi Jewish
- Kurdish
- Middle Eastern other. For Other: Please specify.

Q28. Do you identify as disabled or as having a long-term health condition?

Options:

- Yes
- No
- Prefer not to say

Q29. Which region of the UK do you currently live in?

Options:

- England
- Scotland
- Wales
- Northern Ireland
- Prefer not to say

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