

Reading Trans Movement Statement on University of Reading Transphobic Toilet Policy Changes

On the 16th of April, the UK Supreme Court ruled that “sex” in the equality act refers to sex assigned at birth. This does not remove protections on the basis of Gender Reassignment, and is niche in its legal consequences and application. This decision was made after being brought to the court by an anti-trans group, and was made without consulting any trans people, nor the people who drafted the original equality act. It has been widely criticised by trans supporting organisations, and legal challenges are being raised against it.

On the 25th of April, the Equality and Human Rights Commission—which is chaired by a woman with close links to anti-trans groups—released interim guidance extending the supreme court ruling beyond its original scope, and advising that organisations illegally discriminate against trans people in the provision of single sex spaces. ***This guidance is not legally binding***, and can be argued to actively encourage organisations who follow it to break laws regarding data protection and the rights to privacy held by trans people regarding their status as trans in forcing them to out themselves.

Despite this, the University of Reading has decided to use this guidance as to justify adopting a transphobic policy which would require transgender students and staff to out themselves through their usage of single sex spaces, and prevent them from using spaces appropriate to their gender identity. In the climate of increasing hate crime towards trans people in this country, this policy places students and staff in considerable danger.

Trans people have been using the correct spaces since before laws protected them. They will continue to do so now as the laws still protect them. The guidance is not legally binding. The University of Reading has chosen to adopt a transphobic policy with no legal basis.

The new policy is unenforceable, no provision exists to determine the sex assigned of birth of a student or member of staff, and any measure that would attempt to do so may break several laws.

We encourage all trans students and staff at the University to not pre-comply with the new transphobic policy.

We demand the following of the University of Reading:

- Reverse the changes made to the Universities Policies to comply with the law as it stands and protect trans people. Not as the anti-trans controlling parties at the EHRC and Univeristy wish it existed.
- Put out a statement affirming the rights of trans students and staff to use the facilities they deem most appropriate for them.
- Apologise to the trans community for the persistent harm it has enacted and enabled through the empowerment it has consistently given to anti-trans voices and policies.