

Rt Hon Caroline Nokes MP
Chair, Women and Equalities Committee
House of Commons

By Email

Wednesday 13 January 2021

Dear Caroline,

Reform of the Gender Recognition Act 2004 Inquiry

Thank you for your letter dated 9 December concerning the Committee's inquiry into the Reform of the Gender Recognition Act 2004 ('GRA') and for the subsequent meeting with our Chair and Chief Executive which gave the opportunity to discuss our respective priorities.

As discussed at that meeting, although we will not be submitting evidence to this inquiry, we are acutely aware of our role in enforcing the Equality Act 2010 including in relation to the protected characteristic of gender reassignment, and in promoting the human rights of trans people. We have decided to focus our limited resources where we consider we can have most impact in this area and this is through the development of a litigation strategy.

The strategy will set out our high level approach to exploring litigation opportunities that will allow us to use our legal powers to assist the courts in clarifying the law in this area, particularly in relation to the interface between exceptions for the protected characteristics of gender reassignment and sex under the Equality Act 2010. We believe that clarity from the courts will help to inform the wider debate in society. This will be a strategic focus for our work in 2021/22 and we would be grateful for the Committee's support in the identification of potential relevant cases that come to your attention. We will share the strategy with the Committee as soon as it is finalised.

T: 020 7832 7800

E: correspondence@equalityhumanrights.com

Fleetbank House, 2-6 Salisbury Square
London, EC4Y 8JX

equalityhumanrights.com

I hope you will understand that we aim to deploy our powers and resources in the most effective way possible and that we have made an assessment based on our available resources and the potential for strategic impact.

We look forward to seeing the outcome of your inquiry and to future engagement with you as our litigation strategy moves forward.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'M. Field', with a long horizontal flourish extending to the right.

Melanie Field

Executive Director – Strategy, Policy and Wales
Equality and Human Rights Commission

T: 020 7832 7800

E: correspondence@equalityhumanrights.com

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London, EC4Y 8JX

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