

Maya Forstater, Naomi Cunningham,

Rebecca Bull, Emma Hilton

Directors, Sex Matters

**By email only**

Our ref: 734Forstater

Wednesday 18 May 2021

Dear Ms Forstater, Ms Cunningham, Ms Bull and Ms Hilton,

**Subject: Response to open letter**

I am writing in response to the open letter to EHRC Commissioners published on your website on 7 May.

As you are aware, the Equality Act 2010 protects everyone from discrimination because of religious or philosophical beliefs, at work, as in other areas of life.

Our recent decision to intervene in Ms Forstater's case was taken to advise the court on how equality and human rights law applies in this complex area of freedom of thought, conscience and religion. As with all of our legal cases, a summary appears on our website:

<https://legal.equalityhumanrights.com/en/case/upholding-right-freedom-religion-or-belief>

Our independence and impartiality is non-negotiable, is protected in statute, and is profoundly important to everything we do. We will continue to seek to clarify the law to defend the rights of all who are discriminated against because of protected characteristics.

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Tel: 020 7832 7800 | Email: [correspondence@equalityhumanrights.com](mailto:correspondence@equalityhumanrights.com)

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



[www.equalityhumanrights.com](http://www.equalityhumanrights.com)

Regarding our membership of the Stonewall Diversity Champions scheme, to suggest that this impacts on our impartiality is wholly inaccurate and unfounded. The programme is for employers and our membership always related exclusively to our internal affairs, it had no influence on any external work.

However, as a publicly funded organisation we have to ensure that we are making the best choices when it comes to our budget and have recently been reviewing all of our memberships.

We wrote to Stonewall in March to let them know that we would not be renewing our membership, and this has now expired.

We remain committed to creating an inclusive workplace that will attract people from all backgrounds, where all of our colleagues will thrive and where all LGBT employees as well as people with other protected characteristics are accepted without exception.

Kind regards,



**Baroness Kishwer Falkner**  
**Chairwoman**  
**Equality and Human Rights Commission |**

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