

Maya Forstater

Sex Matters

By email only

From: Baroness Kishwer Falkner,
Chairwoman

Our ref: 20251119Forstater

Wednesday 19 November 2025

Dear Maya Forstater,

Thank you for your email of 17th November, requesting that the EHRC withdraws the 2011 Code of Practice for Services, Public Functions and Associations.

We share your concerns about the current Code being out of date, which is why we wrote to the Minister for Women for and Equalities on 15 October. In [our letter](#) we asked for the revocation of the 2011 version of the code, as it is now unreliable in various respects.

I can confirm that we received a response from the Minister for Women and Equalities on 11 November. This states that it is not her intention to revoke the 2011 Code before the new Code of Practice is published. The reason given is that the 2011 Code addresses a broad range of issues for service providers, beyond those relating to sex and gender reassignment. Therefore, a gap would leave service providers, individuals and the courts without statutory guidance across all protected characteristics for an unknown period of time. The Minister also stated that she wants to ensure a smooth transition from one Code to the

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next and that removing the 2011 Code now would cause more confusion, instability and lack of clarity for service providers and individuals.

Thank you for raising your concerns with us. I hope this response clarifies our position on this issue.

Yours sincerely,



Baroness Kishwer Falkner

Chairwoman

Equality and Human Rights Commission