

## Gender Identity and the Law

On 16 April 2025, the [UK Supreme Court in For Women Scotland Ltd -v- The Scottish Ministers](#) ruled that legal gender definitions under the Equality Act 2010 should be based on biological sex. The ruling means that access to single-sex spaces or services (which the Equality Act makes provision for) is determined by biological (birth) gender rather than identified gender, whether or not a person has a gender recognition certificate (see [Apply for a Gender Recognition Certificate: Who can Apply – gov.uk](#)). Following the ruling, a biological man who identifies as a women will not be entitled to have access to a ‘women-only’ space such as, for instance, a refuge for female victims / survivors of domestic abuse.

The courts have previously dealt with cases relating to the use of ‘puberty blockers’ in children and young people, and subsequent [NHS guidance](#) sets out that puberty suppressing hormones will not be available as a routine treatment option for children and young people who have gender incongruence or dysphoria (which is where the gender identity a child is born with is not the same as the gender they experience).

Whilst gender identity issues are not, on their own, a safeguarding issue, the [Cass Independent Review of Gender Identity Services for Children and Young People](#) highlighted that young people presenting with issues relating to their gender identity often have other issues that are having to manage alongside their ‘gender-related distress’. This also applies to people in early adulthood or later in life too.

Following the Supreme Court Ruling, the Equality and Human Rights Commission (EHRC) has issued [an interim update on the practical implications of the UK Supreme Court judgment](#). An updated Code of Practice will follow.

As this is an area where there will be ongoing developments, and possible further legal challenge, PPP will continue to review case law and guidance issue and, where necessary, update our Adult Social Care Provider, Safeguarding Adults Board, and Safeguarding Children Partnership procedures to reflect changes in the law