Briefing: **Reasoning for removing LGR points from the UK on the 2025 Rainbow Map**
May 2025
Developed by ILGA-Europe

On 16 April 2025, the UK Supreme Court released its judgment in the case of *For Women Scotland Ltd v The Scottish Ministers*, finding, in brief, that in the UK 2010 Equalities Act, the terms "woman", "man", and "sex" are based on "biological sex" and are immutable, including for those who have a Gender Recognition Certificate (GRC), the UK's version of legal gender recognition (LGR). This means that for the purpose of equality law in the UK, trans men are considered "biological women" and trans women are "biological men". Further, holders of GRCs are legally unable to avail themselves of sex-based protections in the UK 2010 Equalities Act.

This ruling was followed by an interim update to guidance issued by the UK Equality and Human Rights Commission on 25 April, which clarified that the judgment means that trans people should not be allowed to use single-sex facilities that align with their gender identities and in some cases should also not be allowed to use the facilities that align with their sex assigned at birth (termed "biological sex" in the interim update).

ILGA-Europe consider the judgment and resulting interim update to indicate that a person's GRC no longer functions in all areas of life, undermining the coherence of legal gender recognition in the UK. Legislative or administrative frameworks for LGR presume, in alignment with Goodwin v. the United Kingdom (ECtHR no. 28957/95), that once a person's documents are changed, the change shall have universal impact, meaning that a trans woman is a woman for all legal purposes and a trans man is a man for all legal purposes, including access to spaces and services. Thus, with the judgment and interim update in place, LGR in the UK does not and cannot meet this functional definition. It is in fact impossible for a trans person to be fully legally recognised in their gender identity within the legal framework created by the judgment and interim update.

As such, ILGA-Europe has removed all legal gender recognition-related points from the UK in the 2025 Rainbow Europe package. This includes points for:

1. No legal framework making legal gender recognition impossible;
2. Existence of legal measures; Existence of administrative procedures;
3. No compulsory medical intervention required;
4. No compulsory surgical intervention required;
5. No compulsory sterilisation required;
6. No compulsory divorce required.

Point 1, "No legal framework making legal gender recognition impossible", is the superior point in this set; without it, the ILGA-Europe methodology does not allow awarding any of the other points on this list. It is ILGA-Europe's understanding that because the GRC no longer functions to ensure that a person is universally recognised as the sex denoted in their GRC, that there is no functioning LGR in the UK, and thus this point and all following subsidiary points fall. A GRC that does not function across all legal domains and all areas of life is not legal gender recognition.

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