

Rt Hon Bridget Phillipson MP  
Secretary of State for Education,  
Minister for Women and Equalities

CC. The Rt Hon Baroness Smith of Malvern  
Minister for Women and Equalities

**Email only**

Tuesday 03 December, 2025

Dear Secretary of State,

We are writing to you as a group of leading mental health organisations across the UK to request a meeting to discuss our serious concerns about the potential impact of the proposed Equality and Human Rights Commission (EHRC) guidance on the Equality Act on the mental health and wellbeing of trans and non-binary people.

The guidance, submitted to the Government by the EHRC following the recent Supreme Court ruling on the definition of a person's sex under the Equality Act, risks limiting the protection and inclusion of trans and non-binary people in essential public services.

As mental health organisations, we are deeply concerned about the harm this could cause. Mental health depends on people feeling safe, valued and respected. Living in fear of abuse, discrimination or humiliation is a major risk factor for poor mental health and trans and non-binary people already experience some of the highest rates of mental ill health in the UK, driven by stigma, exclusion and barriers to affirming care. The proposed guidance risks deepening these inequalities, undermining people's dignity, safety and access to support.

We are especially concerned about the implications for mental health services. Everyone deserves care that is gender-affirming, compassionate and safe and for trans people who often have co-existing mental illness, it is crucial and required by Good Medical Practice, that person-centred care is delivered, which takes account of their needs and preferences.

If trans and non-binary people feel unsafe or anticipate discrimination, it can retraumatise them and deter them from seeking help, harming individuals and weakening the integrity of our care system. Mental health services should be places of refuge, not risk, and equality protections must strengthen, not erode, the conditions that enable people to feel safe and supported.

Given these concerns, we urge the Government not to proceed with the guidance in its current form, as doing so would deepen existing inequalities and pose significant risks to the mental health and wellbeing of trans and non-binary people. Any future approach must be shaped by robust evidence and meaningful engagement with those most affected, including trans and non-binary people across all ages and mental health professionals.

We would welcome the opportunity to meet with you at your earliest convenience to discuss these concerns and explore how we can work together to safeguard the mental health, dignity and equality of trans and non-binary people across the UK.

Yours sincerely,

On behalf of the undersigned organisations:

Andy Bell, CEO, Centre for Mental Health

Vanessa Longley, CEO, Beat

Dr Shantanu Kundu, CEO, Be Free Campaign

Amy Whitelock Gibbs, Chair, Children and Young People's Mental Health Coalition

Mark Rowland, CEO, Mental Health Foundation

Jane Hughes, CEO, Mental Health Matters

Brian Dow, CEO, Mental Health UK

Sarah McIntosh, CEO, MHFA England and Association of Mental Health First Aiders

Dr Sarah Hughes, CEO, Mind

Mandy Crandale, CEO, National Survivor User Network

Vanessa Pinfold, Research Director, The McPin Foundation

Mark Winstanley, CEO, Rethink Mental Illness

Dr Lade Smith CBE, President, Royal College of Psychiatrists

Julie Bentley, CEO, Samaritans

Rosie Tressler, CEO, Student Minds