EAT finds that a belief that biological sex is immutable is a philosophical belief protected under the Equality Act 2010

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Today, the Employment Appeal Tribunal handed down judgment in the case of Maya Forstater, who lost her job after saying that people cannot change their biological sex. It held that a belief that biological sex is immutable and not to be conflated with gender identity is a philosophical belief which is worthy of respect in a democratic society, meaning a person who expresses it has protection from discrimination under the Equality Act 2010. The EAT found that a philosophical belief would only be excluded from protection if it was akin to Nazism or totalitarianism.

The EAT also stated that trans persons continue to have protection from discrimination and harassment under the Equality Act and employers and service providers must provide a safe environment for them.

Claire Dawson, Partner at BDBF comments that "**While this judgment relates to the expression of gender critical beliefs, the EAT's analysis has wider implications for the treatment of different philosophical views in the workplace. It emphasises the availability of protection for a wide range of beliefs.**"

For more details please visit **www.bbc.co.uk/**

#genderidentity #forstater #ukemplaw #discrimination

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