

Oxford SU Motion: Supreme Court Ruling (Mandate)

Mandate to Reaffirm Support for Trans Rights and Oppose Regressive Legal Interpretations

Policy Statement

Oxford SU reaffirms its full commitment to the rights, safety, dignity, and health and wellbeing of trans, non-binary, and intersex students across the University. In light of the UK Supreme Court's recent ruling on the Equality Act 2010 — which upholds the legality of excluding individuals from gender-segregated spaces on the basis of sex assigned at birth — Oxford SU expresses deep concern about the ruling's implications for trans and intersex inclusion, student welfare, and institutional values. Transphobia, and any kind of discrimination, remains unacceptable.

This ruling does **not** mandate the exclusion of trans people, nor does it require institutions to discriminate. If a university chooses to implement policies that restrict student access to facilities based on , sex assigned at birth this is an active and discretionary decision — not currently a legal requirement. The University must take ownership of such choices and the harm they cause, rather than passively attributing them to legal constraint.

Oxford SU is alarmed by the lack of clear statements from many UK universities, including Oxford, which has illustrated a pattern of risk aversion over principled support for its own students and staff. As a globally influential institution, Oxford has a duty not only to lead the higher education sector in equity and student wellbeing, but also to uphold academic integrity by engaging critically with the legal and scientific claims underpinning this ruling.

The British Medical Association (BMA) has already challenged the biological essentialism underpinning recent policy and legal discourse. The BMA has emphasised that biological sex is not a binary, immutable concept, and policies grounded in such assumptions lack both medical and scientific credibility. Oxford, as a centre of academic excellence, must reflect these realities in its institutional responses and policy frameworks.

Furthermore, the ruling has direct consequences for the intersex community, who may not be easily categorised within binary sex classifications. Exclusionary interpretations based solely on birth sex risk reinforcing harmful practices such as sex assignment without consent

and institutional erasure of intersex experiences. Oxford must resist any policies that rely on rigid sex definitions, which actively undermine the rights and dignity of intersex individuals.

Policy Beliefs

- Trans and intersex students are at heightened risk of discrimination, mental health challenges, and institutional exclusion.
- The University must lead the sector in trans- and intersex-inclusive practices, not merely comply with legal minimums.
- Trans students must continue to be able to safely access toilets, accommodation, and services aligned with their gender identity.
- The availability of gender-neutral toilets is a basic matter of dignity, accessibility, and inclusion.
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- Gender-neutral facilities should be widely available as a default, not an afterthought, and we must critically reflect on how spatial design upholds or challenges normative gender boundaries. The Supreme Court ruling does not compel exclusion or discrimination; institutions must take responsibility for how they choose to interpret and implement it.
- Oxford SU has a responsibility to challenge any structural change that undermines the rights and wellbeing of trans and intersex students.
- Oxford must be a leader in academic integrity and evidence-based policy, aligning with medical bodies, such as the BMA, in rejecting reductive and scientifically inaccurate definitions of sex.

Policy Mandates

Oxford SU and its Sabbatical Officers are mandated to:

- Campaign across central and college levels for the protection and expansion of trans- and intersex-inclusive policies and practices.
- Engage Common Rooms, governing bodies, and senior leadership to:
 - Ensure explicit protection of trans and intersex students' rights
 - Expand and signpost gender-neutral toilets across the University
 - Coordinate a University-wide campaign clarifying that Oxford will not adopt exclusionary interpretations of the Equality Act

- Work with the Equality and Diversity Unit, LGBTQ+ Society, and relevant University offices to:
 - Strengthen policy frameworks
 - Ensure guidance explicitly protects access to gender-appropriate and gender-neutral facilities
- Report regularly to the Conference of Common Rooms on mandate progress with timelines and deliverables
- Embed trans and intersex rights in all lobbying, policy work, and strategic planning
- Publicly and internally oppose any attempt by colleges or departments to regress on current protections
- Hold the University accountable for choices that compromise the safety, dignity, or inclusion of its students.