

Eight Midlothian schools face review after gender court rulings

Eight schools in Midlothian face having to change their toilets in the wake of recent court rulings over gender rights.

Midlothian Council said it is awaiting national guidance following a ruling at the Court of Session in Scotland which ordered another local authority to install single sex toilets for pupils while the Supreme Court ruled earlier this month that a woman is defined by biological sex under the Equalities Act, leading to the European Court of Human Rights to issue interim guidance that trans women should not be permitted to use women's facilities.

East Lothian Council has already said two of its primary schools which were unisex only are having new signs put up to designated boy and girl facilities with disabled toilets also available for use.

In Midlothian a spokesperson said eight schools were fully unisex alongside disabled toilets and it said they, and future projects, would now be reviewed in light of the rulings..

A spokesperson said: "Eight schools have fully unisex toilets. We currently have no projects 'under construction'.

"All projects that are being planned will now be reviewed, and any necessary amendments as a result of the Supreme Court ruling will be considered and action taken where necessary.

“We are taking cognisance of the legal ruling and are awaiting national guidance on next steps to address the ruling.”

They added all public buildings and council facilities would also be reviewed to “ensure compliance with the Supreme Court ruling.

The Supreme Court ruling came after a challenge by campaign group For Women Scotland over Scottish Government claims that a trans woman who has a gender recognition certificate (GRC) should be treated as a woman by the Equality Act.

However For Women Scotland argued protections provided by the act should only apply to people that are born female.

Following the Supreme Court ruling the European Court of Human Rights (ECHR) issued guidance that pupils should use toilet facilities corresponding with their biological sex.

Last month council leader Kelly Parry moved to address concerns raised over a new £120million high school replacing Beeslack in the county, amid claims it would have unisex toilets.

She told a meeting of elected members: “I want to clear up one issue that is the email campaign claiming there is only unisex toilets in the new Beeslack school.

“I want to assure people that the new building will include open plan, full height, closed individual cubicles, separate toilets and accessible toilets and are therefore not unisex only. Additionally if people prefer a more private toilet facility these will be available and positioned around the school.”

By Marie Sharp Local Democracy Reporter