

***** NEWS RELEASE *****

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WOMEN'S CHARITIES IGNORING SUPREME COURT RULING

A report published today by policy analysts MurrayBlackburnMackenzie (MBM) shows how some women's charities have lost sight of their charitable objects over recent years. The report identifies a range of charities set up specifically to benefit women that have extended their reach to include men who identify as women. In many cases, charities have failed to reverse their policies following last year's Supreme Court ruling. There has also been a lack of direction from the charity regulators.

'Losing focus: Women's charities and the UK Supreme Court ruling' reviewed 19 UK-based charities, chosen to represent a range of charitable activities and delivery models, including: service provision, charitable associations, advocacy or campaigning charities, educational charities and award or prize-giving charities.

A specially commissioned legal opinion, prepared by Karon Monaghan KC, clarified that where a charity's purposes are restricted to benefitting women, they are not permitted to extend those charitable benefits to men, whether or not they have done so in the past.

MBM co-director Lisa Mackenzie said:

"The discrimination and disadvantage experienced by women and girls is persistent and endemic. Despite significant legislative and public policy gains, stubborn disadvantages reach into all areas of life and, in many cases, persist and accumulate over a lifetime. Charities established to address this disadvantage already struggle to secure adequate resources.

“Yet, in recent years, some women’s charities have extended their activities to include men who identify as women. Regardless of the clarity provided by the Supreme Court’s ruling, we found little evidence that women’s charities that had expanded their services in this way have reversed their policies.

“Regulators too have been slow to respond to the ruling, insisting that they cannot act or provide clarity for those working in the sector until they have received guidance from government or the Equality and Human Rights Commission.

“Our report also shows how funders can create pressure on charities to apply a definition of ‘woman’ that extends to men who identify as women, which is not compatible with the Supreme Court ruling, including by setting formal conditions on funding.

“The women’s charity sector faces a harsh environment of limited resources and growing need. Trustees and managers who are strongly committed to protecting the limited and valuable charitable legacy for women have faced pressure from external lobby groups and sometimes other trustees and staff within their organisations to disregard their charitable objects.

“We hope our report will be a catalyst for change in the sector, and a resource for those in it who face an uphill battle in making a small but essential group of charities refocus on their duty to benefit women.”

NOTES TO EDITORS:

1. [MurrayBlackburnMackenzie](#) (MBM) is a policy analysis collective established in 2018 by former civil servants Dr Lucy Hunter Blackburn and Lisa Mackenzie, and academic criminologist Dr Kath Murray. The collective is based in Edinburgh.

2. MBM commissioned a legal opinion from Karon Monaghan KC, one of the UK’s leading discrimination lawyers. The opinion considers the relevance of last year’s Supreme Court ruling (*For Women Scotland vs the Scottish Ministers*) to women’s charities in England, Wales and Scotland.

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