# UK High Court upholds ban on puberty blockers



In a significant and contentious decision, a UK High Court ruling on Monday upheld the ban on prescribing puberty blockers to individuals under eighteen. This ruling, solidified by the court, confirmed that the May 2024 ban is lawful, further shaking the landscape of transgender healthcare in the UK. The plaintiffs in this legal challenge, brought forth by TransAction, an advocacy organisation championing transgender healthcare, and an anonymous transgender young person, argued that the ban was implemented unlawfully.

The ruling, which favored the Secretary of State for Health and Social Care, found all three grounds of the challenge unsubstantiated. TransAction's primary contention was the emergency procedure used to introduce the ban failed to meet necessary legal criteria. However, the court reasoned that the relevant test had been satisfied, citing it as "a matter for the judgment of the Ministers" amidst "scientific uncertainty."

TransAction also argued the Health Secretary failed to consult organisations specialising in transgender issues. The court dismissed this, asserting there was no obligation for such consultations, and even if they had occurred, they would unlikely have influenced the outcome.

Moreover, the plaintiffs contended that the ban infringed upon the Article 8 rights of the transgender young person involved. The court maintained that the ban’s imposition was “rational.” Enacted on May 29, 2024, during the previous Conservative government, the ban restricts the prescription, sale, or supply of puberty blockers for those experiencing gender dysphoria.

The Health Secretary justified the prohibition as a measure to protect "vulnerable children" from treatments entailing "substantial risks" with minimal clear benefits. This legislation has severely impacted young transgender individuals in England, including the anonymous plaintiff, unable to obtain puberty blockers from overseas providers.

TransAction reacted vehemently to the ruling, criticising the court's reliance on the "Cass Review" to uphold the ban. Dr. Hilary Cass, who spearheaded the review, advised that puberty blockers be administered only within a research framework. This review has faced significant backlash from LGBTQ+ groups and medical experts, including those from Yale School of Medicine, for excluding trans healthcare experts and involving scholars with anti-trans views.

Chay Brown, TransAction's Director for Healthcare, vocally expressed concerns following the ruling:

“We are seriously concerned about the safety and welfare of young trans people in the UK. Over the last few years, they have come to view the UK medical establishment as paying lip service to their needs, and all too happy to weaponise their very existence in pursuit of a now-discredited culture war.”

TransAction has announced its intention to seek permission for an appeal, pending further legal advice.

Meanwhile, the British Medical Association (BMA) plans to critically evaluate the Cass Review, urging additional time for their assessment. The review, published in April and criticised for its methodology, labelled current gender care as based on "remarkably weak evidence."