

Your ref: TG01447

12 March 2026

Via e-mail: karen.cameron@party.niassembly.gov.uk

Timothy Gaston MLA
38 Henry Street
Ballymena
BT42 3AH

Dear Mr Gaston,

Thank you for your letter of 6 March 2026 in which you have asked for the Equality Commission's view as to the status of the current policy of the NI Assembly Commission in relation to the use of toilet facilities.

We are aware, from the Assembly debate on 10 March, that the Assembly Commission's policies relevant to your enquiry are under review.

As to the legality of the policies, ultimately, if discrimination is alleged, it is for the county court or industrial tribunal that is hearing that case to decide whether unlawful discrimination has occurred, with much depending on the specific facts of the case in question.

In this instance, there is added complexity due to the legal uncertainties identified in our [Legal Paper](#), published in June 2025, for which clarification is being sought from the High Court. You might wish to refer to the 'interim information' contained in Annex 2 (pages 43-51) of the paper.

I hope this is helpful.

Yours sincerely



Geraldine McGahey OBE
Chief Commissioner



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