

Because equality matters

EQUALITY BULLETIN - SPRING 2026

Welcome to our Spring Equality News. We begin the new year continuing to feel the consequences of the Supreme Court's judgment in *For Women Scotland v Scottish Ministers*. We are covering recent cases looking at access to single sex spaces, and also a recent judgment suggesting a gap in protection from discrimination for those identifying as non-binary.

While issues relating to sex and gender have become prevalent recently, employers have been dealing with disability discrimination for over 30 years. But as workplaces develop so do the challenges employers face. One issue that has arisen, particularly post pandemic, relates to increasing use of hot desking. More commonly a reasonable adjustments issue, we look at a recent case where hot desking led to a claim of disability related harassment.

And finally in this issue we return to the high-profile case of *Bailey v Stonewall* and the recent Court of Appeal judgment providing guidance on causing or inducing discrimination.

You can also scroll down to find out more details on recent podcasts and equality and diversity training we can offer your organisation.

MEET OUR EQUALITY LAW PARTNERS



Sarah Gilzean
Partner

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ESSENTIAL EMPLOYMENT LAW WEBINARS

Our essential employment law webinars continue in 2026. You can register for any of the webinars by following the links from our [Upcoming Events page](#).

Our webinars last for approximately 50 minutes and are free to attend. The webinars are applicable to the law of Scotland, England and Wales. If you can't attend on the day, please register anyway and we will send you a recording of the webinar.

Feedback from recent attendees at these seminars include: ""Very informative, good pace and spoken in plain language", "Really insightful, knowledgeable and helpful", and "Great interaction. Brilliant advice.""

EQUALITY AND DIVERSITY TRAINING

Do you provide training on equality and discrimination matters for your employees? Have you provided refresher training to your employees in the past year? Did it cover sexual harassment and harassment by third parties? If the answer to any of these questions is no, then your organisation may be exposed to financial and reputational risk in the event that a claim is raised.

Sarah Gilzean runs training, to assist employers to improve equality and diversity within their organisation and to help employers establish a "reasonable steps" defence. Contact Sarah at sarah.gilzean@mfmac.com or on 0131 247 1157 if you would like to arrange a session tailored for your organisation's needs.

COMPETING RIGHTS UNDER THE EQUALITY ACT

Balancing rights to single sex spaces

Three recent employment tribunal judgments underscore the current legal and practical complexities for employers managing competing rights under the Equality Act 2010.

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GENDER REASSIGNMENT HARASSMENT

Is the law too binary to support non-binary claimants?

A recent tribunal judgment appears to have left a section of society without protection under the Equality Act 2010.

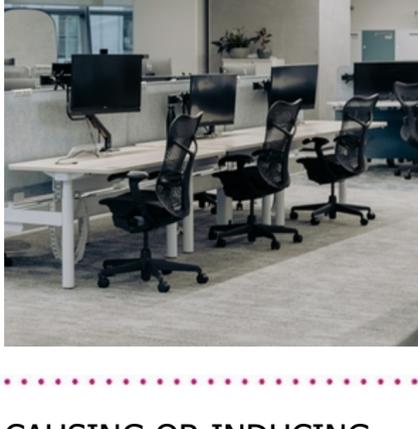
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DISABILITY DISCRIMINATION

Moving desks or crossing a line? Hot desking and disability harassment

In a recent case a disabled worker has alleged that being asked to move desk was disability related harassment.

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CAUSING OR INDUCING DISCRIMINATION

Causal link is key to finding third party had induced discrimination by employer

The Court of Appeal has provided guidance on establishing whether a person has caused or induced discrimination.

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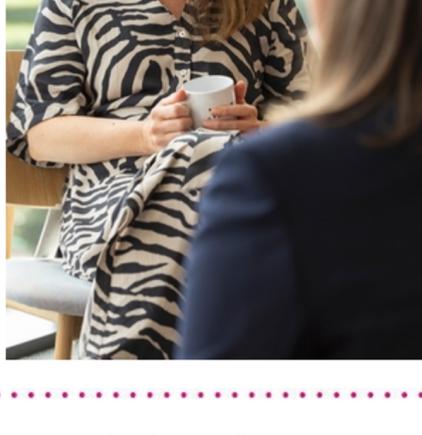
OUR EQUALITY LAW PODCASTS

Our most recent employment law podcasts can be listened to at the links below.

Can job applicants be rejected for supporting a rival football team?

[David Hossack](#) and [Fiona Meek](#) look at a recent Employment Tribunal decision which has attracted significant media attention, where an Employment Judge commented that there could be circumstances where a job applicant's support for a rival football team could provide a justifiable basis for an employer refusing to offer them a job.

[Listen Now](#)



The pitfalls of failing to consider whether an employee's (mis)behaviour could be impacted by a medical condition

[David Hossack](#) and [Ellen Grant](#) discuss some recent case examples which demonstrate the importance of ensuring that medical conditions are taken into consideration by employers during disciplinary investigation.

[Listen Now](#)

"The Black Cop" – Diversity, inclusion and equity in the workplace

[David Hossack](#) is joined by Gamal Turawa, subject of BAFTA award winning film *The Black Cop*, for a fascinating discussion on diversity, inclusion and equity in the workplace. With openness and honesty, G reflects on the challenges of navigating race, sexuality and belonging within a large public institution. Now an inclusion trainer and speaker, he draws on his lived experience to help organisations create environments where people feel seen, heard and valued.

[Listen Now](#)



Links to all of our podcasts can be found here.

[Find out more](#)

CONTACT US

If you have any questions on the content of this bulletin or if you would like to discuss any other equality or discrimination issue then please contact specialists:

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