

Trans woman should have been allowed access to hormone therapy in prison, says European Court

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The European Court of Human Rights has found that Poland violated Article 8 of the European Convention on Human Rights, protecting the right to private and family life, when a trans woman was denied access to hormone therapy in prison

On July 11, the European Court of Human Rights (ECHR) passed judgement in a case concerning the refusal by Polish authorities to allow a trans woman to continue hormone replacement therapy in prison, although she had already undergone such therapy for nearly one and a half years in two previous prisons.

The Court found that the authorities had failed to justify their refusal on any reasonable grounds, and did not provide sufficient explanations as to why the treatment might have been detrimental to the applicant's health.

To the contrary, the Court pointed out that hormone replacement therapy had beneficial effects for the applicant's physical and mental health and that the prescribing doctors had considered it necessary and urgent for the applicant to access such care. As such, the Court concluded that the Polish authorities had failed to strike a fair balance between the competing interests at stake, especially in light of the need to protect the applicant's health as well as her interest in continuing hormone replacement therapy.

Transgender Europe (TGEU) intervened on this case. The judgement can be downloaded [here](#).