

Written evidence submitted by Mr Wills (GRA0072)

Reason for submitting evidence

I am concerned about the framing of trans rights as a debate.

Whilst I am glad that the Government considered the GRA as requiring reform, I do not believe that the reforms are as far reaching as they need to be to last the coming years as public opinion shifts.

My transgender peers should not have to go through such an exhausting process to be legally recognised as their de facto life role.

The Government's response to the GRA consultation:

Will the Government's proposed changes meet its aim of making the process "kinder and more straight forward"?

- It is an improvement but needs to go further

Should a fee for obtaining a Gender Recognition Certificate be removed or retained? Are there other financial burdens on applicants that could be removed or retained?

- There should not be a fee, cisgender people do not face a fee for having their gender legally recognised.
- Although there is obviously a cost to processing the applications, once someone has received a Gender Recognition Certificate it can only help them in terms of reducing anxiety and applying for jobs etc. As such, offering an easily obtainable GRC as part of the NHS transition system would surely reduce the amount of trans people needing as much support from the Government and NHS.
- If the purpose of the fee was to discourage prank registrations, the amount of legwork required to submit an application will surely suffice.
- The financial burden of obtaining the medical letters of support should be considered for removal or mitigation

Should the requirement for a diagnosis of gender dysphoria be removed?

- I think a diagnosis should be required however the current waiting times for the NHS gender clinics are so long that the system favours those that can afford to pay for private diagnoses.
- If the waiting times cannot be reduced to less than six months then the requirement for a diagnosis should be reconsidered

Should there be changes to the requirement for individuals to have lived in their acquired gender for at least two years?

- I don't think there should be this requirement of two years – people live in all sorts of situations where they are unable to safely express their gender identity, even if they know how they want to live.

- There does need to be proof of intent to transition or proof of living as the acquired gender, say for 3 or 6 months.

What is your view of the statutory declaration and should any changes have been made to it?

- I think that it is reasonably well handled

Does the spousal consent provision in the Act need reforming? If so, how? If it needs reforming or removal, is anything else needed to protect any rights of the spouse or civil partner?

- I don't know enough about this aspect to answer

Should the age limit at which people can apply for a Gender Recognition Certificate (GRC) be lowered?

- Yes, there are increasing numbers of young people who have transitioned, for those who can meet the evidential requirements, the age limit should be reduced to 16
- Obviously there are further complications for this age group but they should be able to turn 18 with their acquired gender legally recognised

What impact will these proposed changes have on those people applying for a Gender Recognition Certificate, and on trans people more generally?

- These changes may help more trans people to apply, however the generally less-than-positive press and public reaction to the consultation may put people off of applying. It may also have the opposite effect in that trans people may feel their identity is increasingly under threat and so needs to be legally supported.

What else should the Government have included in its proposals, if anything?

- Options for non-binary trans people

Does the Scottish Government's proposed Bill offer a more suitable alternative to reforming the Gender Recognition Act 2004?

- Yes, the Scottish version would be an improvement

Wider issues concerning transgender equality and current legislation:

Why is the number of people applying for GRCs so low compared to the number of people identifying as transgender?

- It is a further reminder of existing in a marginalised body in a system that doesn't always support trans rights.
- Transition paperwork is exhausting and has a huge mental toll on people
- Some binary trans people feel uncomfortable accessing a process that excludes non-binary people

Are there challenges in the way the Gender Recognition Act 2004 and the Equality Act 2010 interact? For example, in terms of the different language and terminology used across both pieces of legislation.

- It would be good if protections for non-binary genders were explicitly stated

Are the provisions in the Equality Act for the provision of single-sex and separate-sex spaces and facilities in some circumstances clear and useable for service providers and service users? If not, is reform or further guidance needed?

- I think that the guidance makes a complicated issue as straightforward as possible

Does the Equality Act adequately protect trans people? If not, what reforms, if any, are needed

- Non-binary trans people should be explicitly mentioned
- Trans parents should be able to be listed as their acquired gender role on their child's birth certificate

What issues do trans people have in accessing support services, including health and social care services, domestic violence and sexual violence services?

- Discomfort and anxiety accessing resources aimed at a single gender, falling through the gaps between existing services

Are legal reforms needed to better support the rights of gender-fluid and non-binary people? If so, how?

- Explicit inclusion in legislation
- Provision and implementation of a gender marker that is not male or female on identity documents and government systems

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