

Written evidence submitted by Mx Jules Buet (GRA0073)

1. A bit about myself

I'm a French immigrant who has been living in the UK since 2016. I started coming out as a transgender man in 2017. As A French person, I cannot apply for a GRC as I do not have a British birth certificate. As such, the GRA reform did not have legal consequences for me, but the concomitant debate on the “transgender issue” that has inundated the news has most certainly had a negative impact on my life.

2. Does the spousal consent provision in the Act need reforming?

Yes, I am strongly opposed to the spousal veto. While a trans spouse can be given a interim GRC, this interim GRC can expire. This poses the risk of trans people being trapped in abusive marriages or civil partnerships, particularly if they lack the funds to pay for a divorce. While I agree that a GRC should be grounds for divorce, I believe the full GRC should be delivered nonetheless. On top of changing the legal gender of the person acquiring a GRC, the GRA also provides important protections for trans people who obtain a GRC – and which in my opinion should apply to all trans people regardless of if they have a GRC or not. In particular, it becomes illegal to disclose the name and birth gender of the person who has a GRC without their consent. This practice is also known as “outing”. While there are provisions in the Equality Act that protect trans people against discrimination and abuse, the best way to avoid discrimination on the basis of transgender identity is for people not to know about it. You are certainly aware that proving wrongful termination or other employment discrimination in court, whether it is on the basis of sex, gender identity, race, or sexual orientation, is not easy. Gathering evidence to attest to this discrimination takes time and planning, and a trans person who gets fired out of the blue because someone outed them as transgender prevents them from having this ability to gather the necessary evidence, and therefore will likely make them unable to obtain justice for it.

I also believe the statistics on interim GRCs should be clearer. Currently, the data provided by the government does not give the gender of people obtaining an interim GRC, the gender of their spouse, or how many interim GRCs ultimately expire because the marriage or civil partnership has not been dissolved. This has led anti-trans activists to claim that only trans women married to women are transitioning so late in life, and as such created a movement of “trans widows” who are women who used to be married to a transgender woman before she transitioned. This movement is based on the idea that transitioning while married is inherently abusive and is a form of domestic abuse against women. To counter this argument, it is important that we have clear data that underlines that both trans men and trans women obtain interim GRCs, and that they can either be in heterosexual or homosexual unions. Detailed, tangible data clearly available on governmental websites is the best way to tackle lies and anti-trans propaganda.

3. 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 of further guidance needed?

The answer to the first question is clearly no. The Equality Act posits that trans people should be accepted in their preferred single-sex and separate-sex spaces regardless of whether they have a GRC, except when there are reasonable reasons to exclude them. As illustrated recently by multiple lawsuits that have emerged and accompanying news articles, many establishments that

have decided to be trans-inclusive in their guidelines have faced a lot of backlash, which clearly illustrates that “gender critical” people and trans allies clearly have radically different ideas of what “reasonable” exclusions mean. As such, there needs to be a definite nation-wide decision clarifying where trans people need to go: bathrooms, changing rooms – whether they have single stalls or not, schools, barbers, saunas, pools... and also at which point in their transition should trans people start using one or the other. It is clearly unmanageable that each establishment be deciding of their own rules and risk being sued for it and heavily criticised in national newspapers. And it is clearly unmanageable for trans people to ask every single gym, mall, coffee shop, etc which bathroom they should be using. There needs to be one clear guideline with no room for interpretation, potentially one battle in court if some people disagree with the guidelines, and have it settled for good. This will also help settle the flow of anti-trans news articles that has had a strong influence in creating the current anti-trans climate.

4. What can be done to help transgender people and quell the rise of anti-trans hate?

You did not ask this question but I think this is something you should consider. I was living in France when France legalised gay marriage, and the difference with the UK that legalised gay marriage at the same time was striking. France announced the reform months before it was submitted for a vote in Parliament which gave ample time for opponents of gay marriage – who I prefer to call homophobes – to organise and protest. There were regular protests in all major cities, the topic was on the news almost every day, parents wrote to schools to refuse “gay propaganda” being taught to their children and refuse to bring their kids to class on days when sex education was taught, and anti-LGBT violence rose. People went back into the closet, gay bars had to hire additional security to fend off mobs that were waiting outside to beat up patrons, teenagers who came out or were outed as gay were kicked out of their homes at unprecedented rates and LGBT charities were unable to cope. This homophobic activism is still active in France even if it lost a bit of momentum following the legalisation of gay marriage. But ultimately, even if the law gave more rights to gay people, the overall climate in France became much more homophobic and the nation was split into two between the pro and the anti gay marriage. As I am myself bisexual, it was a very toxic climate to live in. On the other hand, legalising gay marriage in the UK, which happened around the same time, was almost a non-event. There weren’t any protests, just a simple, easy, quick vote in Parliament, and it was over with. However, the UK has fallen in a similar conundrum with the GRA reform. Except the government has chosen not to push for the reform as originally planned, therefore only emboldening transphobes. As has been reported by police and LGBT charities, there has been a sharp rise in transphobic hate crimes and generally anti-LGBT hate crimes. We have seen recently American evangelical Christian organisations getting involved in the UK to push their anti-LGBT agenda, even recently sending anti-trans documents to schools across the country. There is a strong need to counter this anti-trans propaganda with real depictions of trans people. We need to see and hear more trans voices, in the media, being invited to Parliament, in charity events, etc, to show that trans people are not the monsters depicted by some people. There is also a need to train police forces on transgender hate crimes as many trans people do not feel comfortable reporting the hate they experience to the police, and the few that report it are usually disappointed by the help they receive. And finally, it needs to be very clear that trans rights are in no way opposed to women’s rights or gay rights. I have been a feminist and LGBT activist since my early teenage years, as a bisexual and someone who was perceived as being a woman, studying STEM and now working in finance, I have experienced first hand misogyny, sexism, homophobia and

lesbophobia, and I would not campaign for anything that could hurt women or gay people. For example, a few instances of sexual violence committed by trans women in UK prisons have been widely reported in the media and it has led to trans women being housed in a different wing of women's prisons. However, the vast majority of sexual violence against women in prison is committed by other female inmates and guards. As such, the public is left with this false sense that rape in women's prisons has been solved now that trans women are separated from cis women, but it absolutely hasn't. By focusing on the tiny number of violence committed by trans women, we fail to see the big picture, and to protect all women against sexual violence committed by any other members of society. There is an epidemic of sexual and domestic violence committed against women in this country, but this is, in its vast majority, not committed by trans women. We cannot tackle this epidemic if we only focus on less than one percent of the perpetrators.

On a similar topic, many gender critical activists are complaining that trans women being counted as women in perpetrators or victims of crimes will bias crime statistics. I am in favour of allowing self-identification as transgender or cisgender in all the main methods of statistic collection done by governmental organisms, following the same guidelines as race and ethnicity self-identification. Not only may this appease some gender critical people, but this will also help have a fuller picture of inequalities and discrimination experienced by transgender people in society. If we want to be able to better address the rise of anti-trans hate, it is important to have as much data as possible, and crucially if it comes from the government rather than LGBT charities or other organisations that may be perceived as biased. There has been a lot of damage done by the inaction of the government following the GRA reform consultation, and there is a lot of work to be done to repair it.

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