

## Written evidence submitted by Danny Holt (a non-binary person) (GRA0100)

### Summary

- Legal recognition of non-binary genders is required
- The proposed modifications to the GRC process will **not** make the system “kinder or more straight forward”
- More must be done to help trans people access services that will help them to live a fulfilling life.
- GICs with enough capacity are an essential NHS service, trans people need them.

### Background

1. I am a 39-year old non-binary/transfeminine person, I am married and have one child. I have been in the RAF for 21 years completing operational tours in Afghanistan and Turkey. I have known that I was different ever since I went to school in the reception year, however I was forced to suppress my differences by parents, family, teachers, schools, doctors, the RAF and wider society until I reached the age of 36, when I was unable to suppress these differences no longer. I consider myself to have been oppressed by the social framework which the UK forces upon its citizens and coming out felt so good because at last the oppression was erased, or so I thought. Since coming out I have lived with the backdrop of the GRA reforms and the two competing narratives that have been played out in the UK’s media and parliament. On one side you seem to have most people who are content with me and others being happy, on the other you seem to have people who only see transwomen as threat to women’s rights.
2. This anti-trans movement seems fixated with a fictitious man who will hide behind GRA reforms to prey on women. It never seems acknowledges real transwomen, transmen and non-binary people like myself who simply want to live their lives, being able to go to the toilet and get changed in privacy like every other decent person in the world does. Of course, there will always be despicable people in the world who will harm others, but to say predators will default to using gender transition to aid this behaviour is a falsehood.
3. The fact that I can’t even get a GRC is the whole reason for me writing this. The NHS and the UK seems happy with me being non-binary, if they weren’t, they would perform conversion therapy on me to force me to conform to binary gender norms or make it illegal in some way. Every professional who I have spoken to is of the opinion that I am free to live my life in this way, and the only help I need is in the form of two tablets, once a day to help me feel at ease in my own body. However, the government seem unwilling to follow other countries’ lead in acknowledging that some people fall out side of the gender binary and fail to provide a means of legal recognition. This causes actual harm! Especially when accessing universal services provided by the UK government to its citizens.
4. Being transgender is not a process that can be followed, it is something that you are born with; therefore, to make the “process kinder and more straight forward” seems like a misunderstanding on the government’s part. To gain a GRC obviously requires some process and procedure since it is a legal document, however to simply put it online and reduce the costs doesn’t really help anyone.

5. As a serving member of the Armed Forces, I feel proud to serve my country, but I get the distinct impression that my country is not proud to have me as one of its citizens because it does not want to acknowledge or recognise my non-binary gender identity.

### **Digital First**

6. All government services should be digital first anyway, so to put it online is only following existing government guidelines.

### **Fees**

7. The fee is simply a small barrier to access; the main barrier is a chicken and egg situation, whereby you must have already transitioned for quite a long period of time before the authorities will acknowledge you as a member of the opposite sex. Therefore, you must go into a period of limbo where you are neither officially one sex or the other, you simply must deal with the situation you are in.
8. When you start a transition, depending upon the desired outcome, you must make so many changes in your life. Coming out to people, a new wardrobe of clothes, new hair, voice, look for new friends, find support, cosmetic procedures. All of these have a cost, financial and emotional, and then to demand £140 as part of the 'processes' is beggars belief. Why can't the GRC be issued by GICs as part of the 'process', i.e. once a person is happy with their transition, the GRC is then issued. For people who do not see the GIC, a statutory declaration could be made.

### **Gender Clinics**

9. The waiting lists are so long at the GICs, that in the two-year period from starting a transition, to being eligible to apply for a GRC, you cannot possibly have even finished your transition. Therefore, having more clinics, and clinicians, is the best outcome from these reforms. Waiting lists for an initial appointment must be reduced to less than three months instead of the 19 something months I had to wait. I just can't see how a reduction of this magnitude will be achieved with just three extra clinics. I needed someone to speak to and some hormones, that's it. I had to wait over 2.5 years to get what I needed and throughout this time my life was in turmoil, depression, anxiety and suicidal thoughts and attempts – all I needed was someone to talk to and some medication – this county's health system caused so much pain for over two years of my life.

### **Gender dysphoria**

10. I suffer from gender dysphoria so this isn't a barrier. My gender dysphoria comes from two sources, one is hormonal, solved by medication. The other is societal pressure to conform, which is not easy to solve. I am not qualified to comment on people who do not suffer from gender dysphoria, but people exist who do not. This lack of a diagnosis, which will soon be removed by the World Health Organisation as a condition, should not form as a barrier to having your gender legally recognised.

### **Time spent in acquired gender**

11. When does this period start? Is it from coming out or the point at which someone completes their transition? This seems like someone asking how do you fit the new stereotype that you have chosen to live in, and you must have met that bar constantly

for two years. It is just another set of gates that is put up to prevent people from being happy. If some time is required it should be in the order of 3 months to 6 months so that the person can begin to settle down in their acquired gender.

### **Statutory declaration**

12. I think people should have to make a declaration to obtain a GRC. This should be the only major legal barrier that is placed in someone's way. To stand in front some legal person and say, "I am no longer xxx as I was assigned at birth, I am now xxx and wish to be considered this for the rest of my life," should be enough for the law to acknowledge that some transition has taken place.

### **Spousal consent**

13. I am grateful that I am with someone who loves and accepts me for who I am regardless of my gender identity. I am grateful because some people aren't. This spousal consent is only required because marriage in the UK isn't equal. Make marriage equal and this wouldn't be required because it would be the union of two people rather than two people who have had their sex recorded.

### **Age limits**

14. This is the age-old question of when does someone become an adult. I left school and joined the military before I was 18, but this was with parental consent. With parental consent I don't understand why a 16-year-old couldn't get a GRC so that when they turn 18, they can just continue living their adult life as they have done ever since they were 16.

### **Impact**

15. The proposed changes will have little impact on trans people, they can do it online and it will cost less, how kind of the government to offer this as a solution.

### **Anything else?**

16. Non-binary people need to be recognised. I feel that if I had a valid legal identity that was neither male or female; government, organisations, and people would start to accept that non-binary people existed and therefore treat me with some respect.
17. Organisations at the movement have mixed views, some are excellent, they will let me use my title Mx on forms and if they want to know my gender, they allow me to record it truthfully. Other organisations simply ignore my gender identity and try to shoehorn me into one of two boxes M or F and force me to use titles such as Mr, Mrs, Ms or Miss. Why they can't just add an extra title to their lists is an unknown to me. I must lie so much to access the most basic services, and if I don't lie, I am excluded from accessing the service. This is exclusion and discrimination at work in the UK, and everyone turns a blind eye. The gender spectrum and non-binary gender identity is an integral part of the Equality Act, I am protected under Gender Reassignment, or so a court found. [What does the Jaguar Land Rover judgment mean for employers? - Personnel Today](#)
18. Its about time the government started to recognise this fact and stopped this discrimination and allow me to record my gender correctly and accurately on passports, census, driving licence, and birth certificate etc.

### **Low numbers?**

19. The numbers applying for GRC is low because of the barriers that are put in place and because non-binary genders are not recognised. The main barrier is the two year wait plus the GIC waiting lists. By the time people have transitioned, they realise that a GRC is a pointless bit of paper because they generally can go about their lives without ever needing it. Hence, they don't apply, if you could drive without a driving licence, yet still allowed people to get one, why would they? The same principle applies; it's pointless.

### **GRA 2004 vs EA 2010**

20. Sex and gender are two different things yet they are always used interchangeably. Sex is biology, gender is society. The legal definition of sex needs updating to include intersex people as well as male and female. Gender identity needs protecting under the EA just as sex is protected.
21. The GRA doesn't recognise all genders, therefore it doesn't do what it says on the tin, it is not fit for purpose.

### **EA 2010 single sex provision**

22. It is quite clear in the EA 2010 that single sex spaces can only exclude trans people when there is a clear need and it is necessary.

### **Trans protection**

23. The EA protects trans people, however it does not adequately protect non-binary people because it omits their existence.

### **Access**

24. I have problems accessing services, I get misgendered constantly which is distressing. I have problems accessing health care, including my ability to book a COVID-19 test which requires me to input my gender as male or female. The NHS acknowledges non-binary identities; however, it can't offer me the correct health screenings consistent with my need, it can only offer me the male or female screenings but not both, I must ask for these and be aware of what I need and when. This potentially puts me at risk of serious disease and illness if I am not diagnosed early on.
25. Accessing trans healthcare is infuriating, the wait lists are too long, they need to be reduced so that people do not suffer for prolonged periods of time without any help.

### **Non-binary gender-fluid issues**

26. My gender identity should be recognised in law and I should have the same protection and rights as everyone else. I should be allowed to access all services without lying about my gender identity. I should not have to reveal my sex/gender to companies simply so they can conduct marketing, there should be a legitimate need to collect this information. Titles such as Mx should be common place just like Dr is. Dr is free of gender so why do educated people get more recognition than ordinary non-binary people?