

**Written evidence submitted by Dr Stephanie Hayton (GRA0129)**

I am the **spouse** of a transperson. In general, I support keeping the spousal consent although there needs to be an option for a straightforward divorce if the spouse unreasonably withholds consent. However, I would also argue that GRCs are mainly unnecessary.

1. My spouse transitioned from male to female in 2012. In general, I endorse keeping the spousal consent. If the transperson is allowed to obtain a GRC without consent, the marriage defaults to a 'gay marriage' in appearance with the implication that the spouse is gay. This is unfair and the power rests with the transperson. Given that most people in this position are men transitioning to women whose spouses are women, this is indirect discrimination based on sex.

2. However, I am aware that many cases are more complicated. If the spouse refuses to agree to a GRC for their spouse and refuses to divorce, or is not contactable, I suggest that there should be a simpler form to complete which gives a quicker divorce rather than waiting two years for desertion or unreasonable behaviour. This form could accompany the interim GRC.

3. I would also argue that social transition of reasonable length (at least one full calendar year) and a diagnosis of gender dysphoria is necessary before an individual applies for a GRC. This allows time for the transperson to test their transition and allows the spouse time to adjust to the transperson's decision. Transition is a serious undertaking with long term implications on the transperson and the wider family if they are married. The necessity for transition and a positive outcome need to be tested before it is endorsed by the law.

4. Notwithstanding the above comments, I would also argue that a GRC has little effect except on the transperson. Since it cannot be demanded in any job or remarriage situation, nor is it necessary to change a passport or driving licence, the GRC's importance is overinflated as a document.

5. As long as the requirements of paragraph 3 are maintained (diagnosis of gender dysphoria and social transition of suitable time period), simplifying the procedure can be achieved by reducing the fee and putting the procedure online – if the GRC is still seen as important.

5. My spouse does not have a GRC: this lack has made no difference to her regarding employment, social situations or family.

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