

## Written evidence submitted by Let A Woman Speak [GRA1092]

### Call for Evidence

#### Introduction

Let a Woman Speak (LAWS) ([www.letawomanspeak.org](http://www.letawomanspeak.org)) is a women's group in the U.K that was formed in 2018 as a response to the proposed changes to the GRA. The group hold events in the U.K. with speakers from a variety of specialisms, to discuss and inform on the issues relating to the trans debate in the U.K. and the proposed changes to the law. Speakers as follows: Jean Hatchett (Ride for Murdered Women), Hannah Clarke (Man Friday), Posie Parker (Woman: Adult Human Female), Stephanie Davies-Aria (Transgender Trend), Miranda Yardley (Trans Iconoclast), Dr Nic Williams (Fair Play for Women), Abigail Rowland (teacher, poet, AGP widow), Sheila Jeffreys (feminist scholar), Julie Bindel (radical feminist writer/Justice for Women), Nina M (Freedom Programme), Dr Julia Long (feminist writer on anti-porn), Heather Brunskel-Evans (social theorist/philosopher), and Kate Graham (political scientist).

LAWS is active on social media in debates around female-specific issues and has had the privilege of listening to hundreds of women's stories and opinions surrounding the trans-debate in the U.K and further afield. It therefore believes it is in the position to talk on this subject.

#### **The Government's response to the GRA consultation:**

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

We believe the proposals have been made with good intention and kindness. However, 'kindness' should not have a place in law, and instead 'fairness' and the strive for equality should be the goal. While it is important to recognise the struggles of those who identity as trans, it is also important to maintain the protected characteristics of sex that allow biological women to meet, and feel safe, as a group. This includes, but is not limited to, public conveniences, refuges and women's shelters, swimming pools, women's-only short lists, sports and prisons.

The overwhelming concern of women we have spoken to is not about threat from any individual trans person but rather the loophole the proposed changes allow that would result in male bodies in female spaces. Regardless of intention, women have a right to feel safe, and to organise amongst their own sex without the threat of males.

2. 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?

It is LAWS' opinion that a fee should be retained to show intention and commitment of the individual, as well as a deterrent to those who have other intent or wish to use the GRC as a political statement. Evidence-based subsidisation should be available.

## Written evidence submitted by Let A Woman Speak [GRA1092]

It should also be recognised that partners of individuals who wish to obtain a GRC deal with numerous issues relating to mental health and potential breakdown of the family unit.

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

No. Diagnosis is vital to prevent false-attempts at obtaining access to female-only spaces. The majority of the trans people attending our events have no issue with this specification as they are sympathetic to the concerns of women regarding sex-protected spaces. If one does not have a diagnosis of gender dysphoria how could it be determined if an individual has a genuine issue or whether claiming trans-identity for political or other reasons? Specific concerns have been identified in cases of domestic abuse with men trying to gain access to refuges, in prisons where criminals with a proclivity to rape wish to gain access to women, or in sports where a 'mediocre' sports man can achieve through unfair biological advantages competing against women.

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

No. This requirement shows intent and commitment. Obtaining a GRC should not be granted on a whim.

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

This should continue as existing. If one feels they truly are trans one should be willing to declare it in law.

6. 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?

The provision should allow for the highest possible support for the rights of the spouse or civil partner. Including (but not limited to) financial support and consideration of guardianship over children. While LAWS appreciates issues surrounding such a situation, a spouse/civil partner who entered into their relationship with good intention should not suffer for an unfair gain of the trans-identified partner.

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

No. GRC should only be available to legal adults. There are numerous issues around consent, regarding irreversible medical procedures and infertility. If a person cannot legally give consent to sex and is unable to vote or marry, they should not be able to obtain a GRC.

## Written evidence submitted by Let A Woman Speak [GRA1092]

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

Proposed changes would allow for people with nefarious intentions (note: LAWS is not saying these people are trans) to obtain access to numerous sex-protected spaces or opportunities designated for girls and women, that have been identified on the grounds of addressing inequality for females in society. For this reason alone, there should be no changes to relax the legislation around the GRA.

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

There should be acknowledgment of the difficulties faced by partners of those applying for a GRC, and their children. Education and social support should also be considered.

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

No. The Scottish bill relaxes legislation and leaves the door wide open for women to be subjected to violence, financial issues, unsafe spaces, and the inability to name themselves for their biological reality.

### **Wider issues concerning transgender equality and current legislation:**

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

LAWS believe this is multi-faceted, and includes the reasons below:

- Many individuals are confused about their identity (this relates especially to young people; there is a strong and worrying correlation between young autistic women and trans-identification which LAWS sees as indicative of the issues women face in society in relation to how they see their bodies. This is due to media, advertising and pornography. Self-harm, eating disorders and suicide rates are up in young women and girls. We believe confusion regarding gender identity fits within this).
  - Individuals being aware that obtaining a GRC does not change their sex and therefore they do not wish to obtain it.
2. 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.

Yes. The Equality Act is very clear in terms of sex-based protections at the moment. Exemptions are currently permitted in order to address uniquely sex-based

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inequality. GRA terminology needs to be clear in stating that obtaining a GRC does not allow an individual access, under law, to these sex-protected provisions.

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 or further guidance needed?

It should be made explicitly clear that biological girls and women are permitted, by law, to meet, organise, live, and be protected, with the exclusion of biological males. This includes excluding those who identify as female but who were born male. This is vital to a) continue recognising that being female is a biological mechanism with unique medical needs and b) that the inequality biological women face (e.g. violence against women) can be fairly addressed.

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

Yes. The EA clearly states that those with diagnosed gender dysphoria have protection for this condition. This should not (and does not) translate as having access to female-only spaces.

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

LAWS recognises there are numerous barriers to accessing support, including intersectional barriers relating to class, poverty, location, religion and culture. Provision for these issues is important but they should not be lumped in within female-specific services. The statistics on the number of trans-identified persons vs the number of biological females should be taken into consideration when allocating resources.

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

No. Basic human rights should apply to all persons. The EA covers rights for those with diagnosed gender dysphoria whilst recognising the sex-based rights of biological females and why it is important to address the issues surrounding their inequality.

### Resources

<https://www.letawomanspeak.org>

<https://womansplaceuk.org/about/>

<https://womansplaceuk.org/gender-neutral-toilets-dont-work-for-women/>

<https://womansplaceuk.org/sex-is-a-protected-characteristic/>

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<https://womansplaceuk.org/2020/07/02/legally-this-is-not-a-trans-rights-issue-its-a-sex-rights-issue-a-blog-about-boxes-audrey-ludwig/>

<https://fairplayforwomen.com>

<https://4thwavenow.com/>

<https://www.transgendertrend.com/transgender-schools-guidance/>

<https://www.facebook.com/LRalliance/>

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