

Gender Recognition Act 2004 reform

PCS response to the Women and Equalities Committee Inquiry

26 November 2020

Introduction

The Public and Commercial Services union (PCS) is the largest trade union in the civil service and government agencies, representing over 180,000 members. We also organise widely in the private sector.

PCS is a trade union with a strong record of campaigning for equality and against discrimination and injustice. We are a union that seeks to understand that our oppression is rooted in an unequal society and we must unite to support each other in the fight against prejudice, discrimination, and bigotry.

We fully support trans people and non-binary people campaigning for their rights. Discriminatory behaviour against trans people, threats of violence, prejudice, and verbal abuse are all totally unacceptable. It is our union's policy to oppose and campaign against all such behaviour, and to support reform of the GRA.

Background

The government opened its consultation on the reform of the Gender Recognition Act in July 2018.

In our response to the consultation PCS set out that the government should introduce a simplified gender recognition process based on self-declaration. Currently the Act imposes oppressive medical and bureaucratic processes on trans people that detrimentally affect their rights and dignity.

PCS was also clear that reform of the GRA must leave the protections and exemptions currently provided by the Equality Act 2010 intact. The reform of the GRA should focus on reducing the administrative burden on trans people. This should not bear on changing the law regarding single sex spaces and services.

Potential areas for reform

Since the announcement in 2017 that the government was intending to consult on reforming the GRA there has been an almost complete lack of investment in any services for

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transgender people and massive cuts in services for women. The announcement by Liz Truss on 22 September on the opening of a further three gender clinics is welcome but wholly inadequate. The demand for gender identity services is rising exponentially. Gender clinics should be available in each health authority making services more accessible and within reasonable travel costs.

We are incredibly disappointed that following extensive debate and evidence put forward about the oppressive nature of the medical and bureaucratic processes imposed on trans people that there will be no change to the legal requirements to change gender. Making it slightly easier and cheaper to apply for a Gender Recognition Certificate is not reform.

The continued requirement for a medical diagnosis and the bureaucratic processes are dehumanising. This is unnecessarily intrusive and our members have told us that they are unclear what evidence is required. Being trans is not an illness and the GRA should be reformed to reflect this. A simple administrative process based on self-determination of gender identity, without any medicalisation of the process, should be sufficient.

PCS supports free provision of public services. The proposal to reduce the fee for a gender recognition certificate doesn't go far enough in addressing onerous costs involved in the process. Requiring applicants to pay increases inequality by placing additional barriers.

Further reform is required to remove costs and simplifying the process.

Interaction with the Equality Act

PCS is reassured that there is no plan to amend the EA2010. The right of women to safe spaces is absolute.

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