

Written evidence submitted by Ms Amber Ace [GRA1344]

I am submitting evidence as an individual layperson. I am a cis woman with close trans friends; my perspective on this is informed by their experiences and my desire for their lives to be easier and more dignified. I am a PhD student at the University of Chicago, and a UK citizen.

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

In some ways, the proposed changes meet this aim. It is good that the Government are proposing to replace the £140 fee with a lower, nominal fee, and move the process online. However, these changes are minor and there are still significant hurdles to trans people when they try to legally transition (as I'll discuss in response to other questions).

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?

The fee should be removed. Otherwise, it constitutes a barrier to trans people who have a low income and cannot easily find the money. I would also be in favour of offering a reasonable amount of financial support to meet other costs – for example, costs incurred in gathering evidence. The ability to live as one's true gender is a human right and therefore should be constrained by a person's financial status.

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

Yes. This puts the fate of trans people in the hands of medical professionals. There is a risk that some trans people will not get such a diagnosis, perhaps because their gender dysphoria presents in an unusual way. Also, some trans people don't feel gender dysphoria, but do feel *euphoria* when living as/presenting as their chosen gender. These people should also have access to legal transition. Finally, the requirement for a diagnosis of gender dysphoria currently constitutes a significant hurdle because of the waiting times to get an appointment at Gender Dysphoria Clinics. I've heard that there are waiting times of several years at some clinics, which leaves trans people in limbo.

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

Scotland has now only requires for individuals to live in their acquired gender for three months; I believe that England should follow suit. I don't see the need for paternalism in this regard: people should be able to make their own decisions about when and how to transition. In any case, trans people usually have been thinking about their gender identity for a long time before they start living as their acquired gender; the choice to start living as their acquired gender, in a society where trans people face considerable stigma, is in itself evidence that the person is serious about transition and it is not a whim or a snap decision.

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

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?

Spousal consent should not be required. A person's ability to live as their gender should not be dictated by their spouse.

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

Trans people should be able to apply for GRC from the age of 16. Although this is young, many trans people know that they are trans from a very young age, and not being able to transition causes significant mental harm. If 16-year-olds are mature enough to get married, they are mature enough to know their own gender identity.

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

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

The Government should have removed the requirement for a gender dysphoria diagnosis, remove the spousal veto, lower the 2-year waiting time, lowered the age limit to 16, and included recognition for non-binary people.

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

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

There are significant barriers to applying for a GRC: applicants must get a diagnosis of gender dysphoria (which may involve waiting several years), they must have lived as their acquired gender for two years, and they must be able to afford the application costs. All of this is offputting and prohibitive and some trans people may decide that it's simply not worth it.

12. 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.

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n/a

13. 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?

I worry that the provision of single-sex spaces will prevent trans people, particularly trans women, from accessing services that they need. Those hostile to trans women claim that their inclusion in female spaces is harmful to cis women – as a cis woman, I strongly disagree with this. I consider trans women to be women and, as such, they are welcome in women's spaces.

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

n/a

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

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

Gender-fluid and non-binary people should be legally recognized and be able to state a non-binary gender on official documents. Making them choose a binary gender for these things is inaccurate and mentally distressing. The lack of legal recognition for non-binary genders supports discrimination against non-binary people, since it is therefore easy to not take their gender seriously.

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