

The Government's response to the GRA consultation:

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

I do not believe so, there needs to be greater trust in the applicants being genuine.

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?

All financial burdens should be removed, life is chock full of obstacles to acceptance for trans folk I believe the government should eliminate all that it can to signal acceptance, warmth from these UK governments might be too much to ask for.

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

Absolutely, trans folk come at this from a normally long gestation period and they know who they are, this should all be about validation, not checkpoints. GRC is especially significant for young folk embarking on their journey in life. A journey that should be, in my opinion; as free of interference (however paternalistic & 'well intentioned') as possible.

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

Absolutely, it needs done away with in favour of the solemn declaration; this has always bugged me and it plays into that often spat "they'll wake up and decide who they want to be etc"; trans people make an internal journey over years and don't make steps with any sense of casualness, needing to update a birth certificate is that key part in the journey. Why should it be harder for this small group of folk who need help realise themselves in society?

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

In terms of Statutory Declaration, I understand the need for it. It must though recognise that for a small subset of trans folk, a change of heart may come about and reclassification might be required back to an assigned gender. Detransition is very complex (it can often have different starting points, is very often commenced as a result of family rejections, children access withdrawn by partners etc. That emotional pressure can be destructive for some whilst for others it's a cross they bear for being themselves, often at long last) so the process has to allow for re-declaration up to twice being change of heart and later; reaffirmation.

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?

I'd say it's important Spousal Consent is removed. People are not property; no one should have that awful power over another sponsored by any government. Government must assume there has been discussion within a relationship. It is otherwise has no interest in this part of an essential process.

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

I believe having met many youngsters on this situation that 16 years is the best point, I also find favour with earlier with parent or guardian support, often now for example parent affirm their child by changing names and wardrobe to help a youngster develop well and essentially with good mental health. I support parents/guardians who support their children or charges in this and would seek to support what the consensus of young people in this regard is.

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

I think there is no stronger validation for a vulnerable group than being heard, being trusted, being considered, and being both believed and facilitated. Hurdles being swept away for this group will cause no harm in wider society; there is ample evidence for calm review on this. The Irish example is a good one five years plus no problems, they have work to do on Non Binary and under 18yrs recognition but the Dial can be rightly proud of their achievement in making affirmation the right thing to do. So aye, the mental health benefits of recognising all your citizens equally and with an open heart will promote better mental health and a clear message of acceptance to the wider population.

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

I should have liked Non Binary recognition built in as I firmly believe the best folk to know who/what they are, are the people themselves living their life. Recognition in all forms of paperwork isn't difficult and that small act of self definition means much to those who cannot fit into albeit eons old proscribed definitions. It comes back to being a mature society with a bit of faith in one another.

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

I made comments on the Scottish GRA much in keeping with the comments I have made here. I believe it started with the best model and in consultation one there was at least 60% approval in responses and aye those came from folk directly affected, folk like me allies, organisations that directly support trans folk and cross community organisations that are, as part of the their service offering; trans inclusive. As we are not privy to the outcome of the second consultation (due to Covid 19) and what if anything it might do to distort the simplicity of the original well tempered proposals; it's not possible to say yes to this question as that requires a trust that was heavily damaged by the opting of the Scottish Parliament to do nothing with the result of consultation one, brutally cast aside Non Binary folk to undergo a separate consultation at some unknown later date (I cannot bear the thought of another heightened period of toxic pillorying 'debate' of that even smaller community subset it breaks my heart thinking of it. Most recently I've been given to the thought that Scotland should adopt one of the other country's schemes and apply that. Ireland is the obvious choice given our kinship but Iceland adopted their far superior scheme on the day Scotland rejected hers 20th June 2019. *"The law ensures that anyone can seek trans-related healthcare and change their name and gender on official documents without a medical diagnosis, and also allows people under 18 to do the same with the consent of legal guardians. It also allows for a third gender on official documents, marked by the letter "X"*

<https://www.theguardian.com/commentisfree/2019/jun/21/trans-issues-britain-iceland-law-intersex-rights>

Wider issues concerning transgender equality and current legislation:

Probably not for this committee, but I would respectfully suggest the spectacle of our trans community having to crowdfund remedial surgeries and electrolysis work is an affront to our high principles of good healthcare. That some youngsters resort to forms of sex work to raise these funds by way of “Only Fans” online presentations potentially harms their self esteem (not all granted) but that anyone is forced by our government to do this as the system of healthcare legislation grudgingly recognises them; I feel, shames us all. This is a tiny community and the costs are insignificant to other health budget heads. I should like legislation to underwrite the fuller costs associated with a trans persons full journey (as they determine that to be) to their realisation.

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

Young people feel the process demeans them and to that I very much agree. Older folk who have no particular requirement any longer for a matching set of paperwork won't put themselves through it for the same reason.

The difference is that young trans folk need the privacy that a corrected birth certificate assures them of; every job application can 'out them' and that undermines presentation, uptake of employment opportunities to avoid the worry and stress that 'forced outing' entails. Trans status is no business of others except partners.

Cost is a factor cited too. A small admin fee would be more appropriate similar perhaps to updating a driving licence fee.

“They put you through a process that humiliates you, they demand reports you have to pay for, you may never meet anyone and they make you pay for the submission too!” Heard it too often.

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.

As I understand from the Scottish Government consultation, there is no incompatibility or impact.

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?

None of the cross community support groups that include trans folk as part of their service offering have, to my knowledge indicated an issue, the right to exclude trans folk under the legitimate aim or purpose provisions they clearly state; have never been used. I would urge no changes.

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

I believe the Equality Act provides very necessary, essential protections to trans folk as written. I strongly caution against changing it. Especially so in any manner that reduces or modifies that current application and protection.

Written evidence submitted by Mr David Thomas [GRA1369]

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

I have no direct experience here but the most damning piece I read was of a trans woman frightened, hurt and fearing rejection by a local rape crisis service felt unable to ask for help. These GRA consultations and the appalling delays that facilitated this whole toxic UK landscape for trans folk will have done little to lessen that perception. I am ashamed of the UK at this time, I find it hard to fathom how regressive the nation became in such a short space of time.

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

Include them as part of the GRA reform and listen more to their needs for simple recognition. It's all there in the consultations so cruelly swept aside.

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