

Written evidence submitted by Amy Hakim [GRA1443]

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"?
 - They are probably intended to be. However, I believe that fairness and equality are the important aspects in law. They should be delivered with kindness and be as simple/clear as possible, but they should not be eroded by this.
- 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?
 - I believe this should be retained in order to sift out people who are serious about transition from those who are not. However, it should not be oppressive and should be within reach of a minimum wage salary.
- Should the requirement for a diagnosis of gender dysphoria be removed?
 - Absolutely not, for the same reason as above – it differentiates between the serious and the non-serious.
- Should there be changes to the requirement for individuals to have lived in their acquired gender for at least two years?
 - No, for the same reason as above – this requirement differentiates between the serious and the non-serious.
- What is your view of the statutory declaration and should any changes have been made to it?
 - This should continue as existing. Something as serious as declaring one's trans identity should be declared legally.
- 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 rights of the spouse or civil partner should be considered as of equal importance to that of the applicant, as they will inevitably be impacted by the decision.
- Should the age limit at which people can apply for a Gender Recognition Certificate (GRC) be lowered?
 - No, this should only be available to legal adults.
- What impact will these proposed changes have on those people applying for a Gender Recognition Certificate, and on trans people more generally?
 - Anyone, regardless of intent/motivation, would be able to access a single-sex space if these changes are enacted. Persons wishing to assault/cause harm would encounter no barrier of any kind, and females would be unable to legally request one. This is unconscionable, to me. It should be noted that such people (most usually males) would not necessarily be trans, but rather claiming to be in order to gain access to previously closed-off spaces.

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- What else should the Government have included in its proposals, if anything?
 - The difficulties of surrounding family and friends (including partners) should be acknowledged and addressed.
- Does the Scottish Government's proposed Bill offer a more suitable alternative to reforming the Gender Recognition Act 2004?
 - No, it's downright dangerous and opens the door to any person with a wish to cause harm to females. It would be deeply wrong and cause harm.

Wider issues concerning transgender equality and current legislation:

- Why is the number of people applying for GRCs so low compared to the number of people identifying as transgender?
 - Possibly due to lack of perceived need – why bother when all the benefits of identification are available without it? The societal implementation of self-ID (regardless of law) has assisted with this in my opinion.
- 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.
 - The Equality Act promises sex-based protection. Changing someone's sex on a form to their desired choice (e.g. from male to female), as promised by the GRC, means that a male-bodied person would be able to enter a female area legally and freely. Many females do not want this to happen, as they are unconvinced that all such people to do so will be acting in good faith.
- 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 needs to be made very clear that females are legally allowed to organise and assemble, and are not required to include males at every step of the way. The reverse (males excluding females) should also be implemented and respected.
- Does the Equality Act adequately protect trans people? If not, what reforms, if any, are needed?
 - Yes, people with diagnosed gender dysphoria are protected.
- What issues do trans people have in accessing support services, including health and social care services, domestic violence and sexual violence services?
 - I'm afraid I don't know as I am not trans. Such difficulties (which must exist) should be addressed respectfully and quickly, but it should be acknowledged that the needs of transwomen (i.e. males) are different to those of females (a category which

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includes women and transmen), and that the needs of transmen (i.e females) are different to those of males (a category which includes men and transwomen).

- 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 people, and the rights of these groups are covered by the Equality Act.

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