

Q1: Will the Government's proposed changes meet its aim of making the process "kinder and more straight forward"?

This seems very unlikely. The process as it stands is onerous and intrusive. As a cisgendered person you don't have to submit evidence of your "suitability" from medical professionals when you enter marriage or a civil partnership or when you're applying for a passport. And that evidence doesn't have to be approved by an anonymous panel of experts who may or may not be sympathetic to the rights and welfare of trans and non-binary people. Therefore, the proposed changes still treat trans and non-binary people in a manner inconsistent with the rest of the population and are, by definition, discriminatory.

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?

If a fee is to be charged, the Government should itemise exactly what is being paid for and how this benefits the payee. Trans and non-binary people often face discrimination in the workplace (consult the Civil Service annual people survey for evidence of this) and so it is not uncommon for them to face financial difficulty. They may face charges relating to medical treatments and considerable transport costs if they do not live near a gender identity clinic.

A simple legally binding self-declaration seems a much fairer and more economical system. This would actually be a cheaper option for the Government in terms of management.

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

It absolutely should be removed. As a gay man I would be horrified if I had to seek a medical diagnosis of my "condition".

"A diagnosis of gender dysphoria" implies that there is something fundamentally medically wrong with trans and non-binary people. We now know that gender and sexuality are both spectrums and that people can exist at many points upon those spectrums. I would argue that it is cisgendered society that has a problem with its gender identity, not trans and non-binary people.

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

There are a number of problems with this requirement. Firstly, how does one document this and present that documentation in a manner which is acceptable to whoever is acting as the gatekeeper. Secondly, this requirement assumes that there are only two genders (female and male) which are clearly defined, when this is not the case and so actively acts against the interests of non-binary people. Thirdly, it is

not clear how this requirement benefits the individual trans or non-binary person – this seems more to do with reassuring cisgendered society and does not take into consideration the welfare of the trans or non-binary individual who will have been aware of their own gender identity for a long time but have felt compelled by society to conceal this.

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

Several countries have adopted statutory declaration to allow people to change their legal gender status. This system has shown no major problems and is beneficial to trans and non-binary people. It is also cheaper to administer. It is mystifying that the UK Government would not want to adopt this process when they claim to be dedicated to reducing regulation.

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 UK Government has done much excellent work in recent years to highlight the plight of domestic abuse victims and provide greater legal and physical protection for them. This spousal consent provision seems out of step with this work. It should be removed completely.

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

The age limit for application for a Gender Recognition Certificate should be in line with the legal age limit for sexual activity and marriage. Anything else seems peculiarly inconsistent and discriminatory.

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

The current process is clearly stigmatising and upsetting for many trans and non-binary people. The current proposals do little to improve this situation.

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

The trans and non-binary community, backed by the vast majority of cisgendered lesbian, gay and bisexual people and the LGBT+ community's heterosexual allies, responded in good faith to the original consultation and overwhelmingly asked for statutory declaration to be adopted, as it has been in other countries. The

Government should have listened to their voices instead of allowing themselves to be swayed by a vocal but statistically insignificant number of people who are persistently abusive towards the trans and non-binary communities and to LGBT+ people in general.

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.

I am very disturbed by the attempts of certain parties to argue that the Gender Recognition Act and the Equality Act are in conflict and that the latter renders the rights of cisgendered women and men as fundamentally more important than the rights of trans and non-binary people. This is legally incorrect. This problem does not require reform of either act but a clear statement from the UK Government that the rights of trans and non-binary people are not in conflict in any way with those of cisgendered people.

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?

Service providers seem to be absolutely clear on the provisions. Anti-LGBT+ activists and many media spokespeople are deliberately misleading about there being confusion on this issue. In my own workplace this has led to a particularly toxic discussion around the move towards individual gender-neutral toilet cubicles which has delivered a greater provision of toilet facilities of a higher quality for all staff. This is clearly a benefit for everyone yet the discussion around the issue, fuelled by misinformation in the media, has been divisive, disruptive and very upsetting.

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

Yes. Legal reforms to support gender-fluid, non-binary and intersex people are definitely need. At present they have little legal recognition which seems unfair and discriminatory.

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