

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

The main issues are:

1. Pathologisation: despite the WHO depathologising Gender Incongruence in the upcoming ICD-11 the changed GRC system still requires input from the medical profession. This runs counter to current medical best practice globally
2. Delay, cost, lack of transparency and an over-bureaucratic system.
3. The fact that it makes trans people have to jump through hoops that cis people do not, in other words however this system is reformed it will always discriminate against trans people in relation to cis people.
4. Centralisation and security; a centralised register of trans people in the UK, held in a filing cabinet or on a computer in Whitehall will always be a target for the political extreme right, blackmailers and transphobes.
5. It still symbolically situates trans people as inherently problematic.
6. The spousal veto disempowers the trans person and renders the individual exposed to blackmailing.

The GRC should be reformed to allow for self declaration, as it is enforced in other countries.

**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?**

A fee should be removed. Trans people are way more likely to be subject of discrimination, loss of employment and loss of family, therefore putting them in a situation where homelessness and poverty are extremely common. Furthermore, a transition is a very expensive process. A statutory declaration system would remove all costs other than the small solicitor's fee.

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

Yes, the requirement should be removed.

Gender dysphoria is now regarded by the WHO (in the ICD-1) as no longer a pathology, in other words it should be regarded no differently from, for example, being pregnant. Retaining any element of medicalisation/pathologisation consequently runs completely opposite to current global medical best practice and functioning.

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

The requirement should be completely removed. It is an invasive requirement and many will not be able to provide full evidence for a variety of reasons. This is a form of gatekeeping to block and scrutinise people that are non cis. There should not be requirements imposed uniquely on trans people, as they are inherently discriminatory, because it implies that trans people are not able to decide for themselves, while cis people are.

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

A statutory declaration is good. It should be no different than a change of name via a Deed Poll.

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 spousal consent needs to be removed. Keeping the spousal consent means that the decision or opinion of the spouse is more important and takes precedence on the individual needs of the trans person. The spousal consent is often used by the spouses to blackmail, coerce and abuse trans people.

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

Yes, the age limit should be lowered and should be based on the Gillick competence.

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

The proposed changes will have little to no impact at all. The whole process should be reformed, simplified and the model of Ireland should be used.

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

The government should have completely reformed the GRC and removed all current requirements and barriers to a GRC, and changed the model to a self declaration one like Ireland. The government should also introduce greater protections against transphobia, along the lines of legislation introduced in Norway and Switzerland.

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

The Scottish Government's proposed Bill puts gatekeeping requirement of 3+3 months of lived in the acquired gender and still excludes under age and non-binary individuals from accessing legal gender recognition.

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

Reasons include: Pathologisation of trans people, cost, spousal veto, centralised archive

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.

They are separate legislation. The Equality Act need to continue to protect trans people. The GRA is a discriminatory legislation against trans people and it should not exist in its current form,

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?

The provisions in the Equality Act are clear and usable as their stand.

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

The equality act does not protect trans people from media disinformation campaigns and the disinformation spread by the anti-trans campaign groups. Given the huge rise in reported violence against trans people in recent years trans, people need to have some additional protection through specific laws against transphobia such as exists in Switzerland and Norway.

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

Misinformation spreads transphobia and allows service providers to discriminate, harass and take advantage of vulnerable trans people. Long waiting times for access to genders specific healthcare services, lack of knowledge on trans healthcare by primary care professionals.

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

Yes, non-binary and gender-fluid people are excluded from accessing legal gender recognition in the Gender Recognition Act 2004.

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