

Written evidence submitted by Bromley [GRA1766]

Introduction to me and reason for submitting evidence

Dear Committee,

I am a gay man with a trans partner, with whom I have been in a relationship for two years. Improving the lived reality of trans people in the UK is something very important to myself and my partner, and my proximity to transness via him has given me unique experience and perspective which I believe is valuable to share. At present, there is a lot of work that needs to be done to improve not only the safety and healthcare of trans people in the UK, but also the wider culture that sees trans people as aberrations in a way that is uncomfortably parallel to how gay, lesbian and bisexual people were treated in recent history. I believe that this consultation is a step in the right direction and I am grateful that the government is pursuing things further – I hope that positive change can come of it.

To respond to the terms of reference to which I feel able:

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

While I believe that the requirements to obtain a GRC are exclusionary, too restrictive and arbitrary, if this must stand then I do believe the proposed changes make the *process* of acquisition kinder and more straight forward. Reducing the cost and placing things online make it more accessible, as does attempts to reduce waiting times with three new gender clinics – though given the extensiveness of the wait, I suspect this will not be enough.

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?

This should be removed. Trans people have no choice in their transness and so it is not just for them to pay for their reality to be formally recognised. Furthermore, trans people are more likely to be economically disadvantaged and are more likely to suffer from mental illness, meaning the financial burden is not easily bore.

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

Yes. Not all trans people experience gender dysphoria and this can lead to the medicalisation of identity, which is extremely dangerous. You would not require a gay man to be diagnosed as gay, nor a lesbian woman to be diagnosed as lesbian, though you would still provide sexuality-specific services to them on the basis of that identity. Trust trans people to know themselves.

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

Yes. In a lot of cases, trans people are not able to safely live in their "acquired gender" and so it may not be possible for them to meet this requirement comfortably, especially when the time has to be shown as beginning with evidence. Likewise, being transgender is something innate and unchangeable – two years will not change that for someone. It does not make sense force someone to wait two years to have their identity recognised when they are themselves able to recognise it long before. Would you refuse treatment to a depressed person because they hadn't been depressed long enough?

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

As far as I understand, this process could be simpler but is functional and inoffensive.

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?

This needs to be removed. A spouse has no authority to deny the gender identity of their partner and regardless of what they may think, the reality of the trans partner remains. They do not stop being trans because their spouse says so, and so denying a GRC on that basis is unjust. This may affect the marriage and result in divorce, of course, but this is completely separate and should be treated as such. Likewise, trans people are frequent victims of domestic violence and this requirement can make things unsafe.

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

Yes, though with precautions in place – though I'm not sure what they would be. Parental consent is difficult as parents may not always be supportive, and medical assessment would likely mean endless wait times in the current system. Trans people can be aware of their transness from a young age, just as I was aware I was gay from the age of 11, and so we should not deny them the opportunity to begin their lives as they need.

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

Unfortunately, I think the impact of the proposed changes will be marginal. They will make acquiring a GRC easier and more accessible, which is ultimately good, but they do not go far enough: wait times will still be extortionate, access to healthcare will still be an enormous struggle, the timeframe continues to force trans people into years-long bureaucracy to prove their very identity, and the culture surround trans people will continue to get more toxic and hate crimes will continue to rise.

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

A few things: changing the law to allow self-identification of sex, as in Scotland; recognising non-binary gender; change the process to be one of self-declaration rather than a tangle of medical and governmental bureaucracy; reducing the age of eligibility; reducing or removing the requirement for time lived as "acquired gender".

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

While the proposed Scottish bill has its own flaws, I strongly believe that it is a better alternative than the proposals here. Their reduction in time lived in "acquired gender", lowering of the minimum age, removal of the need for medical evidence, are all extremely positive changes that will dramatically improve the lives of trans people and their ability to be legally recognised.

Thank you.

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