

## Written evidence submitted by rashne limki [GRA1769]

### Answers to consultation questions:

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

While welcome, the proposed change is still limited. It still situates obtaining a gender recognition certificate within a medical model which continues to deny a trans person's agency and authority over their own identity. In order for reforms to be kinder and more straight forward, they should be centred on the enabling trans people to be recognised in their lived gender and that trans people are the experts in their own identity, rather than being subject to a process that is arbitrated by medical professionals which can be costly and intrusive.

*Should a fee for obtaining a Gender Recognition Certificate be removed or retained?*

The fee should be removed as it is a barrier to ensuring equal access to a GRC.

*Are there other financial burdens on applicants that could be removed or retained?*

Due to the medicalisation of trans identities, there are often additional financial burdens associated with travel and accessing medical support, these should be removed.

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

Yes. Not all trans people experience gender dysphoria but that does not mean they are not trans. Over-medicalisation of trans identities contributes to stigma and notions of there being only one accepted way to be trans.

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

Yes, the length of time should be removed entirely. Trans people already spend prolonged periods of their lives coming to terms with their gender. It should not be up to the government to gate-keep what length of time is acceptable for someone to obtain a gender recognition certificate.

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

The statutory declaration should be removed because it is set within a binary framework and fails to recognise that gender fluid identities exist and that gender is not static.

*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?*

Spousal consent pre-dates sex marriage legislation and is therefore out-dated. Retaining this requirement also means trans people in England & Wales have different rights to those in Scotland where the requirement does not exist. This creates legal inconsistencies and a lack of clarity for applicants. The spousal consent provision is further redundant as all parties to a marriage are able to request a dissolution of the marriage if they wish.

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

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Countries, such as Norway have no legal age limit, depending rather on parental support until a child reaches a point where they can make independent legal decisions. This would be the best approach.

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

Fundamentally, these changes will make legal recognition of trans identities simpler and thus improve equality of trans people in the UK. People who are not trans are granted an accurate birth certificate. Trans people should have the right to correct the inaccuracy on their birth certificate.

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

The Government should have ensured that GRA can be obtained by a process self-declaration as well as creating suitable provision for non-binary people who are currently excluded from legal recognition of their gender. There should be opportunity for people to be identified in another way to the binary gender categories of man and woman. Some UK Universities are updating their personnel systems to enable staff to be recognised as non-binary in the workplace. However, this is only a social recognition and not a legal one. HMRC still only allows binary gender options, so these employees still have to select an incorrect gender marker to receive their salary.

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

Yes, although with some limitations and an acknowledged inaction relating to non-binary people.

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