

Submission of evidence to the Women and Equalities Committee

The Government's response to the GRA consultation

I am writing as a parent, concerned about the impact of ideas about gender on children, safeguarding, women's rights and free speech.

Summary:

- The government must now follow through on Truss's announcement that it has rejected embedding in law the concept of gender identity to supplant sex.
- 'Sex' 'gender' and 'gender identity' are categorically different things and yet they have been conflated with the effect of distorting EA2010 by many organisations deliberately by activists and through ignorance.
- Self-ID is already happening through the back door and having a deleterious impact on child mental health, the framework for treating gender dysphoria, safeguarding and women's rights.
- WEC should follow the Public Sector Equality Duty to proactively foster good relations between protected categories, especially "sex", "sexual orientation" and "gender reassignment". The tension between 'rights claims' must be brought out into the open and examined to find solutions that protect everyone and in the context of known risks, whilst protecting existing single-sex exemptions.

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

No. This would simply be to embed gender ideology and thus 'self-ID' – which relies on sex stereotypes – into law.

- For someone to assert they are a member of the opposite sex they (i) are suffering from bodily dissociation; or (ii) believe there is something innate or genetic called 'gender identity'.
- The latter has no scientific underpinning, since when people say they 'feel like a woman' they can only resort to sex stereotypes. These are harmful and regressive because they prescribe a particular way that women and men should present and behave, based on societal gender roles.
- The former has evidence to back it; however, what the clinical evidence shows is a concern about its distinctiveness - because there are a range of 'co-morbidities' with other conditions and behaviours, such as body dysphoria, eating disorders, autism and self-harm.
- Studies show that 'causes' of gender dysphoria often lie in internalised homophobia, bullying and abuse in childhood. A recent peer reviewed paper discusses the remarkable fact that, "Same-sex attraction was particularly common among natal females" referred to Tavistock GIDs, with "only 8.5% of those referred to the GIDS describing themselves as primarily attracted to

boys". As they say, this raises important questions about current societal acceptance of young lesbians even within youth LGBTQ+ culture. See <https://www.cambridge.org/core/journals/bjpsych-bulletin/article/sex-gender-and-gender-identity-a-reevaluation-of-the-evidence/76A3DC54F3BD91E8D631B93397698B1A/core-reader#>

- Ex-Tavistock Clinic psychoanalyst Marcus Evans argues that, "The idea that gender nonconformity should somehow be medicalised is regressive and against all progressive thought and that we should instead help and allow children to "reconcile their identity with their biological sex". His analogy is with anorexia, where the treatment model is not to agree with the patient that they are fat but to help them eat whilst looking at what is driving the feeling of dissociation. See <https://www.cambridge.org/core/journals/bjpsych-bulletin/article/freedom-to-think-the-need-for-thorough-assessment-and-treatment-of-gender-dysphoric-children/F4B7F5CAFC0D0BE9FF3C7886BA6E904B/core-reader>
- There is recent significant evidence from Sweden of a 65% decline in the number of referrals to their gender clinics. This "corresponded with experts calling on the government to review clinical protocols and more balanced media coverage of the phenomenon of regret among gender transitioners". See <https://genderreport.ca/the-swedish-u-turn-on-gender-transitioning/> For the important development of young people increasingly 'detransitioning' see <https://standpointmag.co.uk/speaking-up-for-female-eunuchs/>

In summary, there are huge dangers in a government validating via an official position that 'gender' is inherent (and biological sex is imaginary or just an 'idea'). This would be the impact of removing the requirement for the GD diagnosis. It will influence how clinicians assess children who declare themselves to be the opposite sex. It is likely to further encourage clinicians to take an affirmatory approach to a troubled child as 'trans' rather than exploring the underlying causes of their difficulties – which may often lie in learning difficulties, the family system or a psychological response to bullying and abuse. The Committee needs to have an explicit debate about whether it really wants to validate or put to rest the implied idea of gender identity. It must weigh up the harms of this.

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

The idea of 'living in your gender' is absurd since it is not, and cannot be, defined. The recent case of Freddy McConnell, a 'transman' with a GRC who then got pregnant and gave birth, and was rebuffed at court to win the right to name himself on the baby's birth certificate as a father, indicates the indeterminacy of the GRA and the ways it can be exploited. Should his GRC be repealed, because clearly this is in bad faith? How do I show I 'live in my acquired gender'? Does a man need to wear dresses permanently 'to be' a woman? It's obvious women don't in fact wear dresses permanently or at all, so it would make as much sense to claim they are 'men' when they wear trousers. <https://www.bbc.co.uk/news/uk-england-kent-52471697>

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?

- Until recently the foundation for marriage in the UK was heterosexual. In longer term heterosexual marriage, there is an evident pattern by which the man (and it is almost always the man) decides he 'identifies' as the opposite sex. Spousal consent must be retained: if it is not, then this is highly corrosive to the female partner as it turns a heterosexual marriage into a 'same-sex marriage'. The female partner is effectively turned into a lesbian, when she is not homosexual. This should not happen without the explicit consent of both spouses. Otherwise, it is discrimination on the basis of sexual orientation, which is a protected characteristic in EA. (EA says you must not be discriminated against because you're gay, lesbian, bisexual or heterosexual. This is called discrimination based on sexual orientation. These are sex-based rights because their underpinning is the difference between males and females as biologically distinct sexes.)

As this author says, "Why should history be rewritten to say that I married a woman? It would be legal conversion of my sexuality...". [See <https://uncommongroundmedia.com/spousal-exit-clause/>]

- It is critical for the spouse's dignity and the preservation of their own sexual orientation, that the Exit Clause is retained to enable spouses to exit the marriage *before*, rather than after, its status potentially changes, and their heterosexual marriage legally becomes a same sex marriage they did not agree to.

The same principle should obviously apply where the 'transitioning' partner is female, or where the marriage or civil partnership is same-sex and one partner transitions, such that a homosexual marriage is turned into a heterosexual one.

- If there are plans for 'no fault' divorces, the rights of the spouse should still be protected. The Spousal Exit Clause has been propagandised as a veto on transition (see for example <https://www.newstatesman.com/politics/2014/04/we-wont-have-truly-equal-marriage-until-we-get-rid-spousal-veto>). Yet the actual law makes it quite clear this is not true: See <https://www.legislation.gov.uk/ukpga/2004/7/section/4A>
- The current situation protects the transitioner who can wear what they want and call themselves whatever they like. Their transition is not prevented by their obtaining an interim Gender Recognition Certificate which can only be converted to a full Gender Recognition Certificate once either the partner (most often, wife) confirms she consents to the marriage continuing, or the marriage is annulled.
- There is also an important dimension, that of the pain, confusion and security of the children involved when a marriage breaks down due to a transitioning parent. This is a review of a book that I suggest the Committee reads

<https://makemorenoisemanc.wixsite.com/mysite/post/some-dads-are-trans-get-over-it> It illustrates the harm to children when there is pressure to replace misgivings with submission to their father's need for this new adventure.

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

On the contrary, I think it should be raised to 25 which is when adolescent brains have completed development. This is a life-changing decision with huge consequences from which there is no return.

There is now much evidence that the developmental period from puberty onwards is not the time for children to make final decisions about sexual orientation. Many lesbians only 'come out' in their early-mid 20s. It is increasingly hard for young people to come to terms with their homosexuality – and they often find their route to their sexuality after a long period wrestling with their difficulty complying with sex stereotypes. Identifying their own natural sexual orientation (in the same way that heterosexuals do but perhaps without noticing) is hindered when they cannot recognise gays and lesbians as existing. Same-sex orientation is obscured by the ever-growing panoply of 'gender identities' (e.g. non-binary, gender fluid, queer, pansexual) in everyday discourse. Diva, a best-selling lesbian magazine, celebrates transgender women – aka male – lesbians.

Gender is a confused and ill-defined concept both in law and in young people's minds. In the last 5 years, in school sex education and on social media – via 'influencers' with millions of followers – these 'gender concepts' have replaced an understanding of innate orientation categories: heterosexual, homosexuality and bisexuality, which are defined and protected in law as the sex of the subject and the sex (or sexes) to which the subject is attracted. It has a harmful impact on young people because 'feminine' boys and 'masculine' girls are being encouraged to think there is something wrong with them and that maybe they are members of the opposite sex. This is an entirely new socially spread idea that I believe is fundamentally egregious and socially regressive for the following reasons:

- Gender can be perceived as oppressive and potentially harmful to all people of both sexes as it may impose unfair and limiting stereotypes on both men and women.
- People should be free to express themselves by their appearance and how they talk about themselves without being limited by expectations imposed by their sex.

Gender, which is quite different from sex, is a subjective sense of self: individual ways of thinking about oneself and the presentation of one's own personality. I submit that it cannot be objectively measured because it is a personal belief, the same as a belief in star signs. There is no scientific, social scientific or psychological proof that people 'have' a 'gender identity' but the belief may be expressed by clothes worn, hairstyles, choice of pronouns and activities. And there is no way of defining gender without referring to sex stereotypes.

- After all, when Philip Bunce (a part time cross dresser) announced he wanted to be 'gender fluid', the only means he had to signal the days he was a 'man' or a 'woman' was by using masculine or feminine stereotypes, associated in our culture with the male and female sex respectively. It is abundantly clear he had not changed sex. Yet he took a place on a woman's award scheme. Most people would regard this as deeply unfair. See <https://www.standard.co.uk/news/uk/gender-fluid-exec-named-on-list-of-top-100-women-in-business-a3942896.html>

The Committee might like to note that 'gender identity' is a concept that arose first in psychiatric history, in the 1960s, when psychologist and 'sexologist' Prof. John Money decided to prove his theory of innate 'gender identity' by disastrous experiments on a boy who he facilitated bringing up as a girl. Yet 'being brought up as a girl' meant nothing other than sex stereotypes: the selection of certain clothing, hair, toys that society codes as 'feminine' and associated behavioural characteristics attributed to girls. This is why 'gender' is best understood for the purposes of law and public policy as a sociological (not a psychological) concept that we use to analyse the social conduct, behaviour and expectations of the sexes that are historically and culturally variable.

A GRC permits the holder to change the recorded sex on their birth certificate. If those under 18 can access this, it is likely to mean that the natural experimentations of youth are more likely to turn into serious and irreversible decisions. It is a high risk and entirely unnecessary step. It holds out the pretence that 'changing sex' is normal and natural for young people. It will further facilitate and encourage the idea that embarking on puberty blocking hormonal treatment, which in the vast majority of cases leads to cross sex hormones and therefore infertility and sexual dysfunction, is a natural resolution to underlying causes that were never properly psychologically examined with the help of professionals.

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

- This consultation is a call from the Women & Equalities Committee - a name that recognises the long-oppressed nature of women as a sex class. I note that the ToR for this enquiry does not include the need for an Equality Impact Assessment on women and there is no mention of women at all. The Government and the WEC should be discussing the interaction between the eponymous 'women' in the title of WEC in relation to attempts by those espousing 'gender ideology'. The latter push for the elimination of the exclusive concept of woman based on biological difference, which is current law (EA2010). So, the public deserves to know what the term 'women' means in the WEC title.
- Like any committee, the WEC should make it clear in its use of terminology and debate that it should not be intimidated by activists from the 'trans gender' lobby – e.g. Stonewall, Mermaids, Gendered Intelligence and quangos etc., who are homophobic and misogynist. For example, Stonewall redefines homosexuality in terms of 'gender identity' – this has had the well documented impact of coercively shaming young women who are grappling with their

emerging lesbian sexuality into including men in their dating pool. And Stonewall explicitly aim to remove women's single-sex rights. See <https://www.stonewall.org.uk/women-and-equalities-select-committee-inquiry-transgender-equality>

- Even quangos such as the EHCR have issued misleading guidance to EA2010 that is effectively a practice of 'DARVO' in which the category of person – men – that the vast majority of people (backed by all statistics) understand to be more dangerous becomes the perceived victim. Hence, 'transwomen' are perceived as in such danger from men in their changing rooms that they 'must' use women's changing rooms. This means the function of, say, a public changing room has changed. The message to women is now that their role, whilst using public facilities, separated by sex to keep them safe and dignity intact, must now be to protect men from other men's violence. When they question this, they are told that it is 'phobic' of trans people to reject the idea that 'trans women' should share their changing rooms and toilets.
- It seems that this is a change of task by stealth. Where is it written that public changing rooms or prisons exist to validate the emerging identities of minority groups? This is obviously not what these facilities are for. This is not only absurd but shows how gender ideology fundamentally undermines safeguarding. Men remain men, however they identify. 'Trans women' are still men, and evidence shows they display the same patterns of criminal behaviour. (For example, UK prisons are an excellent measure of how violent transwomen are relative to rest of males. 19.4% of male prison population had crime of sexual offences. 40% of transwomen prisoners in England & Wales were convicted of sexual offences or 60 out of 125. See: <https://www.bbc.co.uk/news/uk-42221629>)
- It should be obvious how the slogan 'you are what you say you are' not only conveys an untruth but is an attack on safeguarding precepts. The MO of predators is to use fake identities and confidence tricks. Safeguarding is not about vulnerable people or people in vulnerable situations having to weigh up risks themselves. Women cannot second guess which man will pose a threat as they enter their changing room, and the EA2010's single sex exemptions do not distinguish between different kinds of men, only *all* men, since they are sex based. Single sex exemptions are not an attack on 'trans women' any more than disabled parking spaces are an attack on non-disabled people.
- There is therefore only a choice, in law and operationally, between single sex or mixed sex facilities. Mixed sex facilities are a proven disaster for women and girls. For example, mixed sex hospital wards which the government have continually promised to end: <https://www.independent.co.uk/news/health/nhs-sexual-assault-patients-mental-health-mixed-sex-wards-a9273656.html>; and rapists being placed in women's prison wings: <https://www.thetimes.co.uk/article/female-prisoner-takes-government-to-court-after-alleged-assault-by-transgender-inmate-n5wtg2nf7>

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

No. The Scottish Government's proposals call for gender self-ID.

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?

There is a dissonance between those who are absolutely committed to a 'gender' and wish to remain in it, who are a small minority, and a larger group of younger people who are using ideas of gender manipulation and the language of 'trans' to explore their identities. Younger people have always done this. Younger people inevitably experiment with their 'identities' and are likely to be labile, susceptible to cultural and peer group influences. They mature via absorbing social media trends such as on TikTok and YouTube but are not sufficiently aware of the commercial drive 'selling' these formulaic identities. We have no idea how many people "identify" as transgender or any other 'identity'. It is important to note that there is no accepted definition of 'transgender'.

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.

- Section 9 of the Gender Recognition Act 2004 (GRA) conflates 'sex' and 'gender' and is therefore not fit for purpose and should be amended or repealed: "Where a full gender recognition certificate is issued to a person, the person's gender becomes for all purposes the acquired gender (so that if the acquired gender is the male gender, the person's sex becomes that of a man, and if it is the female gender, the person's sex becomes that of a woman)".

In addition, the GRA does not define "gender" so I would like to ask the Committee how it is possible to "recognise" something that is not defined. I believe these fault lines mean the GRA is fundamentally a messy piece of legislation that needs thorough review.

An obvious change, to create the clarity that does not exist at present, would be to restrict the definition of "gender reassignment" in EA2010 to those who have a GRC.

- It is clear that in EA2010 the definition of a 'woman' is 'adult human female' and the definition of a 'man' is 'adult human male'. By definition, there are only two sexes; male and female, sex is determined at fertilisation and revealed at birth or even before, and humans cannot change sex. Thus, sex is not determined by clothes, hairstyles, choice of pronouns or activities.
- I would like to see WEC follow the Public Sector Equality Duty to proactively foster good relations between protected categories, in this case "sex" and

“gender reassignment”. The tension between ‘rights claims’ must be brought out into the open and examined rationally and in detail, rather than being left to fester as a continuing sore in increasingly acrimonious and divisive spheres such as social media.

Clearly the solution is for the WEC, bearing in mind the rights of ‘gender reassigned’ people, to develop policy to provide distinct public facilities and services for them, such as ‘sex neutral’ toilets. But these must be in *addition to* sex-based provision. There are already some great examples of this – see Victoria Railway Station public toilets which has clear signage for all protected groups.

- All people should be protected from discrimination because of how they present themselves and I believe our current laws cover this. A woman should not be discriminated against if she wants to wear trousers to work. A man should not be discriminated if he wants to wear a dress to work. People should be free to express themselves by their appearance and no one should be harassed or suffer unlawful discrimination because of how they look or talk about themselves. No one should have limits placed on how they present because of their sex.
- It needs to be remembered why the category of sex is important. Sex is relevant in many areas of life including sexual relationships and reproduction (as above), bodily privacy and consent, healthcare (e.g. being able to choose a carer for intimate bodily care, or a doctor of the same sex for an intimate examination), safeguarding and risk assessment, protections against sex discrimination and the collection of statistics.
- The Equality Act 2010, which has a clear definition of sex, does not interact well with the GRA. Various lobby groups have been allowed or even encouraged to think that ‘self-ID’ is legal and exemptions to the EA2010 are not. It is not clear how the ‘legal fiction’ of the Gender Recognition Certificate that allows the holder to have ‘changed sex,’ such that they must now be treated as the opposite sex, interacts with the Equality Act 2010 exemptions that allow female single-sex spaces.
- I am very concerned about the impact on the safeguarding of vulnerable groups such as children, women and adults with disabilities including learning difficulties of the consequences of making the disclosure of a Gender Recognition Certificate a criminal offence. This seems to me to be part of a creeping culture of sex-denialism, where children are being told not to follow their instinct about someone’s sex, which after all is almost an immediately visually obvious fact about them (whilst at the same time being told not to trust male strangers on the basis that they pose more risk – which is undeniably statistically the case). This year an autistic man was fined for ‘misgendering’ a transgender police constable. Enforcing sex-based rules are there for a purpose – they were based on clear principles of risk analysis and which sex is most likely to harm others in public spaces.

- It seems it is possible for anyone, with or without a GRC, to change their sex on a passport, which are the main safeguarding document (not a birth certificate). I believe you only need a letter from your GP. Therefore a man can hold a female passport & the CRB or DBS check will state 'female' despite the man not having a GRC. This way people can be deliberately misled. This is 'self ID' by the back door.

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 assessment process required to comply with the EQ2010 in respect of sex and "gender reassignment" is not well understood. and its implementation is mired in confusion for most people, including assessors. The EQ clearly says single-sex protections are legal because discrimination in favour of sex versus "gender reassignment" is a "proportional means to achieve a legitimate aim".

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legislation.gov.uk
Gender reassignment

28 (1) A person does not contravene section 29, so far as relating to gender reassignment discrimination, only because of anything done in relation to a matter within sub-paragraph (2) if the conduct in question is a proportionate means of achieving a legitimate aim.

(2) The matters are—

- (a) the provision of separate services for persons of each sex;
- (b) the provision of separate services differently for persons of each sex;
- (c) the provision of a service only to persons of one sex.

'Sex' 'gender' and 'gender identity' are categorically different things and must not be conflated. These days, because there is some squeamishness about the word 'sex' (despite it being a legal concept), gender is used as a proxy. This is highly problematic because of the conflation between the personal use of gender to mean 'the sex I identify with or assert I am' (as in gender ideology, above) and the objective, biological concept of sex. The latter does not require any 'identification' as everyone is innately either male or female.

The confusion is allowing data collection to be skewed. Here are some examples:

- In many Equal Opportunity Monitoring forms across the public and private sector, accurate data about sex is not being collected. Therefore, equality monitoring cannot take place. See this website for a collection of evidence: <https://www.sexnotgender.info/>
- At least five police forces now record a rapist's crime as committed by a woman if he states his 'gender' as female. Clearly this impacts crime statistics. Moreover, women victims have been compelled in court to refer to

their rapist as 'she'. See: <https://www.thetimes.co.uk/article/police-forces-let-rapists-record-their-gender-as-female-d7qtb7953>

- Importing of gender ideology into language such as sex is 'assigned at birth' rather than 'sex observed', even in government statistics:
<https://www.ons.gov.uk/economy/environmentalaccounts/articles/whatisthedifferencebetweensexandgender/2019-02-21>

We urgently need clear guidance to service providers of the single-sex exemptions (which are not to be implied as rare, nor rationed) for toilets, changing rooms, hospitals, prisons, sports, occupational requirements for staff in rape refuges, and positive discrimination re. all-women shortlists, and many other single-sex settings and services.

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