

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

The changes will be a good start in making the process kinder and more straightforward but there's still more to do

Question: 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?

Given that trans people often suffer discrimination in employment and are more likely than average to be financially insecure as a result, any financial burden should be removed. Given the cost implicit in updating essential documents and changing gender markers, eg on bank accounts, any part of the burden that can be removed should be.

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

Not all trans people experience gender dysphoria and even those that do may struggle to obtain a diagnosis given the difficulty in accessing gender clinics at present.

Removing the requirement for a diagnosis allows recognition of the range of trans experiences and makes the process substantially kinder than it currently is.

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

I can see no reason to make people wait two years before their gender is legally recognised. Insisting that people wait to be recognised as being themselves seems to be a particularly cruel requirement for a government to have.

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

Question: 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?

**Written evidence submitted by Mr Gareth Preston [GRA1800]**

The spousal veto has already been removed in Scotland and the rest of the UK should follow suit. As with any other issue of bodily autonomy, the rights of the individual in question trump the desires of others, however closely related.

Question: Should the age limit at which people can apply for a GRC be lowered?

Evidence is mounting that affirming the gender of trans teenagers is profoundly positive for their mental health. Given this growing body of evidence it seems reasonable to allow trans teenagers the option of having their gender legally recognised. At the very least the lower threshold should not be higher than that where other autonomous rights kick in.

Question: What impact will these changes have on those people applying for a GRC, and on trans people more generally?

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

Officially recognising non-binary people (as an increasing number of countries and US States have done) would be a huge positive and should have been included.

Question: 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, whilst by no means perfect, is markedly better than the proposed reforms in England and Wales.

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

As non-binary people are excluded from the process entirely, a sizable percentage of trans people are simply ineligible to begin the process. Add to this that, as previously mentioned, trans people are more likely to be financially insecure and the financial and administrative burden easily become limiting factors in people being able to engage in the process.

Question: Are there challenges in the way the Gender Recognition Act 2004 and the Equality Act 2010 interact?

Essentially yes and this confusion has been used to discriminate against trans people, however there is significant fear that opening up the Equality Act in the current political climate could do more harm than good to the lives of those it should be serving.

Question: 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 Act are not sufficiently clear and do need to be reformed to better serve the communities the Act is designed to protect, however as previously mentioned there is a lot of fear about how that process could be used politically.

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

The Act does not do enough to protect trans people, as mentioned previously there is no recognition of non-binary people at all despite them making up a large percentage of the trans community

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

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

Legal acknowledgment of gender-fluid and non-binary people's gender (which could be as simple as an X marker) would be a good first step.

**November 2020**