

Written evidence submitted by Andi W [GRA1885]

I'm making a submission on the basis of someone who has been reading around this issue for several years but has no expert knowledge.

My submission mainly relates to the following question:

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

although it does also relate to the question:

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

My evidence is to draw the attention of the Committee to something evident in the submissions currently available on-line. In the submissions there's a division between those made by trans people who state that they have gone through a meaningful transition as part of their journey to obtain a gender recognition certificate (GRC) and those who fall under the broader "transgender" category. The former group are those who, in years past, would have been referred to as "transsexuals" and for whom the Gender Recognition Act 2004 (GRA) was passed. The latter group cover a wide range of different sub-groups some of whom are content to view their trans status as being an internal view of their own identity that does not require any transition in terms of their name, their appearance, any hormone regime, any surgery, etc.

If reference is made to the debate at the time of the passing of the GRA:

"My hon. Friend the Member for Colne Valley (Kali Mountford) commented on the nature of gender dysphoria and said that the way in which some individuals define themselves and see their identity is a critical, and very personal, issue. It is important to recap what we are talking about. Transsexual people feel a deep conviction of the need to present themselves in the appearance of the opposite sex, changing their names and identities to live in the acquired gender. Some take hormones and have cosmetic treatment to alter their physical appearance, and some undergo surgery to change their bodies to conform more to their acquired gender. However, the medical condition whereby an individual born to one gender feels adamantly that they are in fact of a different gender is known as gender dysphoria. It is a real phenomenon, albeit one that affects only an estimated 5,000 people in the United Kingdom. Those individuals sometimes feel so strongly that they are of a different gender that they seek gender reassignment socially, hormonally or even surgically." (The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie))

<https://api.parliament.uk/historic-hansard/commons/2004/feb/23/gender-recognition-bill>

This means that at the time the GRA was passed, the understanding in Parliament was that it was to benefit those with gender dysphoria with this representing in the region of 5,000 people in the UK, and particularly those who wanted to undergo a meaningful gender transition. That would be approximately 0.01% of the population and this corresponds to estimates of the prevalence of gender dysphoria in the population of the UK.

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At the present time it is estimated by the UK government that there are between 200,000 to 500,000 trans people in the UK

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721642/GEO-LGBT-factsheet.pdf). This means that compared to the time of the passing of the GRA, done for the benefit of the approximately 5,000 people in the UK suffering from gender dysphoria and wanting to make a meaningful gender transition, there are now hundreds of thousands of additional trans people whose identities were not part of the Parliamentary deliberations.

This leads to a fundamental question. If the GRA is to be changed to remove critical characteristics that are present to qualify an individual to obtain a GRC, then before any change is made there needs to be an understanding of who these additional hundreds of thousands of people are, how they relate to those who suffer from gender dysphoria, and how their interests are in alignment or perhaps conflict.

It's reasonable to ask that if the GRA is changed at the behest of those for whom it was not intended to benefit, what would the consequences be?

To put this another way: if the GRA were to be amended to benefit a much broader group who do not have the characteristics of those for whom it was enacted, would it be preferable to re-examine the whole purpose and operation of the GRA rather than to trim away those parts that do not suit this new much broader group?

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