

Written evidence submitted by Thom Allan [GRA1908]

I am a 31 year old cis man currently living in Leeds. My partner is a trans man who, after a five-year waiting period, started a hormone prescription late last year and has recently had confirmation surgery.

I am deeply surprised and disappointed at the paucity of the Government's response to the previous GRA consultation. The previous consultation got a response from the public hugely in favour of drastic progressive reform of the law surrounding issues of gender identity - that the Government was willing to simply ignore the wishes of so many citizens is deeply concerning, and I hope the Committee will be pushing for a greatly-improved response this time.

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

They are a tiny, tiny step in the correct direction, especially given the clear response of the previous consultation.

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?

Removed entirely. There is no actual need for a fee at all, it is just another obstacle keeping people that need a Certificate from getting one.

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

It should be removed - not all trans people have dysphoria, and so dysphoria should not be considered a requirement.

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

The waiting period is unnecessary and should be removed - it is essentially a gatekeeping exercise for whether someone is "trans enough" by a nebulous set of standards.

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

They should be able to declare their own gender. A person's internal identity is something they know better than anyone else.

Question: Does the spousal consent provision in the Act need reforming? If

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so, how? If it needs reforming or removal, is anything else needed to protect any rights of the spouse or civil partner?

It should be removed. A person's gender identity, and the recognition of it, is not up to their spouse to decide.

It is worth noting that only good has come of the Scottish removal of the veto.

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

Sixteen seems a reasonable age. At that age, a person can change their name and get their own passport - it isn't the responsibility or right of their parents anymore. An official declaration of gender identity naturally fits with these sorts of rights.

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

Moving the process completely online will not necessarily make it more accessible, just differently so. Easy internet access is not universal, even in our country.

Reducing the fee will help more people who need one to get a GRC, but waiving the fee entirely would be in every way the best option.

Opening new clinics will help, but this was something the NHS was doing already and the current government should not be given credit for it. If they were to open any additional clinics over and above this, that would greatly benefit trans people and reduce the financial burden many suffer when they must look to private care instead of being able to rely on the NHS.

In summary - these measure will help very slightly. The amount of positive change that could and should happen is much, much greater than what is being offered.

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

Self-declaration of gender identity for everyone that wishes to, legal recognition of non-binary as a gender identity, and commitment to increased and reliable funding for gender identity services. Additional clinics would also be a good step.

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

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This would be a more suitable system, but the key word is more. It would be an improvement, but it falls short of the ideal. Again, it does not recognise non-binary identities and it requires a person to have "lived in" their acquired identity for a period.

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

The process is awkward, lengthy and dehumanising. People identifying as non-binary cannot apply, and nor can people who do not have a diagnosis of gender dysphoria.

Additionally, being on a government list of a much discriminated-against minority is off-putting for a lot of people who do not necessarily trust that it will be used securely and ethically.

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

There are some, but the issue is minor compared to a lot of the issues currently being looked at

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?

They are sufficient at present. Again, they are not one of the more pressing issues.

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

It is adequate at present.

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

Waiting times before trans people can access NHS transition services are excessively long, and these are the only services with such excessive waiting periods not reliant on outside factors (such as donor organ availability)

My partner was on a waiting list for five years before being able to access any treatment at all, and that is easily long enough that many people will never manage to meaningfully access NHS assistance.

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Transphobia and/or a lack of education or understanding of trans issues are an ongoing problem in basically every service.

Domestic violence and sexual violence services are mostly trans-inclusive and have not had any problems stemming from this.

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

Yes. Non-binary and gender-fluid people are not legally recognised as existing at all - a good first step would be the addition of a third or "other" category for official forms and documentation, as is used in a number of other countries in Europe and beyond.

November 2020