

Written evidence submitted by Ermine Amies [GRA1944]

- Transsexual people, with or without medical treatment of hormones and surgery, at all stages of transition are protected by the characteristic of gender reassignment by the Equality Act.
- Gender identity ideology has undermined the sex based rights of women and girls.
- Single sex services, spaces and sports are important for safeguarding and the dignity and privacy for women and girls who would otherwise be forced to share with male bodied trans identified men.
- A diagnosis of gender dysphoria should be required and the age for a gender recognition certificate not lowered.
- Equality data collection on transgender people is poor. Longitudinal data is missing. Equality impact assessments on the effect of policy and operational decisions on women (and other protected characteristics) are also missing or poorly done.
- Action: Ministers and the EHRC need to issue guidance on the use of the word sex, not gender, and the operation of the single sex exceptions under the Equality Act 2010 and how they interact with the GRA 2004 and protections through the characteristic gender reassignment.
- Action: The impact of any additional protections for trans identified people on the protections of other protected groups such as women, religious believers, disabled and elderly people and their freedom of speech must be considered in this inquiry.
- Action: Ensure evidence based decisions by collecting and analysing data, undertaking robust research and equality impact assessments that take into account the impact on other protected characteristics (sex, religion or belief and disability).

1. Introduction

- 1.1. My name is Ermine Amies. I am submitting this evidence as a woman concerned about the impact of gender ideology on the rights of women and girls.
- 1.2. Gender identity ideology through the Gender Recognition Act, other policy changes & operational practice poses a serious threat to the rights of women and girls as a sex-based class, and the privacy, dignity and safety of their services, spaces and sports. It undermines safeguards for girls, boys and for older and disabled women who cannot advocate for themselves and our freedom of speech to describe ourselves and our rights.

2. The interaction of The Gender Recognition Act 2004 and the Equality Act 2010

- 2.1. Ruth Hunt, ex CEO Stonewall was incorrect to say "It's just admin" about self ID and Gender Recognition Certificates in a Guardian interview last year.
- 2.2. Self ID and Gender Recognition Certificates (GRC) are not "just admin". They are key to activist charities in misleading public and private sector organisations with an inaccurate

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interpretation of the Equality Act and the Gender Recognition Act (GRA) 2004 on the provision of single sex spaces, services and sports.

- 2.3. The GRA conflates “gender” and “sex” when it means legal sex, obfuscating women’s sex based protections. “Sex” and “gender reassignment” are two distinct protected characteristics and cannot be treated as interchangeable. The GRA is confusing as a GRC gives the right to change the sex on your birth certificate, not your “gender”.
- 2.4. Activists use the GRA wording “for all purposes,” to interpret “gender” to include trans identified males and not the legal sex (biological male or female) and the legal exceptions so undermining the fundamental rights of women and girls.
- 2.5. This confusion about the law is aggravated by training by activist charities, endorsed by Whitehall departments and police forces.
- 2.6. Research: This has had a serious impact on the ground as my research into 9 public sector organisations working in my county in September 2020 found.
- 2.7. Only one organisation, the County Council correctly included both “sex” and “gender reassignment” in its policies.
- 2.8. The Care Quality Commission completely omitted the protected characteristic sex in their equality policy, thereby providing no protection for the sex based rights of women. This undermines their ability during inspections of NHS trusts and other providers on their equality policies.
- 2.9. The equality policies & equality impact assessments (EIAs) of 3 NHS trusts in my area omit sex (and therefore the sex based rights of women) because they use the word "gender" or "sex/gender" or "gender/transgender" instead of sex. A 4th NHS trust provided no equality info on their website.
- 2.10. A 5th NHS trust, the police force and two local authorities correctly list sex as the protected characteristic in their equality policies but had the gender error (omitting the protected characteristic of sex) in other documents and assessments. So 7 organisations (CQC, 3 NHS trusts, the police force and 2 local authorities) I reviewed failed to accurately cover sex as a protected characteristic and replaced it with some form of gender mashup.
- 2.11. Only one organisation of 9 reviewed, the county council, correctly reflected the legal protections in the Equality Act and the Gender Recognition Act of sex and gender reassignment.
- 2.12. Action: We need clear Ministerial guidance on the use of the word sex, not gender, and the operation of the single sex exceptions under the Equality Act 2010 and how they interact with the GRA 2004 and protections through the characteristic gender reassignment.
- 2.13. Action: The EHRC needs to issue advice for national and local government, service providers, NHS commissioners, employers which clearly and accurately reflects the law. The same principles should apply to guidance issued to courts, other public authorities, corporates and the media.

3. The Equality Act and provision of single-sex and separate-sex spaces

- 3.1. This is a safeguarding issue. It is also an issue of dignity and privacy for women and girls to be forced to share with male bodied trans identified men. Most women and men want single sex spaces.
- 3.2. Both the British Psychological Society and the British Association of Gender Identity Specialists reported to the Transgender Inquiry that psychologists, other professional and prison service officers working with forensic patients and prisoners are aware of a number of cases where men convicted of sex crimes have falsely claimed to be transgender females. By self ID, these sexual predators can and have got access to women's spaces, residential accommodation and services. Single sex provision is an essential protection against these men.
- 3.3. The Swedish longitudinal study 1973-2003¹ found that male to female transgender people had a significantly increased risk for crime compared to female controls but not compared to males. This indicates that they retain a male pattern regarding criminality & violent crime. The consequence of "I am who I say I am" self ID for males securing access to women's space and services is increased risk for women and girls.
- 3.4. Local authorities, schools, NHS trusts, charities like the Girl Guides and others are telling women, children, parents and those responsible for severely disabled people and older relatives that the rights of transgender people are more important than the sex based rights of women and girls. It is essential females are not discriminated against and the rights to same sex provision of intimate & medical care, rape crisis and refuge accommodation and prisons for women are protected.

4. Does the Equality Act adequately protect trans people?

- 4.1. Yes. Transsexual people, with or without the medical treatment of cross sex hormones and surgery, at all stages of transition are protected by the characteristic of gender reassignment by the Equality Act.
- 4.2. The "trans rights debate", in terms of equality law, isn't about rights for trans people not to be discriminated against or harassed unlawfully because they are trans. they are already protected by the Equality Act. It is a sex-based rights argument about who comes within the class of men or women². The broad ranging "trans umbrella" defined by Stonewall to include cross dressers, drag queens and people who reject the concept of being male or female, is too extensive because rights can and do compete.

¹ <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0016885>

² Audrey Ludwig Legally this is not a trans rights issue. It's a sex rights issue.

<https://womansplaceuk.org/2020/07/02/legally-this-is-not-a-trans-rights-issue-its-a-sex-rights-issue-a-blog-about-boxes-audrey-ludwig/>

- 4.3. Action: The impact of any additional protections for trans identified people on the protections of other protected groups such as women, religious believers, disabled and elderly people and their freedom of speech must be considered in this inquiry.

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

- 5.1. No. Without diagnosis, we would be making the sexist belief system, gender ideology, about subjective feelings and conforming to sexist gender norms, law overriding biological reality.

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

- 6.1. No. The activists have framed children expressing gender non conformity as being innately transgender. There is no proof of this.
- 6.2. There is no evidence that long term, transition is the best solution for children and adolescents suffering from dysphoria or struggling with gender confusion. Some clinicians have reported safeguarding concerns that transition is gay conversion therapy for gay children.
- 6.3. It would enforce a societal message that biological sex is irrelevant and that there are defined ways to be seen as a boy or a girl - make up, clothes and other stereotypes.
- 6.4. It is already harming lesbian and gay boys who get the message they must be transgender, rather than homosexual and seek puberty blockers, surgery and cross sex hormones. There is a sharp unexplained rise in girls who did not have dysphoria when younger, who feel different, dislike the changes of puberty and the sexualisation of girls. Lowering the age would have the inevitable result of more young people who regret their transition but are left with irreversible lifelong consequences. The government should not be encouraging young people to believe that biological sex can be changed and means nothing.
- 6.5. As Dr Az Hakeem MBBS, FRCPsych, Msc M.InstGA Consultant Psychiatrist, Visiting Professor in Psychiatry & Applied Psychotherapy, former Tavistock Clinic psychiatrist and psychotherapist notes in his book *Trans*³, people develop how they describe their childhoods over the time they attend clinic to state they were always transgender. He emphasises how non-invasive ethical psychotherapeutic treatment can help people. Children may be doing the same online before getting to clinic. Enabling children and young people to get a GRC will prevent them from resolving their distress without hormones, surgery and long term physical consequences.

³ [TRANS: Exploring Gender Identity and Gender Dysphoria](#) 2018 by Dr [Az Hakeem](#)

7. Evidence based decisions and data

- 7.1. The striking issue about transition, transgender rights and the provision of single sex spaces, services and sports is how little data is collected, how much longitudinal data is missing and how equality impact assessments on the effect of the law, policy and operational decisions on women (and other protected characteristics) are also missing or poorly done.
- 7.2. Researchers have been deplatformed (e.g. Professor Selina Todd and Dr Stock), discouraged from undertaking research (James Caspian & Bath Spa University), or have not reported (Tavistock GIDS research started in 2011 has been reported to the board but not published). Professor Alice Sullivan was disinvited from a NatCen seminar after raising concerns about the collection of sex data, at the behest of an activist charity. There have been objections to the collection of census data on sex.
- 7.3. Police data is already undermined by self ID so the arrests and convictions of legal males are reported as being women's crime.
- 7.4. If we do not have sex data, we cannot take evidence based decisions. Without data on both sex and gender reassignment, good equality monitoring cannot take place. (eg gender pay gap data being skewed by late transitioning success male born senior executives)
- 7.5. Action: Ensure evidence based decisions by collecting and analysing data, undertaking robust research and equality impact assessments that take into account the impact on other protected characteristics (sex, religion or belief and disability).

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