

Written evidence submitted by Miss Natalie Morgan [GRA1954]

I am responding to this inquiry as a trans person who has been let down by their government's 'reform' to the GRA. The changes made are things which would have been good 5 years ago but are not enough. Many other countries have adopted self-identification policies successfully. The UK is lagging behind in trans rights and this is a chance to improve the lives of very marginalised people in society.

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

No, it doesn't make it kinder, it is still putting barriers up for people like myself to legally changing their gender. It would have been kinder to follow the original plan to introduce self-identification which has successfully been implemented in other countries. The proposed changes feel like a compromise to not give trans people the dignity we deserve while making it seem like the government has made an effort.

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?

It should be removed since nobody else is required to pay in order to make their gender legally recognised. As for other financial burdens there are costs involved in getting a deed poll, a service which could be provided by the government. There is also the cost of healthcare, since the wait times for the GIC are so long (I have been waiting over 3 years) many trans people are having to seek private healthcare in order to function properly. For those who cannot afford it they are suffering greatly which is a huge concern considering trans people's already elevated suicide rate. Therefore, improving the GICs is very important.

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

Yes, it should. It can be humiliating having to get a medical diagnosis in order to legally change one's gender. Not to mention that if a trans person has been living as their gender for some time they may experience very little to no gender dysphoria, so getting a diagnosis would not make much sense for them. It just seems like another barrier for trans people, and an attempt to pathologize us.

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

Yes, there should. It can be very humiliating living your life as one gender when your official documentation says you are something different. This can cause confusion and make trans people's lives more difficult.

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

I think the statutory declaration is a good idea. It allows a person to commit in writing to their decision. I believe this is all that should be needed to allow a person to legally change their gender marker.

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?

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A trans person should not require the consent of their spouse in order to legally change their gender. It is something personal to them and a spouse should not be able to stop them changing their legal gender to match who they are.

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

Yes, I think it should be lowered to 16. At 16 I knew very confidently that I was trans. I don't believe that there is any evidence to suggest that a 16-year-old is more likely to regret transitioning than a person of any other age.

What impact will these proposed changes have on those people applying for a Gender Recognition Certificate, and on trans people more generally?

I think the changes will have minimal impact for trans people. I think they may make the process slightly easier but not nearly as much as it should be. The requirement for a gender dysphoria diagnosis and the fee will still put barriers in the way for many trans people.

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

The government should adopt a self-identification policy like those in other countries which have worked well. This would just require the statutory declaration and the removal of the fee. As seen in other countries this is not something which has been exploited it just makes trans people's lives a little easier which would be good considering our increased risk of depression and suicide.

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

Yes, it does.

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?

The process is dehumanising, costly, and difficult to start. Many trans people are intimidated by the process. I have been living as my gender for over 2 and a half years now but the process for applying for the GRC is so complicated and time consuming that I haven't been able to.

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?

From what I understand providers of single sex spaces like shelters understand the Equality Act, they often admit both cis and trans women though they know they have the right to refuse anyone, cis or trans, if they feel they pose a risk to that space. There have been instances of trans people being refused access to bathrooms and changing rooms which is unacceptable, since they are allowed by law to use those facilities, unless they are causing some issue, but this applies to cis people as well.

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

Yes. Adopting a self-identification system is a good first step. There also need to be legal recognition for non-binary people who are currently forced to choose a specific gender neither of which represent them.

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