

Firstly, Sparkle – The National Transgender Charity would like to thank the Women & Equalities Select Committee for appealing for evidence on an issue which has had a profound and continuing impact on trans and non-binary people, both in terms of individual rights and mental and physical health.

The Charity began as the organisers of the annual Sparkle Weekend, hosted in Sackville Gardens in the heart of Manchester's Gay Village. Since becoming a registered charity in 2011, the Sparkle Weekend has grown exponentially, and is the largest free-to-attend celebration of gender diversity in the world.

The Charity also offers guidance and training to businesses, public sector organisations, and educational institutions on how to support gender variant colleagues, customers, service users, students, and other stakeholders.

Run by a team of passionate and dedicated volunteers, the Charity also undertakes projects throughout the year to further its aims of promoting a positive representation of the trans, non-binary/genderfluid and intersex community.

The Sparkle Weekend is a festival-style family event, featuring live music and entertainment, talks and workshops, and a safe space for anyone who identifies as gender non-conforming, their families, friends, and allies. In 2019, we welcomed over 22,000 visitors over the weekend. We also work with local and national charities who support young trans and gender questioning people and their families so that all age groups feel included.

The Charity considers itself to be in a unique position to answer this call for evidence, as an organisation whose activities cross age, race, ability, and a wide variety of stakeholder groups.

Firstly, the Charity shares the disappointment and dismay of the trans and gender diverse community that, after a drawn-out and arduous consultation process, that the Government chose to not make any meaningful amendments to the Gender Recognition Act and decline to recognise non-binary identities and younger trans people.

It is especially disappointing that, whilst the consultation received approximately 108,000 responses, and despite overwhelming support for removing the need for a diagnosis of Gender Dysphoria (an invasive and dehumanising medical report detailing all treatment),

and the requirement to provide evidence of living “in role” for a period of time, the Government has decided to retain these preconditions in order for trans people to receive legal recognition. This ignores the needs and rights of those who are unable to medically transition for whatever reason, and the World Professional Association for Transgender Health (WPATH), which believes that gender variance is “not in or of itself pathological”, and is considering the removal of a need for an official diagnosis of Gender Dysphoria from its guidelines.

This would also render any attempt to streamline and simplify the process of applying for a Gender Recognition Certificate moot, as current waiting times for appointments to NHS gender identity services mean that it can be up to 3 years before a patient is initially seen. It is also worth noting that the “new” gender clinics promised by the Government, which have, in fact, been proposed for a number of years now, will only be seeing new patients, which will have a negligible effect on the current waiting lists.

The Charity is also concerned that the Government has retained the “spousal veto”, legislation which has been superseded by the Marriage (Same Sex Couples) Act 2013 and continues to infringe on a married trans person’s human rights and individual autonomy. The Charity understands that this is an issue for the couples in question, and the Government should not interfere in these intimate discussions. Obviously, no one should remain in a marriage if they are no longer happy, and there is existing divorce legislation for that very purpose.

The Charity knows many couples who have continued to be happy and healthy following the transition of one partner and dismisses the inference that the cisgender partner needs to be “protected” in some way.

Therefore, in the Charity’s opinion, the proposed new guidelines do not lead to a “kinder and more straightforward” process and continue to impact on a trans person’s dignity and wellbeing.

Then there is the impact of the consultation process itself.

Following the original announcement of the consultation in 2018, the media and other institutions and individuals have helped create a toxic and hostile environment for trans and gender non-conforming people through publishing and disseminating disinformation and counterfactual arguments publicly, both offline and online. The Government Equalities Office did little to counter this torrent of misinformation, which continued after the consultation was extended and the official response postponed until September of this year.

Research by both Trans Media Watch and Professor Paul Baker of Lancaster University has found an exponential increase in articles and media pieces on trans people and issues surrounding gender diversity, as well as a marked upswing in critical, divisive, and pejorative language used.

Trans Media Watch has noted several trends in this reporting, such as trans voices excluded from discussions around trans rights; selective reporting, wilful misinterpretation and biased framing; concerns of trans and gender non-conforming people and the charities and organisations which support them either disparaged, discredited completely, or ignored; and false balance engineered through pitting feminists/women against trans people, rather than trans supportive women versus trans hostile individuals.

It is also the Charity's opinion that this animosity toward trans and gender non-conforming individuals has had a profound and devastating effect on the community's mental balance and wellbeing. During the consultation, the Charity was in contact with representatives from many stakeholder groups who expressed the personal mental anguish and discomfort caused by the process and the hostility it enabled.

Research by The Fenway Institute and Brown University recently published in the LGBT Health journal has found that constant exposure to anti-trans messaging and rhetoric led to a significant increase in respondents' anxiety, mental distress and levels of Post-Traumatic Stress Disorder (PTSD).

Reports of transphobic hate crime have also increased dramatically during the period the consultation was underway. Even though correlation doesn't imply causation, it is difficult to not see a connection between a substantial upsurge in negative trans articles and an escalation in transphobic abuse and violence which, in turn, also affects mental health, leading to many trans people feeling unsafe leaving the house and using public facilities, according to research by anti LGBTQ+ violence charity Galop.

Many of the concerns about allowing gender self-identification centre around the belief, somewhat mistaken, that the safety of cisgender women will be compromised. This is despite the fact that the Equality Act 2010 has allowed trans people to access gender segregated spaces according to their gender identity for the past 10 years, and abuse of this legislation has been vanishingly rare. It could be said that trans people have been accessing these spaces for decades without incident. Many other countries, such as Argentina, Belgium, Brazil, Denmark, Norway, Portugal, Pakistan and the Republic of Ireland, have

operated a system of gender self-identification (as far back as 2012 in Argentina's case) without serious exploitation by cisgender men pretending to be trans women, or other nefarious parties.

The end result of this lack of serious reform of the Gender Recognition Act is that, despite the support of previous Prime Minister Theresa May, previous Women & Equalities ministers, and the majority of the British public, trans people in England, Wales and Northern Ireland now enjoy less freedom and individual rights than their peers in some of the world's emerging economies, when our country should be leading the way in fairness and equality for all. The Charity hopes that the Committee will consider these issues carefully before reaching a resolution and making any further recommendations.

THANK YOU.

Submitted by Lee Clatworthy

Acting Chair

Sparkle – The National Transgender Charity



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