

## Written evidence submitted by Ms M Bartlett [GE00008]

### Introduction

1. I am a 65 year-old trans woman, now employed by the NHS in a uniformed, patient-facing role, after more than 25 years as a journalist.
2. According to the Government Equalities Office website, the GEO:-  
*“leads work on policy relating to women, sexual orientation and transgender equality. We are responsible for a range of equalities legislation”.*  
and its responsibilities include:-
  - *improving equality and reducing discrimination and disadvantage for all in the UK; improving people’s life chances at work, and in public and political life*
  - *taking the lead on the Equality Act 2010 and being the lead department on gender, and lesbian, gay, bisexual and transgender (LGB&T) issues in government*
3. I cannot offer any informed comment on how the location of the GEO affects its function, or its role in supporting compliance with international obligations, so I confine my observations to:-
  - *The role of the Minister for Women and Equalities*
  - *The GEO’s role in connection with the pandemic*
  - *The Minister’s speech “Fighting for Fairness”*

### The role of the Minister for Women and Equalities

4. According to [www.gov.uk](http://www.gov.uk), :-  
*The Minister for Women and Equalities has responsibility for:*
  - *developing an equalities policy that it is based on individual autonomy and dignity*
  - *promoting equality of opportunity for everyone*
5. It is obviously an important role, affecting the lives of millions of UK citizens, and involving almost every aspect of government.
6. It is now five years since the Women and Equalities Select Committee published its report on transgender equality. In that time, none of the committee’s recommendations appear to have been implemented.
7. On that basis alone, it seems that the current Minister has failed in her duty.
8. In several important respects, the situation for trans people has become significantly worse since 2015:-
  - *Hate crime against trans people has quadrupled*
  - *Trans people are the subject of an almost constant stream of negative propaganda in the print and broadcast media*
  - *A large number of anti-trans hate groups have been set up, leading to a significant rise in the amount of anti-trans propaganda distributed on websites and “social” media.*
  - *Waiting lists for trans-related healthcare have increased*
  - *Government agencies have attacked private providers of trans-related healthcare*
9. It was clear from the Minister’s statement to the Commons on 22 September 2020 and the subsequent Commons debate on 24 September that the present Minister has been duped by the claims of anti-trans hate groups into believing that the rights of trans people conflict with those of women.
10. There may well be other situations in which there are genuine conflicts of interest between protected characteristics, such as between fundamentalist religious groups and almost anyone who isn’t male, cis-gendered and heterosexual.
11. Given this potential for conflict, perhaps it would be better if the Minister’s role were re-defined as Minister for Equalities, with a separate Minister for Women if necessary.
12. It is hard not to see the deteriorating situation of trans people as a matter of deliberate government policy, particularly in the light of the Minister’s rejection of the recommendations of the Women and Equalities Select Committee and the subsequent public consultation in respect of changes to the Gender Recognition Act.
13. Even if this is not the intention of government, it is almost self-evident that grasping the detail required to act effectively on behalf of all nine of the “protected characteristics” (identified in the Equality Act) is a massive task. Perhaps it is too much to expect one person to undertake this while simultaneously holding down another senior ministerial appointment.

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### The GEO's role in connection with the pandemic

14. So far as trans people are concerned, the GEO has done little or nothing to ensure that equality for trans people has been protected during the pandemic. It has certainly done nothing to "promote" trans equality.
  - Waiting lists for trans-related healthcare have increased significantly since the start of the pandemic.
    - In October 2020, the London Gender Identity Clinic website stated that it was *"currently booking appointments for people who were referred to the service in September 2017"*. In February 2021, The Nottingham GIC website stated that it was *"offering appointments to people referred in November 2017"*. So the waiting time from referral to actually attending an appointment at either of the UK's two main specialist clinics was well over three years, for patients referred 3+years ago.
    - Waiting lists at all GICs have increased over the past three years, so patients who are being referred now face a significantly longer wait. Some sources suggest that they could be waiting for up to ten years for a first appointment.
  - Lock-downs have led to many trans people – especially teenagers and children – being trapped in unsupportive or overtly transphobic households, and deprived of peer support.
  - Many trans people live alone, geographically remote from supportive friends or family. Travel restrictions imposed during lock-downs have hit them hard.
  - Trans people face on-going discrimination at work and when looking for jobs. They are particularly vulnerable when jobs are scarce.

### The Minister's speech "Fighting for Fairness"

15. The Ministers speech gave trans people limited grounds for optimism, as when she said:-  
*"It is outrageous in the 21st century that LGBT people still face harassment in public spaces."*  
and  
*"... by concentrating on data and research, rather than on campaigning and listening to those with the loudest voices."*
16. But the Minister has already demonstrated her willingness to listen to ignore data and research and to listen, instead, to "those with the loudest voices" in the shape of anti-trans hate groups.
17. Her positive remark about LGBT people is massively outweighed by comments such as:-
  - *We will move well beyond the narrow focus of protected characteristics.*
  - *Too often, the equality debate has been dominated by a small number of unrepresentative voices, and by those who believe people are defined by their protected characteristic.*
  - *This school of thought says that if you are not from an 'oppressed group' then you are not entitled to an opinion, and that this debate is not for you. I wholeheartedly reject this approach.*
  - *...the focus on protected characteristics has led to a narrowing of the equality debate*
18. These remarks strongly suggest that her role is remove even the limited protections afforded to trans people by the Equality Act, or perhaps even to dismantle the Equality Act entirely.
19. The Minister's comments in favour of "Free schools" suggest an enlargement of the existing loophole that allows activist groups (especially so-called "faith groups") to set up schools in which fundamentalist religious teaching can be substituted for PHSE, science can be replaced by creationism, and discrimination against women or other supposedly "inferior" or "sinful" groups can be encouraged.

### Annex 1: The 2018 Consultation on the Gender Recognition Act

20. Although any possible changes to the GRA would overwhelmingly impact trans people, less than 20% of the responses were from trans people. 80% of responses came from those who would not be directly impacted by any change.
21. There was clear evidence of bias by the GEO in favour of anti-trans hate groups, demonstrated by the way the responses were processed.
  - The consultation report says that:-

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*“In order to protect personal data, identification and removal of duplicate responses was undertaken by GEO”*

and that

*“Multiple responses from the same respondent were either combined into a single response, or removed...”*

- And yet the same report also admits that:-
    - *“The form hosted by women’s campaign group Fair Play for Women consisted of a pre- filled template containing the group’s recommended responses...”*
    - *“Respondents could enter their own personal contact information into the form to be automatically submitted to GEO by email, but could not edit responses”*
    - *“The Government received 18,370 responses via the Fair Play for Women template, which accounted for 18% of submissions.”*
  - In other words, the GEO knowingly accepted nearly 20,000 identical submissions that had been submitted by a single anti-trans hate group that used a misleading press advertisement to dupe members of the public into sending responses on its behalf, without knowing the true purpose of the consultation or the questions that were being asked.<sup>i</sup>
22. In spite of this clear bias by the GEO there was overwhelming support for change to a system based on a Statutory Declaration alone:-
- 64% said there should NOT be a requirement for a diagnosis of Gender Dysphoria
  - 80% said there should NOT be a requirement for a report of medical treatment
  - 78% said there should NOT be a requirement for evidence of living in the acquired gender
  - 83% supported the retention of the requirement for a Statutory Declaration
23. In spite of the close correlation between the recommendations of the Women and Equalities Select Committee Inquiry 2015, and the results of the consultation, the Government decided to do nothing of any significance.

### February 2021

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<sup>i</sup> The “Fair Play for Women” advert was published in the Metro newspaper on 10 October 2018 and said:-

*“The Government is considering a revolutionary change to British law that would allow ANYONE to switch the sex on their birth certificate, on demand”*

*“But if ANY MAN can get his birth certificate reissued to say he was born female, just like that, with no changes to his body and no medical supervision, it will have serious consequences for women and girls”*

*“If you think Sex Self-ID is wrong, tell the government not to make it law.”  
Go to [fairplayforwomen.com](http://fairplayforwomen.com) to respond to the Government consultation, it just takes a few minutes.”*

*“Do it now, for your mum, your sister, your daughter, or yourself.”*

- There was never any proposal to allow anyone to “switch the sex on their birth certificate on demand”.
- The issue of a Gender Recognition Certificate has no “serious consequences” for anyone other than the individual concerned.