

Trans Widows Voices evidence to the Women and Equalities Committee Enquiry into the reform of the Gender Recognition Act.

A. Definitions

Trans Widows Voices are pleased to be invited to give evidence to the Women and Equality's Select Committee inquiry into the reform of the Gender Recognition Act.

Trans Widows are women, (usually heterosexual) whose male partner or husband believes that they have a gender identity other than "man" or who cross dresses, and who as a result have either left, or wish to leave the relationship.

Women in this situation report feeling like their male partner has died. This is particularly the case if their partner or husband decides to transition. The transformation is usually so complete that their partner is unrecognisable as the man they married, both in looks and in personality. The woman will be forbidden from calling her husband by his previous "dead name".

The term "Trans Widow" provides an analogy which helps women to describe and identify their experience.

It should be noted that what the committee refers to as the "spousal consent provision" is referred to by us as the "spousal exit clause" as we believe this term is a more accurate description.

B. Background

We have to express our disappointment that that Committee were unable to facilitate our request for a private oral session.

We made a risk assessment that it was not currently safe for any of our contributors to attend the public live broadcasted session, based on the danger of repercussions both to ourselves and to our children. Firstly this is because many of us are domestic abuse survivors, so as well as the risks that all women face when contributing to this debate, we also risk repercussions from our ex-husbands if we speak publicly. Secondly we are aware that the children and families of women's rights campaigners¹ have been doxed in the past.

We were advised by your office that due to committee proceedings currently taking place online, because of COVID restrictions, it is not possible to provide private sessions. We find this extremely surprising and consider that it is likely to indirectly discriminate against women, who are proportionately more likely to be victims of domestic abuse. The length of the pandemic means that there has been ample time for the Committee to find a solution to this problem. It seems particularly odd for a committee which is focussed on women and equalities, to preclude the participation of female abuse victims for over a year.

¹ <https://www.pinknews.co.uk/2018/10/01/trans-campaigners-condemn-personal-info-leak-anti-trans-billboard/>

Written evidence submitted by Trans Widows Voices [GRA2029]

Our decision not to participate in the public session was vindicated by the responses to the tweet by the Committee which announced our invitation² where we were called “bigots”, “anti-trans” and a “hate group” by numerous individuals, and even compared to the National Front. When assessing who is most vulnerable when contributing to this debate, we would invite the committee to contrast who has been able to publically contribute and who has not,

C. ormation

Rather than being a “hate group”, we are a grass roots network, run entirely by volunteers, whose origins are in the public domain. We formed after tentatively starting to discuss our experiences on Mumsnet. We would invite the Committee to spend some time reading this thread in order to understand our origins:

https://www.mumsnet.com/Talk/womens_rights/3101834-trans-widows-escape-committee

You will see that women began discussing their experiences with no particular agenda other than mutual support, but gradually came to realise just how similar their experiences were, and that many of these experiences followed patterns of domestic abuse familiar to anybody with knowledge of models of abuse such as the Freedom Programme³ and the Duluth Wheel.⁴ These discussions became a process of consciousness raising, which enabled women to begin to name and compare what had previously been an elephant in the room, i.e. women’s common intimate and sexual experiences with men who cross dressed or who developed a Trans identity.

D. ommittee Q & A

We have chosen to only answer the questions that we feel are particularly relevant to Trans Widows

3. [To all] What is your view of the Government’s proposed changes arising from its onsultation on the Gender Recognition Act?

We broadly welcome the government’s proposals as regarding the issues that affect Trans widows, the status quo is largely preserved.

However we would like to give an example that shows what we believe is the unconscious bias which exists in government towards Trans Widows. It concerns the “Easy Read” version of the government’s consultation response⁵.

² <https://twitter.com/Commonswomequ/status/1384802263160532993>

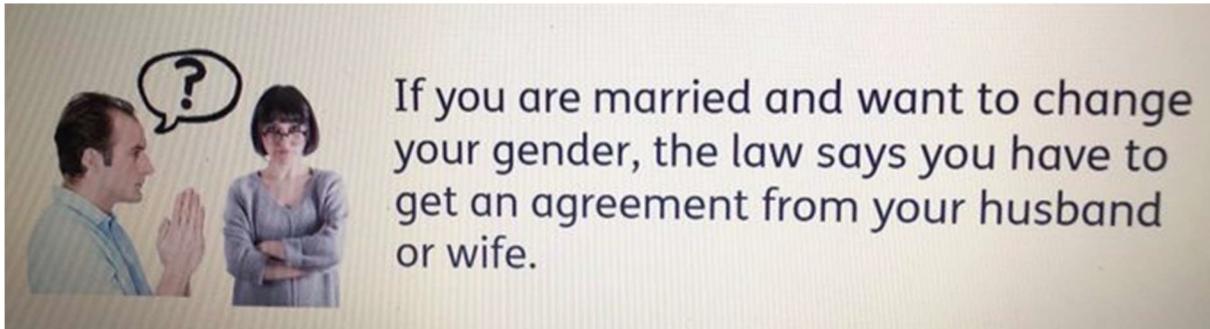
³ <https://www.freedomprogramme.co.uk/>

⁴ <https://www.theduluthmodel.org/wheels/>

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/950371/nalysis_of_responses_Gender_Recognition_Act_Easy_Read.pdf

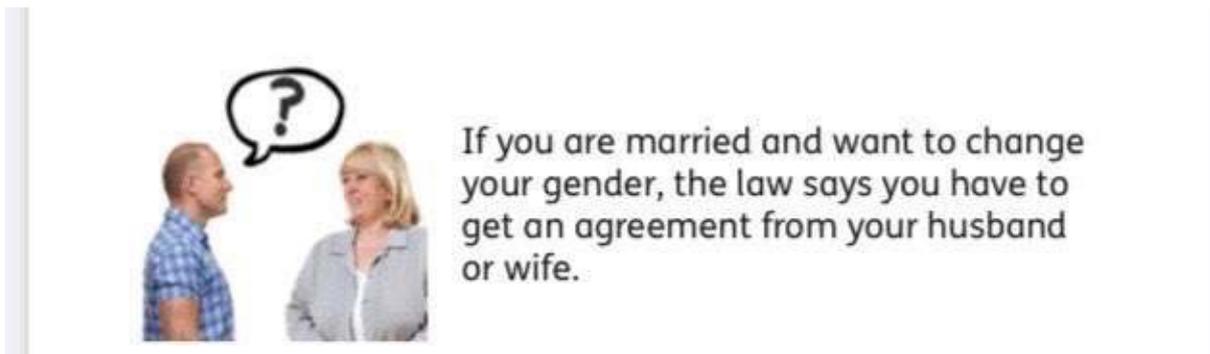
Written evidence submitted by Trans Widows Voices [GRA2029]

Below is the picture which was originally used to illustrate the section regarding the Spousal Exit Clause:



Trans Widows Voices complained to the GEO (ref COGEO-003464) about the original image on the basis that the picture of a sad man, pleading with a stern wife, as well as not being an accurate representation of the situation, was making an inaccurate, unnecessary and political point, about the power dynamics in such relationships, and that it was not the place of this document to make such a point.

Following our complaint the image was changed to the one below, which at least shows greater equality between the husband and wife.



8a. [To all] What is your view of the spousal consent provision and do you think it should remain in the GRA?

With regards to this question we would draw the Committee's attention to the detailed response given in our previous submission ref.GRA0344.⁶

In this we quote the government's response to the Gender Recognition Act consultation from September 2020 which provides a clear summary of the current law, stating:

- In order to obtain a full GRC [Gender Recognition Certificate], married applicants must have the consent of their spouse. If an applicant's spouse does not consent, the applicant may be awarded an "interim" GRC, which can be used by either party as grounds to annul the marriage.

⁶ <https://committees.parliament.uk/writtenevidence/16197/pdf/>

Written evidence submitted by Trans Widows Voices [GRA2029]

- [This] reflected the understanding that marriage is an agreement between two parties, both of whom should have a say in whether they want the agreement to continue in the case of a legal gender change of one of the parties.
- The interim GRC gives either party the possibility to annul the marriage, and the interim GRC holder to obtain legal gender recognition after the annulment of the marriage.

We also give the following summary of our position:

- The Spousal Consent provision in the Gender Recognition Act is a well-designed piece of law which protects heterosexual Trans Widows from the possibility of being trapped, in legally same sex marriages that they did not sign up to.
- The provision provides the option of annulment for women who are not able to divorce for religious or cultural reasons. It is essential that this is retained, to avoid these women being trapped in potentially abusive marriages or being ostracised by their communities or prevented from remarrying, if they divorce.
- Many Trans Widows are able to divorce, and do so either because their spouse has not applied for a Gender Recognition Certificate at the time of the split, or because they feel that divorce is more appropriate to their own circumstances, but we should not forget those who cannot.
- This provision is not a veto on transition and consent is not required for all other elements of transition from wearing different clothes, and changing one's name, to changing the sex marker on one's passport.
- Trans Widows Voices refer to this provision as the "Spousal Exit Clause" as this is an accurate description of its intention and its effect.

We cannot understand why this has previously been seen as entirely an LGBT issue and why the other party in the marriage has not been considered equally.

We welcome Trans Widows finally being seen as a stakeholder in this matter, as we consider it is unconscionable that the evidence previously sought has been entirely one sided.

We would also like to counter a misconception which was put forward as fact as a previous oral session of the committee where it was claimed that an annulment under the spousal exit clause would make it as though the marriage had never existed. This is not accurate.

There are two different categories of marriages that can be dissolved via annulment, void marriages, where the marriage was never legally valid so the law says that it never existed, and voidable marriages that (as in the example here of one party legally changing sex) that legally exist until they are annulled⁷.

It is disappointing that such basic errors of law are able to go unchallenged.

⁷ <https://www.gov.uk/how-to-annul-marriage>

Written evidence submitted by Trans Widows Voices [GRA2029]

Q8b• [To all] The Government's analysis of responses to the GRA consultation ighlighted that 84.9% of respondents were in favour of removing this provision. How ould you respond to these people?

We would respond that they have been systematically and deliberately misled over a number of years by activists with a particular agenda. The question does not provide information as to how many of these responses used templates from organisations such as Stonewall, but we suspect the proportion is high.

When every group that you trust, from your trade union⁸, to the political party that you vote for⁹, to previously trustworthy LGBT charities¹⁰, to your bank¹¹, put forward a particular view, it is not surprising that you might take at face value that the Spousal Exit clause represents a veto on transition, rather than provides the option of annulment to either party.

Additionally, stories in the media about couples where the husband transitions tend to always be focussed on marriages where the couple stay together. Trans Widow's stories are not in the public consciousness. This is one of the issues that Trans Widows Voices exists to redress, in our aim of amplifying the voices of women who have split or who want to split from transitioning partners.

We are not aware that any of these groups above consulted any trans widows before they issued this advice, which is ludicrous given we are just as likely to be members of Trade Unions and political parties and customers of banks as our ex-husbands are. As previously stated, there is a consistent failure to consider Trans Widows as stakeholders in this debate.

We have speculated as to why this issue has received such a disproportionate amount of attention from campaign groups given it must be infrequently used, and no convincing evidence exists that it is abused. We can only conclude that it is because the Spousal Exit Clause stands in the way of self-ID becoming law, and all of these groups have campaigned in favour of self-ID.

Trans Widows Voices have made some progress in promoting the truth about the Spousal Exit Clause, however a grass roots volunteer network cannot hope to counter the persuasive power of other large, well-funded organisations.

The government should make every effort available to correct the misrepresentation of the provision in the public sphere, and should reach out to those organisations who continue to

⁸ Many trade unions provided misleading information on the spousal exit clause to this enquiry, see sections - 28-29 from the NASUWT's submission as an example:

<https://committees.parliament.uk/writtenevidence/17380/pdf/>

⁹ <https://www.newstatesman.com/politics/staggers/2019/09/liberal-democrats-decide-remove-controversial-rans-spousal-veto>

<https://policy.greenparty.org.uk/rr.html> See Section RR531

¹⁰ https://www.stonewall.org.uk/system/files/stonewall_gra_response_-_final.pdf

¹¹ <https://www.dailymail.co.uk/money/markets/article-9154577/NatWest-defends-trans-rights-gets-blasted.html>

Written evidence submitted by Trans Widows Voices [GRA2029]

present the provision as a “veto” with a formal request to desist this fundamental misrepresentation of the law.

9a. [To Judith Green] In your written evidence, you argue that “emotional support and egal advice must be available for the spouse or partner of someone who identifies as transgender”. What support is currently available, and can you elaborate on what ore support you would like to see?

It was the complete lack of independent support that led the women who are now to the contributors to Trans Widows Voices to begin to reach out to each other on Mumsnet. The only specific help provided to partners of transitioners that we are aware of, is via groups which exist to support and advocate for Trans people, such as the Beaumont Society¹² who say on their support page:

“Remember, if you are able to learn and practise acceptance, this type of disclosure can bring you closer together.”

This is just not the experience of our contributors who recognise it as gaslighting and believe they are being expected to accept something which they find fundamentally detrimental to their future happiness and well-being.

Currently the only counselling support available is either through the NHS which has lengthy national waiting times, or privately at the woman's cost.

Thanks to improved awareness and resourcing, there are now multiple counselling and support services for individuals contemplating gender transition, at whatever age. Some services also offer support to family members and loved ones affected by an individual's transition. The experience of many partners seeking help unfortunately is that these primarily offer, after an acknowledgement of the trauma and loss involved for many partners, re-education and encouragement of acceptance. For many partners this is of limited help, and can compound their feelings of anger and isolation. Many partners do not feel positively about gender transition, and do not want to stay with their partner; it is estimated that around half of relationships break down at this point. Finding a counsellor who is non-judgemental of the situation and of negative feelings about a partner's decision, can prove difficult.

Women in this position therefore need prompt access to free or discounted counselling. This should not be provided by organisations with the aim of supporting transgender people as there is a clear conflict of interest and ideology prevents a neutral and non-judgemental delivery of counselling from these organisations.

We need a national counselling provider which offers neutral, non-judgemental counselling independent of counselling provided to individuals questioning their gender or seeking transition. Such a provision would fall in line with national guidelines from organisations such as the ethical frameworks and principles of BACP.

Two Trans Widows have provided us with their experiences of seeking support:

¹² <https://www.beaumontsociety.org.uk/partners-and-families.html>

Written evidence submitted by Trans Widows Voices [GRA2029]

rans Widow 1

"One [counsellor] tried to convince me that I was simply in denial of a factual truth about his womanhood; another appeared bewildered by my unusual circumstances. And it is very difficult to find peer support, as partners who do not accept transition and do not stay in the relationship, tend to hide in isolation for fear of criticism or being labelled transphobic. Many seek peer support online, in informal networks, and report experiences of unhelpful counselling from various sources, which questions their decision not to stay with their partners, or their definition of their own history and experience. Such experiences are ultimately damaging and isolating and can be a deterrent to seeking further help.

When I found a private counsellor I was able to fund, I was not re-educated; I fully understood the thinking on transgenderism, and what the experience is like for individuals coming to that decision. My counsellor did not take a stance of needing to correct my thinking or outlook, nor needing to keep me in my marriage. There is growing interest in the support needs of partners of transitioners; people in this very isolated and unusual position need non-judgemental and sensitive support, whether they accept and want to stay, or are unhappy and unwilling to join the transition journey. That is how I survived what is a life-changing, devastating experience for many people and reached peace in my new life."

rans widow 2

"As someone who has been in a position of seeking emotional support I can speak to my own experience of this.

The experience of women who seek support is very similar to that of women in a situation of domestic abuse. The individual experiences a sense of shame and self-blame. I haven't seen any peer reviewed studies on this but have read over a hundred individual accounts where this is mentioned. It certainly accords with my own experience. These emotions are brought by the women into the therapeutic situation when they first reach out. Often the first person they talk to is their GP, who can assist with medication and limited sympathetic listening but will have to refer the woman to specialist therapeutic support.

Waiting lists are very long for "talking" therapies on the NHS so often women seek help in the interim from private providers or from charities set up to help women. This was my own situation. I contacted my local women's support organisation by email, describing my situation, the problems I was having, and asking if they could refer me to a therapist with experience of supporting women who were struggling with their partner's declaration of intent to permanently live "as a woman". I said in the email that I did not accept them as a woman since I had only known them as a man and asking me to deny that felt like a form of abuse. This coupled with sexual demands was making me extremely depressed and broken. The reply I received was that they could not identify a therapist specific to my needs and instead gave me a list of generic counselling services. Out of curiosity, I searched the website of the organisation I had contacted and found that they had adopted a paper written by LGBT Youth Scotland on how to support trans women as their own position and practice guidelines. This paper stated that women who did not

Written evidence submitted by Trans Widows Voices [GRA2029]

accept that "trans women are women" should be "educated" and dealt with in the way that one would deal with a racist.

I have come to realise that the reason so many women's organisations have such policy papers is because funding has become contingent on them having one. The organisations that offer to help produce the policies come from one specific perspective. The female client base are not involved or consulted with during the production of these policies.

It was soul crushing to me to realise that the organisations set up to help women would think that women in my circumstances, who were being gaslit and subject to coercive control in their relationship with a man, should have their needs and their own lived experience considered secondary. Not only that, but their despair should be regarded as a form of "bigotry".

This is not helped by such things as the "memorandum of understanding" adopted by professional bodies for therapists that require practitioners to only ever affirm the declared gender of clients without deeper investigation lest it be considered "conversion therapy", and the training received by practitioners from organisations that re-enforce a narrative that paints a negative picture of the partners of people who declare a trans identity and who are anything less than 100% "on board" regardless of the impact on their own or their children's lives or sense of themselves as "phobic".

So in a nutshell, there is no specialist support. There are no specialist training programmes outwith those that are focused on how to support the trans partner. It is unlikely that such specialist support will be developed given the current "memorandum of understanding" and the policy positions that have been developed by women's support projects in conjunction with trans support organisations that (understandably) present an entirely one-sided perspective.

The government should ensure that all service commissioning departments within Local Authorities request that applicants for funding provide evidence of an Equality Impact Assessment and of their engagement with core service users (including women) in the development of policy that affects them. It is not good enough that policy can be bought "oven ready" from a special interest lobby group without regard to impact on all service users."

9b. [To Judith Green] You also state that the spousal consent clause prevents applicants who wish to coerce or deceive a usually female spouse into continuing a marriage. What evidence do you have for this statement, and is the same true for spouses of trans men?

The Spousal Exit Clause acts as a safeguard which enables either party to exit the marriage via annulment if an agreement cannot be reached. It is therefore evident that it enables an

Written evidence submitted by Trans Widows Voices [GRA2029]

escape route from coercion on either side. We are not sure why women's groups are being asked to provide evidence in relation to a safeguard? If the situation never arises, the safeguard will never need to be invoked and no harm will have been done.

We are also unsure as to why the Committee is asking women's groups about trans men, who would not consider themselves to be within our remit. If a trans man was being coerced then of course they would have the same right to exit the marriage via the spousal exit clause as a trans widow would.

We feel that this is an instance where the use of language obfuscates the reality of the situation. If you are asking, are female transitioners as likely to be abusive to their partners as male transitioners, then it seems likely that the answer is no, given statistics consistently show that males are more likely to be domestic abuse perpetrators than females.

With regards to the likelihood of coercive control of Trans Widows by their transitioning partners, of course no statistics are available, although this has started to attract some attention from feminist writers.¹³

When women started discussing their experiences on Mumsnet in the thread linked earlier¹⁴, it was never our intention to compile evidence of the prevalence of domestic abuse in relationships between Trans Widows and late transitioning men, but now there is plenty of anecdotal evidence that the prevalence of domestic abuse by late transitioning men against women in this situation is high.

The Trans Widows Escape Committee threads on Mumsnet are ongoing and have received almost 4000 posts from scores of women throughout the English speaking world, describing¹⁵ their experiences.

We would invite the committee to read the women's testimonies on our website and to draw their own conclusions as to whether these women have been abused and coerced:

<https://www.transwidowsvoices.org/our-voices>

June 2021

¹³ <https://uncommongroundmedia.com/domestic-abuse-related-to-late-transitioning-partners-part-i-coercive-control/>

¹⁴ https://www.mumsnet.com/Talk/womens_rights/3101834-trans-widows-escape-committee

¹⁵ https://www.mumsnet.com/Talk/womens_rights/3471122-trans-widows-escape-committee-2-the-trans-widows-strike-back

https://www.mumsnet.com/Talk/womens_rights/3668898-trans-widows-escape-committee-3-rise-of-the-rans-widows

https://www.mumsnet.com/Talk/womens_rights/3898348-Trans-Widows-Escape-Committee-4-A-New-Hope