

New push for sex-changes on demand

Responding to the Women and Equalities Committee's Call for Evidence on reforming the Gender Recognition Act

The Gender Recognition Act 2004 allows someone to change legal sex if they have lived as the opposite sex for at least two years and are diagnosed with 'gender dysphoria' by two doctors. Gender dysphoria is the feeling that you were born in the wrong body, which can lead to intense confusion and distress. It should be treated as a mental health condition.

In 2018 the Government consulted on 'de-medicalising' the Act by removing the safeguards of medical diagnosis and other evidence. In September 2020 the Government officially abandoned this proposal. It announced that the only changes would be to reduce the £140 fee for the process, and to move applications online.

However, the House of Commons Women and Equalities Committee has now opened its own consultation, revisiting the question of removing the safeguards. In a 2016 report the Women and Equalities Committee argued that the Government should adopt a self-declaration model by removing all requirements. It also proposed that 16 and 17-year-olds should be allowed to self-declare their legal sex.¹

The Bible is clear that we are made in the image of God as male or female (Genesis 1:26-27). Deliberately denying our God-given sex and pursuing a false identity defies our Creator. For more information on this issue, see: the.ci/trans

The existing law already allows terrible distortions of God's good design. But officially endorsing self-declaration would make the situation far worse. More people, already suffering a psychological problem, will be entrenched in their distortion of reality. It would also risk giving sexual predators unrestricted access to facilities for the opposite sex.

The deadline is Friday 27 November 2020

You can respond online at: <https://committees.parliament.uk/call-for-evidence/291/reform-of-the-gender-recognition-act/>

- Respondents are asked to submit a single document.
- The call for evidence lists 16 questions. You do not have to answer all of them.
- We have provided brief comments in response to the key questions, to help you form your own answers. **Please use your own words.**

KEY QUESTIONS

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

No

The current system is already radical. It allows a man to become a legal woman on the basis of a diagnosis of a subjective experience – believing he was born in the wrong body. A 'de-medicalised' system is a dramatically new approach that says a man can be a woman on the basis of nothing at all. This makes the very idea of men and women meaningless.

The unprecedented rise in young people identifying as transgender has raised concerns:

- In 2018 the Equalities Minister acknowledged the rapid rise in referrals for gender dysphoria, particularly among girls. An inquiry will investigate possible reasons for the rise, including the influence of social media and the promotion of transgender issues in schools. The Government should not be considering any changes to the Gender Recognition Act until this inquiry is over.²
- Research has shown that peer pressure, YouTube and social media play significant roles in a large number of cases of children claiming to have gender dysphoria.³
- The Director of the UK's Gender Identity Development Service, Dr Polly Carmichael, has admitted that we should be "asking questions about whether some people are getting caught up in something".⁴

Parents, doctors, academics and MPs are concerned that sex-changes are being offered without serious diagnosis. It would be reckless to remove this threshold for those seeking legal sex-change.

The requirement for a diagnosis of gender dysphoria at least means that there is medical scrutiny before a legal sex-change can take place. If there is no such requirement, there will be increased opportunity for sex-change declarations by people with malicious intent.

Medical scrutiny also gives a chance for alternative or additional diagnoses to be reached. It is well documented that those diagnosed with gender dysphoria often have other mental health issues.

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

The requirement for evidence of two years living in the opposite sex should not be removed or shortened. It is right that such a life-changing legal process should have a substantial time requirement built in.

It is normal for important life changes to require a significant quantity of evidence, sometimes of a sensitive nature. Examples include becoming a British citizen, or adopting your spouse's surname.

The desire to live as the opposite sex is often temporary, though it may be experienced for several years, giving the impression of permanence. Often detransitioners took years to finally decide to reverse their sex-change. The possibility of regret must be given time to develop. Some transgender people now feel trapped in their acquired sex, and resent the fact that they were affirmed too quickly without appropriate assessment.⁵

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

If someone is set on changing legal sex, it is fitting that applicants should have to affirm that they understand what they are doing and that they intend it to be permanent. This reflects the enormity of the decision. Removing the statutory declaration does away with any legal statement of intended permanence. It encourages a trivialised understanding of a person's sex as something that is fluid and open to frequent change.

However, a statutory declaration must be reversible, because of those who regret their decision to transition and want to return to identifying as their birth sex. The maximum number of legal changes should be two.

Does the spousal consent provision in the Act need reforming?

No

Currently a spouse must be asked if they consent to their marriage continuing before their partner can obtain a legal sex-change. This is entirely appropriate. Removing spousal consent allows a transgender person to make decisions over their husband or wife.

The rationale behind the current spousal consent provisions is good. Marriage consists in solemn promises made between two people. The breaking of these promises is painful and disruptive. One party should not have the unilateral right to alter the legal nature of the marriage from an opposite-sex to a same-sex marriage.

A substantial proportion of the population opposed the introduction of same-sex marriage. It would be entirely unreasonable to force people into a legal arrangement they morally oppose.

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

No

The lower age limit is currently 18 and should not be lowered. In England and Wales, under-18s cannot legally get a tattoo, vote, or purchase cigarettes, alcohol or fireworks.

The UK's Gender Identity Development Service has seen a nearly 3,000% increase in young people referred for gender dysphoria in the last decade.⁶ Many others claim to be transgender without experiencing gender dysphoria. Reducing the age limit for legal sex-change opens the door to a surge of confused young people.

Teenagers are particularly vulnerable. In one study, 90% of girls with gender dysphoria had another mental health diagnosis, 80% had two or more, 45% engaged in self-harm and 20% had autism. Eating disorders are also prevalent in this group.⁷ Many 'detransitioners' complain that they were affirmed as transgender when they were teenagers, without being properly assessed.

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

There is no scientific basis for a 'third sex'. Biologically, we are either male or female.

There will be enormous practical and legal difficulties in creating rights for a third sex. So much in our society is based on the biological reality that there are only two sexes.

If a third sex can be dreamed up without an objective basis, where will it end? Some transgender activists claim that gender is a spectrum, with apparently infinite options. The group Mermaids argues there could be "around eight billion" genders.⁸

A self-declaration model in which there are three sexes to choose from will be entirely meaningless. Anyone would be permitted to float between three empty categories, none of which have any objective definition.

REFERENCES | **1** *Transgender Equality*, House of Commons Women and Equalities Committee, Session 2015-16, HC 390, January 2016 | **2** *The Times Online*, 16 September 2018, see <https://www.thetimes.co.uk/article/inquiry-into-surge-in-gender-treatment-ordered-by-penny-mordaunt-b2ftz9hfn> as at 16 November 2020 | **3** Littman L, 'Rapid-onset gender dysphoria in adolescents and young adults: A study of parental reports', *PLoS One*, 13(8), 2018 | **4** Polly Carmichael, Director of the Tavistock and Portman Gender Identity Clinic speaking on BBC Radio 4, 8 April 2018, see <https://www.bbc.co.uk/radio/play/b09xjx34> as at 16 November 2020 | **5** *The Sunday Times*, 12 July 2020 | **6** *The Tavistock and Portman NHS Foundation Trust*, 28 June 2019, see <https://tavistockandportman.nhs.uk/about-us/news/stories/referrals-gender-identity-development-service-gids-level-2018-19/> as at 16 November 2020; 'Referrals to GIDS, financial years 2015-16 to 2019-20', *Gender Identity Development Service*, see <https://gids.nhs.uk/number-referrals> as at 16 November 2020 | **7** Angela Sämford, Child and Adolescent Psychiatrist, Gothenberg, interviewed on *Tranståget*: part 2, 16 December 2019, see <https://www.youtube.com/watch?v=73-mLwWlgwU> as at 16 November 2020, see also <https://bit.ly/3kFCJ3A> | **8** Mermaids, 'Are there 100 genders?!', 12 September 2019, see <https://www.youtube.com/watch?v=SzgL0LYoQE> as at 16 November 2020