

# Debate on “Transgender equality”

1 December 2016

A backbench business debate on “Transgender equality” will take place on Thursday, 1 December. The debate follows a report in January by the Women and Equalities Committee which demanded more rights for transsexuals.

The Committee’s proposals raise great public safety concerns, especially for the safety of women and girls in places such as toilets, changing rooms, women’s refuges, single-sex hospital wards, prisons, rape crisis centres and women’s support services.

## FIVE FACTS ABOUT THE TRANSEXUAL AGENDA AND GENDER IDEOLOGY

1. Transsexuals are people who are biologically normal, but who live as someone of the opposite sex.
2. There are very few transsexuals in Britain. Over the past decade fewer than 4,500 people have legally changed their sex.
3. Gender ideology claims that gender is socially constructed – your biological sex does not determine your gender. Some prominent feminists oppose this ideology, warning that critical questions are being silenced by accusations of ‘transphobia’.<sup>1</sup>
4. Gender ideology is now being promoted to children as young as 4 years old. Such school materials routinely use extreme sex stereotyping, for example suggesting that a girl interested in engineering may actually be a boy.
5. Sex-reassignment surgery is irreversible. Many transsexuals remain distressed and even suicidal after the operation.<sup>2</sup>

*NB: In rare cases people are born with an intersex condition involving physical or other medical problems. This is a completely separate issue. Transsexuals have a healthy body prior to treatment.*

## CURRENT LAW

Under the 2004 Gender Recognition Act, an adult who has been diagnosed with gender dysphoria (discontent with their biological sex because they believe it is different to their ‘real gender’) and lived for two years as a person of the opposite sex can apply for a gender recognition certificate. This means that their legal sex can be changed, including on their birth certificate.<sup>3</sup> A gender recognition

certificate can be obtained without a person undergoing any medical treatment.

## KEY PROPOSALS FROM THE WOMEN AND EQUALITIES COMMITTEE

Activists are seeking further liberalisation of the law, including:

- 1) allowing ‘self-declaration’, so that people can change their legal sex without any need for a medical diagnosis or to have lived as a member of the opposite sex;
- 2) lowering the age for changing legal sex from 18 to 16;
- 3) giving legal recognition to those who identify as neither male nor female.

In January 2016 the House of Commons Women and Equalities Committee released a report calling on the Government to address these three points. The Committee is chaired by Maria Miller MP.

The report also recommended amendments to the Equality Act 2010 to prohibit discrimination against a broader spectrum of people because of their “gender identity”. Other recommendations included extending hate crime legislation to cover crimes committed against transsexuals and putting greater emphasis on “trans issues” in schools, particularly in sex education.<sup>4</sup>

## GOVERNMENT RESPONSE SO FAR

The Government’s response to the report was published in July. The Government committed to a review of the Gender Recognition Act as part of a broader “action plan for transgender equality”, saying: “We would like to see more evidence on the case for change and the implications of altering the minimum age, moving to a self-declaration process and extending legal recognition to non-binary gender identities.”<sup>5</sup>

## PUBLIC SAFETY CONCERNS

The radical proposals put forward by Maria Miller would allow men to self-identify as female without any medical diagnosis and then to invade the privacy of women and girls. Non-religious groups such as ‘Transgender Trend’ are warning: “This would mean that any man would be able to declare himself “female” in order to gain access to facilities where privacy is crucial to the dignity, comfort and safety of

women and girls, such as toilets, changing-rooms, women's refuges, single-sex hospital wards, prisons, rape crisis centres and women's support services. The obvious consequence would be that women would not feel safe to access the services and facilities intended for them.<sup>6</sup>

Real life incidents in the USA and Canada since 2015 include:

- Teenage boys identifying as girls and so using **girls' changing rooms in schools** – news outlets have reported parents' protests in Ohio, Missouri, California, Idaho...<sup>7</sup>
- **Male predators** using pro-transsexual policies to spy on women in changing rooms – cases in Toronto, Idaho, Virginia, California, Seattle.<sup>8</sup>
- *Time* magazine reporting in May 2016 that girls from a swimming team in New York City are too scared to use the **women's changing room at a public swimming pool** following the introduction of a new "gender identity" policy. The girls, aged from about seven to 18, became concerned after they saw a "bearded individual" in the women's changing room.<sup>9</sup>
- A woman's **gym membership** being revoked after she complained about the presence of a transsexual man in the female changing rooms.<sup>10</sup>

If the age for obtaining a gender recognition certificate was lowered from 18 to 16, as Maria Miller proposes, then a biologically male school pupil would be legally allowed to use the girls' changing rooms in the UK.

There are other concerns. The security services obviously need accurate information to identify potential terrorists, but how will this be possible if basic information

like a person's sex is removed from **passports**, as the Equalities Committee has suggested?<sup>11</sup> A controversial new Bill in Canada which aims to prohibit discrimination against gender expression threatens **freedom of speech**. A professor of Psychology at the University of Toronto has spoken out, arguing it could result in him being charged with a hate crime for refusing to use gender-neutral pronouns such as 'ze' and 'zir' instead of 'he' and 'she' at work.<sup>12</sup>

## WIDESPREAD OPPOSITION

Many people across society disagree with gender ideology, including the C of E and Roman Catholic Church, leading feminists such as Germaine Greer and Julie Bindel, and even some gay rights advocates. Germaine Greer has said that in her opinion a man who has 'sex change' surgery is not a woman.<sup>13</sup>

## HOW MANY 'TRANSGENDER' OPTIONS?

'Transgender' is used as a vague umbrella term by supporters of gender ideology. They reject the fact that there are only two sexes, instead presenting a range of different gender options. How many would a new law recognise?

- **5** forms of "transgender identity" are offered in the 2012 Scottish anti-sectarianism legislation.
- **22** gender options were given by the Children's Commissioner for pupils in Brighton, including 'genderqueer', 'demi-girl', 'tri-gender' or 'in the middle of boy and girl'.<sup>14</sup>
- **71** different gender possibilities are available to Facebook users.<sup>15</sup>

1 *The Evening Standard online*, 15 July 2016, see <http://www.standard.co.uk/news/uk/medical-threat-to-transgender-children-on-puberty-blocking-drugs-a3296471.html> as at 29 November 2016

2 *The Guardian online*, 30 July 2004, see <http://www.theguardian.com/society/2004/jul/30/health.mentalhealth> as at 29 November 2016

3 'Apply for a Gender Recognition Certificate', *Gov.uk*, see <https://www.gov.uk/apply-gender-recognition-certificate/print> as at 29 November 2016

4 *Transgender Equality: First Report of Session 2015-16*, House of Commons, Women and Equalities Committee, HC 390, 14 January 2016, pages 3, 59, 79, 80, 81, 85 and 87

5 *Government Response to the Women and Equalities Committee Report on Transgender Equality*, Government Equalities Office, July 2016, pages 5 and 11

6 *Transgender Trend*, 27 November 2016, see <http://www.transgendertrend.com/transgender-equality-debate-in-parliament/> as at 29 November 2016

7 *TriState Update*, 9 September 2015, see <http://www.tristateupdate.com/story/29990631/parents-angry-after-transgender-students-bathroom-choice> as at 29 November 2016; *KFOR*, 28 August 2015, see <http://kfor.com/2015/08/28/parents-upset-about-restroom-policy-regarding-transgender-student/> as at 29 November 2016; *Fox 5*, 3 February 2016, see <http://fox5sandiego.com/2016/02/03/some-parents-upset-that-transgender-student-uses-boys-locker-room/>

as at 29 November 2016; *Inquisitr*, 23 March 2015, see <http://www.inquisitr.com/1948944/parents-pull-daughter-from-school-after-learning-a-transgender-boy-is-allowed-to-use-girls-bathroom/> as at 29 November 2016

8 *Life Site News*, 4 March 2014, see <https://www.lifesitenews.com/news/sexual-predator-jailed-after-claiming-to-be-transgender-in-order-to-assault> as at 29 November 2016; *Life Site News*, 13 July 2016, see <https://www.lifesitenews.com/news/transgender-male-arrested-for-taking-pictures-of-woman-in-target-changing-room> as at 29 November 2016; *The Daily Wire*, 22 April 2016, see <http://www.dailywire.com/news/5190/5-times-transgender-men-abused-women-and-children-amanda-prestigiacom> as at 29 November 2016

9 *Time*, 13 May 2016, see <http://time.com/4324687/even-in-liberal-communities-transgender-bathroom-laws-worry-parents/> as at 29 November 2016

10 *ABC News*, 7 March 2015, see <http://abcnews.go.com/Health/planet-fitness-revokes-womans-membership-transgender-complaint/story?id=29465983> as at 29 November 2016

11 *Transgender Equality: First Report of Session 2015-16*, House of Commons, Women and Equalities Committee, HC 390, 14 January 2016, page 63

12 *BBC News*, 16 November 2016, see <http://www.bbc.co.uk/news/world-us-canada-37994901> as at 29 November 2016

13 Some issues in human sexuality: A Guide to the Debate, A discussion document from the House of Bishops' Group on Issues in Human

Sexuality, Church House Publishing, 2003, page 249; *Catholic Culture online*, 31 January 2003, see <http://www.catholicculture.org/news/features/index.cfm?recnum=19829> as at 29 November 2016; *Independent online*, 26 October 2015, see <http://www.independent.co.uk/news/people/germaine-greer-defends-grossly-offensive-comments-about-transgender-women-just-because-you-lop-off-a6709061.html> as at 29 November 2016; Bindel, J, 'The Operation That Can Ruin Your Life', *Standpoint Magazine online*, November 2009, see <http://standpointmag.co.uk/node/2298/full> as at 29 November 2016; Change.org petition, 'Drop the T', see <https://www.change.org/p/human-rights-campaign-glaad-lambda-legal-the-advocate-out-magazine-huffpost-gay-voices-drop-the-t> as at 29 November 2016; *The Federalist*, 9 November 2015, see <http://thefederalist.com/2015/11/09/exclusive-gay-man-explains-his-petition-to-drop-the-t-in-lgbt/> as at 29 November 2016

14 *The Telegraph Online*, 28 January 2016, see <http://www.telegraph.co.uk/news/uknews/12127280/Government-asks-schoolchildren-to-define-their-gender-and-gives-them-24-options-to-choose-from.html> as at 29 November 2016

15 *The Telegraph Online*, 30 June 2014, see <http://www.telegraph.co.uk/technology/facebook/10930654/Facebooks-71-gender-options-come-to-UK-users.html> as at 29 November 2016