



HOUSE OF COMMONS
LONDON SW1A 0AA

The Rt Hon Elizabeth Truss MP
Minister for Women and Equalities
Government Equalities Office
Sanctuary Buildings
16-20 Great Smith Street
London
SW1P 3BT

21 May 2020

Re: The Gender Recognition Act and Trans Healthcare

Dear Minister,

I'm writing following a number of concerns raised with me by constituents regarding your speech to the Women and Equalities Select Committee of 22nd April¹.

In your evidence to the committee, you indicated that you were concerned about the protection of single-sex spaces in connection to the reform of the Gender Recognition Act and went on to indicate that you wished to see a change to the way the NHS treats trans young people under the age of 18.

In regard to this first comment, I would be grateful for an explanation as to the connection and relevance of the protection of single sex spaces to the reform of the Gender Recognition Act 2004 (GRA). As you will know these protections are enshrined in the Equality Act 2010, which is not under review, and outlines the rights of all women, trans or cis, to such spaces and affirms that, there are circumstances where women who share the protected characteristic of gender reassignment can access single and separate sex services regardless of their access to a Gender Recognition Certificate.

While this Act, introduced by the last Labour government, has outlined the rights of trans women in the area since 2010, we have seen in recent years a growth of extreme and transphobic hysteria surrounding this issue.

This has been in part an attempt by transphobic organisations and individuals to influence the Government's consultation on, and ultimate position on, GRA reform. This consultation now closed more than a year and a half ago in October 2018 yet we are still waiting for the Government to set out its reform agenda. I would emphasise that reforms to the Gender Recognition Act were recommended by the Women and Equalities Select Committee in 2016 (broadly seconded by the government), and were pledged by the government as part of the 2018 LGBT Action Plan.

In regard to the second comment, firstly I would be grateful to hear precisely what the Minister meant by her comment on the importance of “making sure under 18s are protected from decisions that they could make, that are irreversible”. Does for instance the Minister take issue with the use of Gillick competence and the Fraser guidelines, which govern standard clinical practice for the informed consent of minors, in general? Or only in the case of trans young people? Does the Minister intend to create a two tier system where trans young people face additional hurdles to proper clinical treatment than young people not accessing transition-related healthcare?

I would further highlight to the Minister that the physiological process of puberty is in many ways an “irreversible” process that young trans people are often left to undergo against their wishes due to the inadequacy of trans healthcare provision under her Government. In fact, more than three in five trans people who have undergone, or are currently undergoing, medical intervention for their transition are unsatisfied with the time it took to get an appointment while more than one in ten have gone abroad for such treatment.

I would therefore appreciate hearing what action the Minister is taking to address this patent under-provision of healthcare for Trans people in the UK? Further to this I’m sure the Minister is aware that an NHS Study has found that of 3,398 trans patients who’d accessed NHS support, 16 expressed regret, and only 3 made a long-term de-transition². I hope the Minister will recognise that there is not a clinical basis for a change in policy that would make access to transition-related healthcare more difficult.

Finally I would ask why the policy shift on this issue implied by these comments has come now, some year and a half after the close of the GRA consultation and during the height of a global pandemic? If the minister is interested in advancing LGBT+ equality, I would ask where is the update in progress on the broader Government 2018 LGBT Action Plan. The Women and Equalities Select Committee, LGBT Action Plan and sector organisations all clearly recognise the crisis in trans healthcare, what will be the Minister’s response?

These comments come in the context of a widespread abuse towards the Trans community and an epidemic of mental ill health among trans young people in particular. Two in five trans people have experienced a hate crime or incident because of their gender identity in the last 12 months. One in eight trans employees have been physically attacked by colleagues or customers in the last year³. Two thirds of trans people have experienced depression in the last year, while 12% of trans people made an attempt to take their own life in the last year⁴.

These figures should horrify and they are certainly not helped by the fear and trepidation many thousands and trans people and their loved ones feel regarding the Government’s eventual position on reform of the Gender Recognition Act.

I hope these figures and the individual lives behind them weigh heavily on the Minister as the government comes to lay out its agenda on the reform of the Gender Recognition Act. I would urge her, mindful of the history of her Party on this issue, not to allow a Conservative Government’s agenda on LGBT+ rights to be set once again by a hateful minority.

Yours sincerely,

Zarah Sultana

Member of Parliament for Coventry South

References:

[1]

<https://www.gov.uk/government/speeches/minister-for-women-and-equalities-liz-truss-sets-out-priorities-to-women-and-equalities-select-committee>

[2] <https://mermaidsuk.org.uk/media-statements/>

[3] https://www.stonewall.org.uk/system/files/lgbt_in_britain_-_trans_report_final.pdf

[4] <https://mhfaengland.org/mhfa-centre/ceo-blog/trans-mental-health-stonewall-simon-blake/>