

Written evidence submitted by Gendered Intelligence to the Transgender Equality Inquiry

1. Executive Summary

- Gendered Intelligence has established an excellent reputation working with young trans people across England.
- This written evidence centres predominantly around issues affecting trans youth.
- There is a need to engage all public sectors (and any service that government has equality responsibilities for) in coherent training, educational and professional development programmes of trans inclusion and gender diversity.
- We need resources to strengthen the trans community.
- There needs to be more local and robust services for young trans people provided by local authorities.
- Trans people need to be at the heart of delivering the services that we need.
- We need a comprehensive review of the legislation affecting trans people (and intersex people) with the aim of deleting the exceptions laid out in the GRA 2004 and EA 2010.
- We propose that the Government issue guidance to sporting bodies around their trans, non-binary and intersex inclusion remits and to work proactively in encouraging trans, non-binary and intersex people to partake in sports activities and to pursue their sports interests.
- Education is the most important sector that can work to curtail the prejudice that is in society.
- The Government needs to place a scheme of support mechanisms for schools and colleges who are engaging with work around trans inclusion, gender diversity and challenging gender stereotypes for staff and students.
- Young trans people experience significant mental distress and their needs are not being met through statutory services.
- Government needs to engage with third sector and community organisations to deliver services that will improve the mental health and wellbeing of trans people.
- We need to see a programme of depathologising trans people with the aim to remove the diagnosis of 'gender dysphoria' without removing the level of care needed.
- We need voice therapy for the trans people who need it and who are under the age of 18.
- Government should consider increasing resources to young people's mental health in order to minimise the need for mental health services in adult life.

Brief introduction

2. Gendered Intelligence (GI) is a not-for-profit Community Interest Company, established in 2008. Our mission is to increase understandings of gender diversity. Our vision is of a world where people are no longer constrained by narrow perceptions and expectations of gender, and where diverse gender expressions are visible and valued.
3. We work predominantly with the trans community and those who impact on trans lives; we particularly specialise in supporting young trans people¹ aged 25 and under.
4. Our aims are:
 - to increase the quality of trans people's life experiences, especially those of young trans people
 - to increase the visibility of trans people's lives and to raise awareness of trans people's needs, especially those of young trans people, across the UK and beyond
 - to contribute to the creation of community cohesion across the whole of the trans community and the wider LGBT community throughout the UK
 - to engage the wider community in understanding the diversity and complexity of gender
5. We do this by delivering regular activities for young trans people including an annual residential trip for young trans people; mentoring individual young trans people in educational settings; delivering varied arts-based programmes and creative workshops on the subject of gender identity; providing educational sessions and workshops for young people in schools, colleges and other settings; providing professional development sessions, trans awareness training and policy development consultation for statutory and other professionals, agencies and businesses; running events for parents, carers and family members of young trans people; offering volunteering roles that provide opportunities for personal and professional skills development; publishing and distributing booklets, guidance, publications and other resources; bringing trans people and professional services together to form partnerships and run projects that will benefit the trans community and generating discussion and debate around gender and the ways in which it presents challenges in our everyday lives

General Issues affecting trans youth.

6. Young trans people face many barriers. Many young trans people feel isolated and vulnerable, typically suffering inequality and discrimination across society. Young trans people are thinly spread across the country. Increasing social networks and finding safe

¹ 'Trans people' is used to mean the broad spectrum of people who feel they are gender variant in some way, including but not limited to transsexual, transgender, non-binary and gender queer people

spaces (on and off line) where young trans people can be themselves is key to raising confidence through decreasing isolation and social anxiety.

7. Whilst reasonably small the trans community is diverse. We need to ensure that we are working across the wider trans community and to address the various intersections of our community where young people may experience multiple disadvantage, prejudice and barriers. We need to ensure those on the margins of our community are also listened to. We especially need to ensure there is extra support for those young trans people with learning disabilities and those with autism as well as those who are living with mental distress. In addition looked after children who identify as trans or are questioning their gender identity face extra difficulties, especially with their social transition. Whilst there may be foster carers or other carers who have sought to understand trans identities, social care services lack confidence around trans issues and are risk averse in their actions in allowing young people to transition. We know of some instances where decision making around taking steps for a young trans person to live in their self-identified gender has taken place through the courts.
8. In addition it should be noted that there are a growing number of young people who do not identify as male or female (non-binary). About a third of our young members at GI are non-binary and we need to address the general lack of understanding of non-binary people. In general those whose gender identities are neither male nor female are not accommodated across society.
9. Moreover, it should be a human right for *all* people to be entitled to express their gender as they wish to regardless of whether they are male, female or non-binary. Restrictions and rigid social expectations of *all* people's behaviour, interests, career interests, expressions are abundant and affect everyone.
10. We want trans people and those expressing their gender in rich and diverse ways to feel safe and to be who they are. Trans people should feel safe to come out and share their trans status with those around them. Young trans people need role models who are in their everyday life – not just on telly. Young trans people should see trans people reflected across society as their teachers, their librarians, their GPs and nurses, their social workers and their politicians.
11. Recommendations
 - Engage all public sectors (and any service that government has equality responsibilities for) in coherent training, educational and professional development programmes of trans

inclusion and gender diversity. It is education that is going to tackle the prejudice that we experience in everyday life.

Community development

12. Like social models of disability, as well as lesbian, gay and bisexual communities, trans people are developing a positive community identity around being trans rather than figuring trans as a medical condition. Strengthening as a community means bringing trans people together, to take pride in their identity and to tackle all forms of prejudices and discrimination together. Currently the trans community and any provision to service the trans community is embryonic and fragmented. We need coherent community development support and resources to grow and strengthen the community, so that trans people can feel empowered by being amongst one another and in turn to challenge the discrimination faced within our everyday settings.
13. Our young people and their parents and carers travel great lengths to attend our sessions at GI. We need to be delivering and developing community support programmes to the trans community more locally across the country. Coming together as a community, sharing information and lived experiences is key for young people to realize that it is okay to be trans. Making important decisions and finding ways to explore one's gender identity is made easier by gaining accurate information and by hearing other people's stories who have had similar experiences. More than this young trans people want to make a difference to the lives of others who are similarly disenfranchised. Through coming together as a community our young people will have better life chances by learning new skills, increasing their confidence and, through a peer support network, will strengthen their own community by helping others like themselves. Local trans youth support can curtail a future of mental distress, potential low employability and preventable access to statutory mental health and other health services, including Accident and Emergency services.
14. Recommendations
 - More local and robust services for young trans people resourced by local authorities including youth services, health and fitness projects, mental health and well being projects, social action projects, volunteering opportunities and similar.
 - Access by the community to up to date information through reliable and well-respected sources that will enhance their decision making about their futures.

- Support with developing the community so that trans people can be at the heart of delivering the services that we need. (We might think of the community expression: “Nothing about us, without us”).

Issues with the law and young trans people specifically in relation to sport

15. Gender Recognition Act 2004 and Equality Act 2010 need consideration for review. My colleagues have noted this in their briefs – (LGBT Consortium and UK Trans Info). We wish to bring attention to the negative consequences of the exceptions laid out in these pieces of law – namely that around ‘gender affected’ sports.
16. Gendered Intelligence has been doing some work with the Football Association around trans inclusion in football and their policy when working with trans players. Currently the law says that trans people may only be treated differently in relation to sport if it is necessary to ensure fairness of competition or safety of competitors in a ‘gender affected activity’. The legislation states that a ‘gender-affected activity is a competitive activity where the physical strength, stamina or physique of average persons of one sex would put them at a disadvantage compared to average persons of the other sex.’
17. We are finding it incredibly difficult to offer any explanation or constitution of the ‘average’ sex. In discussion with the medical team at the FA there seems no standardised or practical way of measuring the strength, stamina or physique of *any* person, including trans people. Currently hormone levels of testosterone are considered something that are measurable, however there seems to be no real evidence that shows that levels of testosterone equate to the constitution of strength, stamina or physique. For instance, the Court of Arbitration for Sport (CAS) have issued an Interim Award in the arbitration procedure between the Indian athlete Dutee Chand, the Athletics Federation of India (AFI) and the International Association of Athletics Federations (IAAF). IAAF has given the opportunity to provide the CAS with scientific evidence about the quantitative relationship between enhanced testosterone levels and improved athletic performance in hyperandrogenic athletes. In the absence of such evidence, the CAS Panel was unable to conclude that hyperandrogenic female athletes may benefit from such a significant performance advantage. <http://www.tas-cas.org/en/jurisprudence/recent-decisions>.
18. The UK is getting left behind within the international picture of this debate and work around the participation in sports by trans, non-binary and intersex people. The Australian Human Rights Commissioner Tim Wilson is currently conducting a national survey on the participation of transgender, gender diverse and intersex people in sport to

ensure their rights are protected in the policies and practices of sporting codes.

https://www.surveymonkey.com/r/AHRC_SportSurvey

19. The exceptions in the legislation are problematic. Most importantly they are discouraging trans people from engaging in sports activities. We need to build trust amongst our community that they have the right to engage in sports activities.
20. These exceptions stated in law also have a detrimental effect on school and young people's grass roots sports policies, where young trans people are being left out of physical education and sports activities. We have plenty of anecdotal evidence about young people going to the library during PE lessons and have not done any sports or physical fitness activities for some time. For instance over the years we have delivered ad hoc swimming sessions and one of our young members claimed to have not gone swimming for 8 years.
21. Recommendations
 - Consider a comprehensive review of the legislation with the aim of deleting the exceptions laid out in the GRA 2004 and EA 2010.
 - Issue guidance to sporting bodies around their trans, non-binary and intersex inclusion remits and to work proactively in encouraging trans, non-binary and intersex people to partake in sports activities and to pursue their sports interests.

Education

22. We welcome the Department for Education's use of the new acronym - HBT bullying - which aims to consider tackling biphobia and transphobia alongside homophobia and offering it of equal importance. We are finding new avenues to consider the ways in which bullying behaviour comes out of a series of attitudes that link as much to sexism and misogyny as to an ignorance and fear of LGBT people and communities. Transphobia is found in the response of ridicule or repulsion when a person assigned male at birth expresses femininity or a person assigned female at birth expresses masculinity.
23. New guidance from PSHE Association aimed at schools to support their trans students is welcome. We have lots of experience of working in schools, colleges and Universities where they are supporting trans students. Some schools are outstanding in their support and provision for young trans people. We need more coherence and standardised approach to supporting young trans people in and through their education. Some of our young people do not go to school. This is costly to a local authority and impacts on life long working potential of an individual trans person.

24. There are gender divisions across the whole of our school systems. We can think of uniform policy, Sex and Relationship Education, Physical Education, sports, toilets, seating plans in the classroom and the ways teachers ask children to line up. We need to stop reinforcing the gender binary within our institutes of education. We need to tackle discrimination through and within our education programmes around transphobia, homophobia and sexism; we need to tackle gender stereotypes. All of this is not only to ensure that trans people have a positive social transition into their self-identified gender role in their school system but for other things too – such as getting girls into science, engineering and technology careers; getting boys into the caring professions and being dedicated and equipped fathers. Splitting the girls from the boys is old fashioned and it is of the detriment to all.
25. Guidance and good practice of trans inclusion is available. It now needs to be implemented coherently across the whole of our education sector. Key areas are gender-neutral toilets, changing records swiftly and without a fuss (including SIMS registration systems and exam certificates), education programmes through PSHE and other areas of the national curriculum amongst other low cost initiatives.
26. Recommendations
- Put in place a scheme of support mechanisms for schools who are engaging with work around trans inclusion, gender diversity and challenging gender stereotypes for staff and students.

NHS services

27. Our colleagues are no doubt commenting more cohesively here around the importance of good and accessible NHS service provision for trans people and also for young trans people.
28. In a report called Youth Chances (2013) of just under 1000 young trans people that completed the survey, 72% of them claimed to be currently self-harming or have in the past self harmed (<http://www.youthchances.org/>). Engendered Penalties (2007) tells us that 31% of trans people attempt suicide and 73% experience harassment. The report states, “young transgender people are particularly vulnerable to discrimination and harassment”. In 2011, Gendered Intelligence carried out 40 needs assessments, which looked to build a picture about the lives of young trans people. From this we found 62.5% have low confidence; 55% feel socially anxious regularly and 30% have depression. There is clear evidence that young trans people experience more mental distress than their non-trans counterpart. Experience of accessing services by young trans

people is poor. Cuts to mental health services have adversely affected young trans people. There are cost implications to continuing poor mental health of our young trans people.

29. Our experience working with young people is that CAMHS provision is not satisfactory around the levels of understanding of gender identity and being trans. Our young trans people are not getting the services (for instance talking therapies) that they need. In addition any transfer from CAMHS to adult mental health teams; as well as transitioning to adult services from GIDS to GICs are not satisfactory. For young trans people who are 15-18 they currently have no access to voice therapy, which is inequitable as this is something provided by adult services.

30. Recommendations

- Engage with third sector and community organisations to deliver services that will improve the mental health and wellbeing of trans people. This could be cheaper and more effective.
- Look at a programme of depathologising trans people with the aim to remove the diagnosis of 'gender dysphoria' without removing the level of care needed.
- Provide voice therapy for trans people for those who need it under the age of 18.
- Look at early intervention programmes that aim to be cost effective where young trans people's mental health needs are met early enough before exacerbating into adult life and costing the state purse even more.

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