

STEP BY STEP BY STEP

ACHIEVING TRANS INCLUSION IN THE EQUALITY ACT

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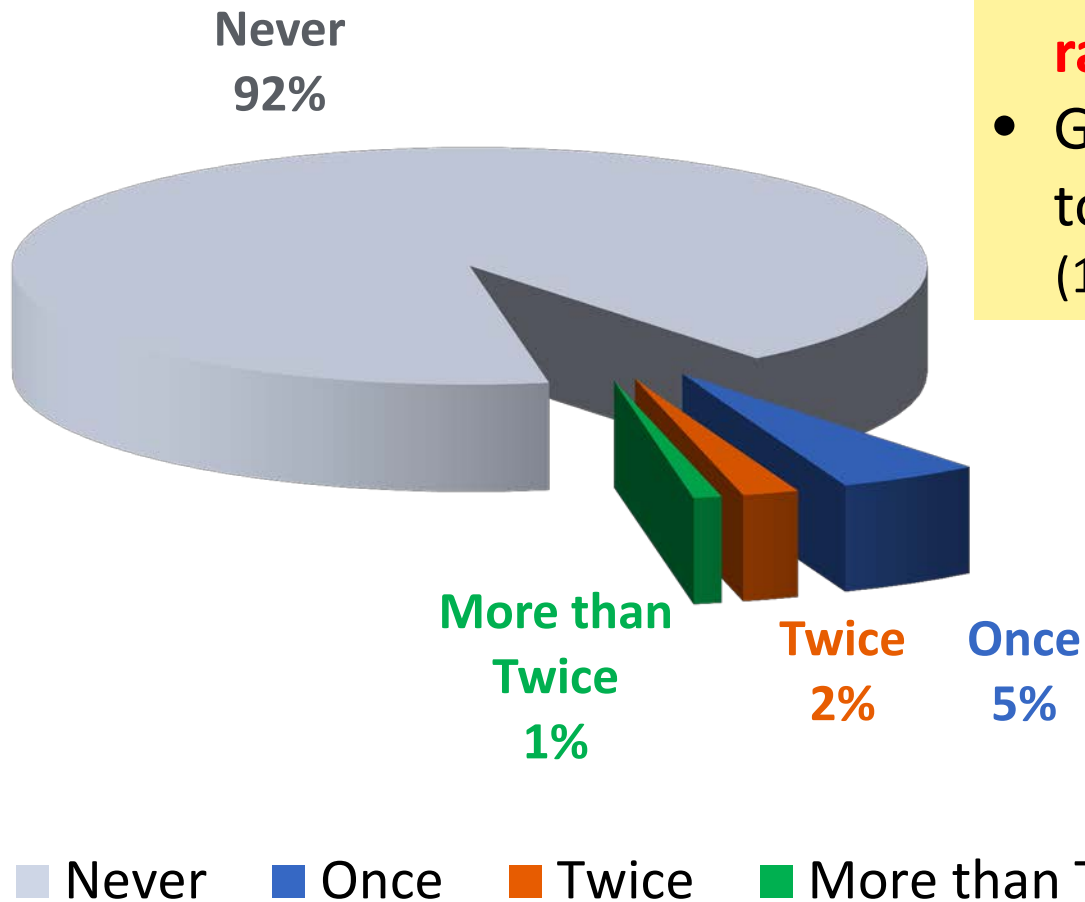
How Frightening Are We?



Very Frightening! 1990's Representations of Trans People

- “Nasty Surprises: spiders in your soup, snakes in your bed, transsexuals ”
 - advert for Smirnoff's Vodka
- Sex Mad Paedophiles
 - Religious Minister
 - asked about trans people attending church
 - 21% referred to the dangers presented to children
- Gender reassignment treatment
 - Newspapers:
 - costs the NHS a fortune
 - Prevents ordinary people from having cancer treatments

1996 Post-Gender Reassignment: Rate of Attempted Suicide



- **8% Attempted Suicide rate:**
- Gender reassignment **NOT** to be recommended (1996, The Guardian Newspaper)

Gender Reassignment

- Gender Reassignment Surgery
- Found, On systematic evaluation, interventions identified as:
 - **ineffective &**
 - **limited clinical value** in the vast majority of cases.
 - **inefficient use of resources** given high cost per quality adjusted life year gained.
- Excluded National Health Service Treatment

1999 Government Trans-Equality Workplace Proposals

- Trans people to have workplace protection **except** when working with
 - With Children
 - With other vulnerable people
 - In people's homes
 - In Religious organisations
- Trans people to be able to access the toilet of their new gender
 - **when judged by a senior manager to look reasonable**

PRESS FOR CHANGE

CHALLENGING THE ORTHODOXY

Sex Discrimination (Gender Reassignment) Employment Regulations 1999

- 900 letters sent to Government, 160 from employers of trans people
 - The toilet provision was NOT included
 - But everything else was
- By Christmas 2001,
 - the Employment Court had found all exemptions, except the religious exemption, unlawful
- In 2002,
 - a hospital refused to dismiss a chaplain when the bishop took their licence away, and threatened to sue the church.
 - A Vicar transitioned: her congregation refused to ask for her resignation

Complaints of Deliberate Exclusion led to €12,000 grant to undertake research into trans people's experiences.

THE EQUALITIES REVIEW

Engendered Penalties: Transgender and Transsexual People's Experiences of Inequality and Discrimination

Authors: Stephen Whittle, Lewis Turner and Maryam Al-Alami

Contributors: Em Rundall and Ben Thom



**Engendered Penalties
2007 Getting the Facts Straight**

Spheres of Life

Education

Bullying

Victim Status

Leaving Early Without Qualifications

Workplace

Prejudice & Harassment

Discrimination

Repeated Job Losses
Move to Fringe Workplaces

Healthcare

Failure to Listen

Lack of GR Provision

Mental Illness label

Leisure

Increasingly on the fringe

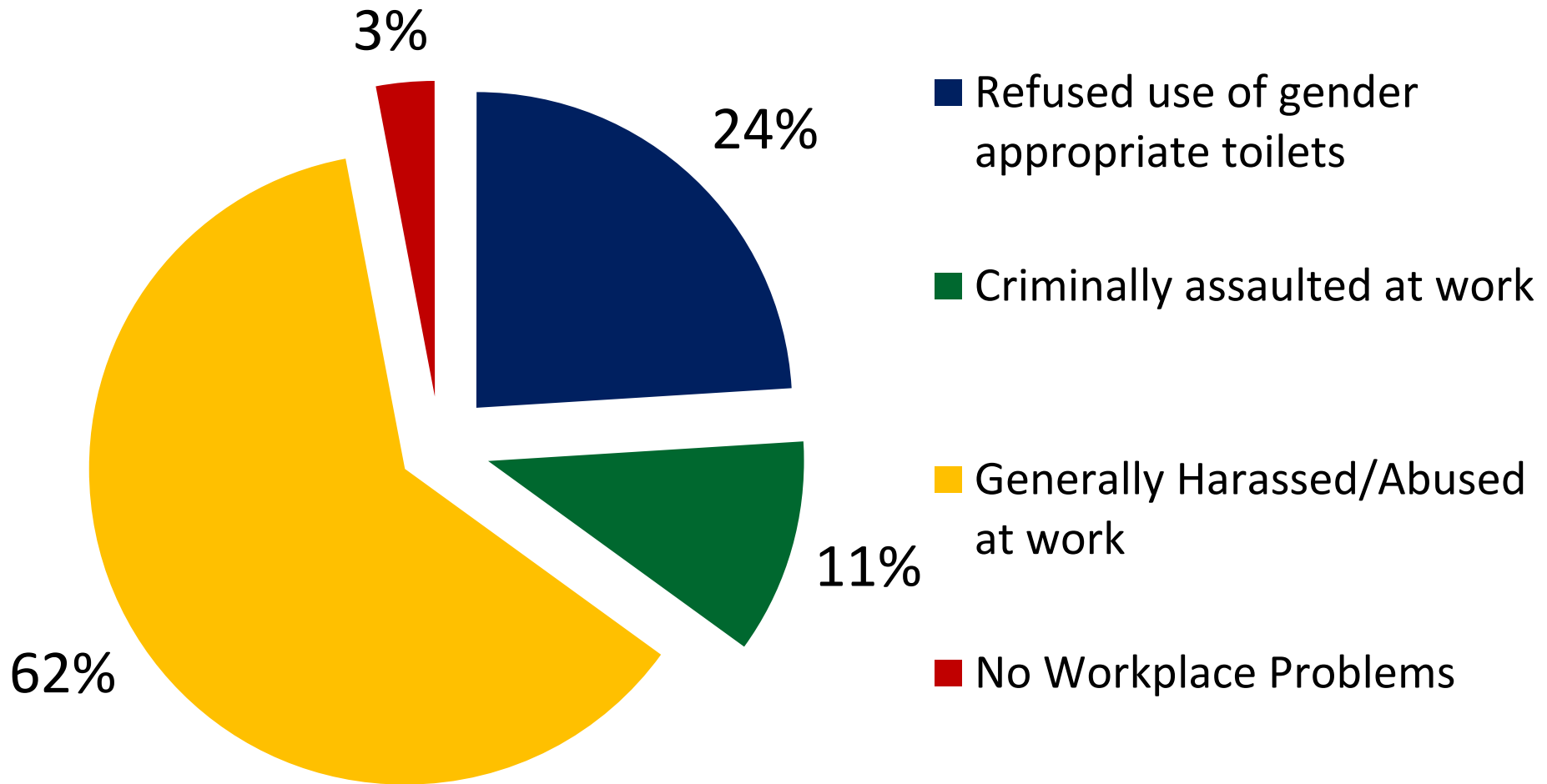
Trying Out A Gay Life

Meeting & becoming part of the Trans Community

Discrimination resulted from 'seeing' Difference

THE RESULTS

Lack of Employment Protection



Lack of Other Social Protections

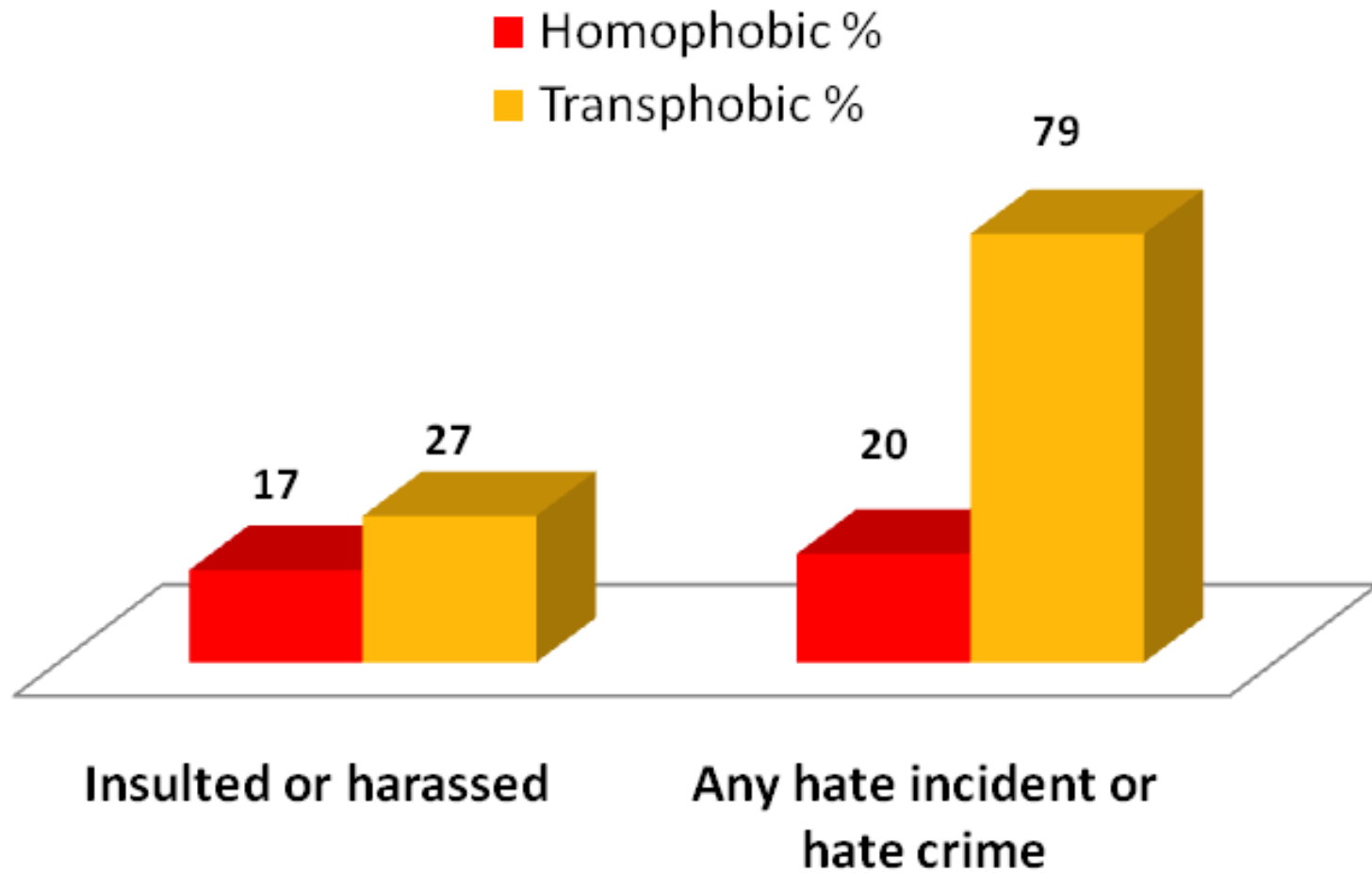
37% Trans people excluded from family events

45% reported family breakdown

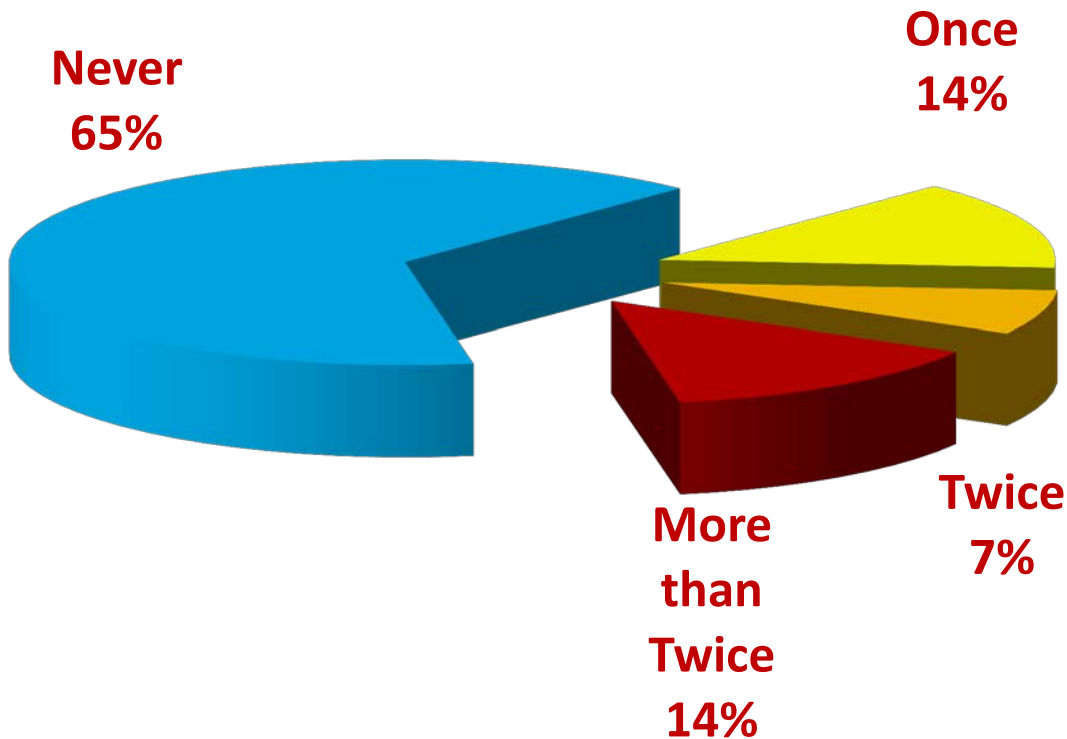
73% regularly experience harassment in public

21% completely avoid going out

Comparison Homophobic Crime v. Transgender Crime



Pre-Treatment Rate of Attempted Suicide 2007



■ Never ■ Once ■ Twice ■ More than Twice

- **Post-treatment**
 - 8% attempt suicide
 - 3% attempt twice or more
- **Pre-treatment**
 - 35% attempt suicide
 - 21% attempt twice or more
- **Control Group: Adults with severe childhood related mental health issues**
 - 19% attempt suicide
 - 12% attempt twice or more
- **Proves GR is effective**

THE EQUALITY ACT 2010

Transgender Discrimination since the Equality Act 2010



- Religious Exemption In relation to Gender Reassignment
- **There isn't a Religious Exemption**

Case Law

- Gender Reassignment Related **Discrimination Cases** brought to court since the Equality Act came into force

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Mechanisms of change





World Champion
Alpine Skier
(Men's)