

FORTH VALLEY RAPE CRISIS

Our Values/ Beliefs

We believe that:

- sexual violence is both a cause and a consequence of inequality amongst genders. It is the result of harmful ideas about gender which influence all parts of society, from personal relationships to institutional responses
- we live in a society where dominant ideas about gender limit the freedom and rights of women, children and LGBTQ+ people and perpetuate negative stereotypes of masculinity for men
- many of the societal inequalities that exist amongst genders result from sexual violence, for example, disruption to education, limited access to housing or negative impacts on mental health.
- sexual violence is often perpetrated as a form of hate crime where a person experiences violence as an attack on their identity. For example, it is often perpetrated as a form of homophobic or transphobic abuse.
- gender based violence requires an evidence-based, gender-specific response
- survivors are the experts in their own experience and we will support them to exercise control and direction of their own lives

How do we have an inclusive and safe discussion?

Asking questions is fine, but are they too intrusive or personal ?

We won't be debating identities.

Trans women are women. Trans men are men.
Non-binary people exist.

Trans women and trans men

- Intense need to live fully in different gender
- Often, not always, take hormones or have some surgery
- Older terminology = transsexual people

Trans woman:

Assigned male at birth

Female gender identity

Transitions to live as woman

Trans man:

Assigned female at birth

Male gender identity

Transitions to live as man

Non-binary people

- About gender identity rather than physical sex
- Don't identify simply as a man or a woman
- Gender-neutral title: Mx
- Gender-neutral pronouns: they, ey, per, zie...
- Might take hormones or have surgeries
- Various terms: genderqueer, genderfluid, agender, third gender, non-gendered...

Current procedure for changing sex on identity documents

The name, title and sex marker on all UK identity documents, with the exception of birth certificates, can already be changed on a self-declaration basis (without any requirement for a psychiatric report or any medical interventions) when a person starts living permanently in their gender identity. These include:

- Passports
- Driving licences
- Medical records
- Bank accounts
- Employment records
- Education records and qualification certificates
- Voter registration cards
- Disclosure and barring service certificate

If they have parental consent, young trans people under 16 can change their name, title and sex marker on all UK identity documents except their birth certificate.

Equality Act 2010

- Gender reassignment protected characteristic defined as:
 - **Proposing** / undergoing / undergone
 - **Any part** of a process for reassigning sex
 - Changing physiological (biological functioning) or **other attributes of sex** (social functioning)
- Also perception and association protection
- Not just traditional 'transsexual' people protected:
 - No medical supervision
 - Social aspects count, such as pronouns
 - It is narrower than the big broad trans umbrella though

Gender Recognition Act 2004

In the 1990s, the UK government argued against changing birth certificates because they are not intended to prove a person's current circumstances but instead are purely a historical record of the circumstances at the time of birth.

However, in 2002, the European Court of Human Rights determined that **preventing trans people from changing their sex on their birth certificates violates Article 8 (Right to respect for private and family life) and Article 12 (Right to marry) of the European Convention on Human Rights.**

Gender Recognition Act 2004

GRA Reform does not affect the Criminal Justice Sector.

Careful risk-assessed decision-making about placement and management of trans people in custody will remain the key to upholding safety. Provision will continue to exist for prisoners who are legally female, whether trans or not, to be held in the male estate if necessary due to offending history and individual risk level. Receiving legal gender recognition does not affect criminal charges, prosecutions, sentences or parole decisions. A person cannot hide their criminal history by receiving gender recognition - the GRA contains an exception that allows the criminal justice sector to retain and share the previous identity of a trans person where necessary to investigate or prevent crime.