

NON-GENDERED

Fighting for legal and social recognition outside the gendered societal structure

For the attention of Regina Doherty TD
Minister for Employment Affairs and Social Protection
Department of the Taoiseach
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Submission: response to consultation of the review of the Gender Recognition Act 2015 (the Act).

[c] Arrangements for persons who identify as neither male nor female

The Act currently affords benefits that are envied by trans men and women in the UK.

The Act is however limited in its premise that identity should be restricted to an accepted conformity within a gendered societal structure [ie. that legal recognition applies to male and female only].

The reality is that many trans peoples' identities do not conform into a male-female perimeter and these individuals are not helped by the Act in its current form.

The need to have one's personal identity recognised is fundamental and no less significant for marginalized non-gendered trans people than for gendered trans men and women.

Non-gendered people are invisible within the gendered societal structure.

While it is recognised that being trans is not a mental illness, it has been demonstrated that stigma associated with being trans and the unacceptable discrimination levelled against trans people have resulted in many trans people suffering severe stress and mental ill health.

The stigma and everything associated with being trans is compounded when one is socially invisible.

It is profoundly distressing for a non-gendered person to be forced to accept inappropriate gendered references on documentation where the purpose of issuance is to affirm the identity [eg. passport].

It is profoundly distressing to have one's identity rendered invalid.

The process of needing constantly to explain [eg. why a certain title or pronouns are used] and being expected to justify oneself is exhausting, stressful and demoralising and experienced daily by non-gendered trans people.

The Act must as a matter of urgency take account of the needs of non-gendered people whose personal need for validation is no less than gendered trans men and women.

In addition to the impact on a personal level outlined above, the lack of legal and social recognition of an individual's identity raises a number of practical considerations.

Without the means to acquire the correct identity documents [eg. passport] it is impossible for an individual to function within society without compromise. Survival within gendered society often necessitates the denial of one's identity when completing an application form for almost any item of identification. The impact is that non-gendered people are often denied access to essential goods and services from within both the public and private sectors.

Non-gendered people are in many respects excluded from full participation in society due to a lack of provision where facilities are segregated in accordance to gender [eg. public bathrooms, certain sports and sport clubs, gymnasias etc.]

The Act was ground breaking in many respects however non-gendered trans people in the Irish Republic were effectively left behind and consequentially are denied their full rights of citizenship. As an observer from the UK, I was one of many trans people who were left behind when the Gender Recognition Act 2004 became law in my country and still suffer the consequences of exclusion today. Third option indicators:

I will always advocate that gender should not be a mandatory requisite unless there is an overriding need.

Where a declaration of a person's sex [ie. gender] is required there should always be a third option [X] to indicate 'Neither', 'Other' or 'Unspecified' in addition to gendered 'Male' and 'Female' options. It should never be necessary to require a declaration of gender from within the commercial sector.

Contributor info:

UK resident, I've campaigned for more than 25 years for legitimate identity that most people can take for granted. I campaign upon a principle of legitimate identity as a fundamental human right. I was invited to present oral evidence before the Women and Equalities Select Committee as part of its Trans Equality inquiry in October 2015. The Committee's report presented to the UK Government can be found **HERE**

NON-GENDERED is my definition for a person of neither male nor female gendered identity.

I would recommend that provisions outlined in my response must be extended to all trans people who define their identity as neither male nor female or neither exclusively male nor female.

NON-GENDERED – Fighting for Legal Recognition

Legitimate Identity is a Fundamental Human Right

The denial of existence is the worst act of discrimination by the gendered majority against the non-gendered