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Women or Transsexual Persons?

The Brits Manage to Stuff-up the Start of a Good Idea

by Katherine Cummings

Article appeared in Polare magazine: October 2010 Last Update: October 2013 Last Reviewed: September 2015



So that transgenders not resident in Britain will need to go there, or, as noted above, bring G.M.C. registered doctors to their countries to certify groups of British-born transgenders.

In 2004 the Brits passed their Gender Recognition Act and many of us expats thought that justice was to be done and happy days were here at last. For years Britain had been hanging out with

Ireland, Albania and Andorra as the European holdouts who were not going to confer affirmed genders on their transgendered nationals, not for ever so. Press for Change, a self-help organisation working primarily for the rights of the transgendered, managed to persuade some politicians to take up the cause and the Gerbil (Gender Recognition Bill) resulted, culminating in the *Gender Recognition Act 2004 (United Kingdom)*.

For the first time, those of us born in Britain had a chance to revise our birth certificates and some of us were quick enough to take advantage of the opportunity. We sent off our details to the British authorities and were soon in proud possession of revised birth certificates. It did not take long for the Brits to

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stuff things up. They started fiddling with the regulations which accompanied the Act and soon it became necessary for a doctor registered with the General (British) Medical Council to certify that irreversible medical procedures had been carried out before records would be changed.

It turned out that there were relatively few Australian doctors registered with the G.M.C. (what a surprise) and it seemed at one time that it might be necessary to fly a G.M.C. doctor out to Australia to certify multiple applicants for new birth certificates, this being more economical than having the applicants all pay fares to Britain and back. Incidentally, it was not sufficient for the doctor to be G.M.C. registered. It was also required that he or she be acquainted with the procedures involved in gender affirmation, further reducing the eligibility pool.

An Australian transgender advocacy website, [Changeling Aspects](#) listed one G.M.C. registered doctor in Queensland.

Then the rules changed again. Not only must the doctor be registered with the G.M.C., He or she must be licensed to practise in Britain ... which overseas doctors cannot be. So that transgenders not resident in Britain will need to go there, or, as noted above, bring G.M.C. registered doctors to their countries to certify groups of British-born transgenders.

And now the Brits have managed to further damage the good which had been achieved, (limited though it was) by the *Gender Recognition Act 2004 (United Kingdom)*. The *Equality Act 2010 (United Kingdom)*, passed this year, has now disastrously enacted transphobic regulations which remove recognition from transgendered women that they are, in fact, women, and state that when group therapy is offered to rape victims, transgendered women will be excluded from the group, in case they upset the "womyn born womyn", who might see the transgendered woman as a man in woman's guise.

For the same reason, transgendered women are denied the option of working as rape counsellors, in case their antecedents are unacceptable to the rape victims.

As Zoe Brain puts it in her brilliant blog: "A counsellor working with victims of rape might have to be a woman and not a transsexual person, even if she has a gender recognition certificate, in order to avoid causing them further distress. The provisions of the *Gender Recognition Act 2004 (United Kingdom)* that over-rode that 1975 act have now been repealed. There is a distinction between "women" and "transsexual persons with (or without) gender recognition certificates" now. Now of course, who could reasonably object to a counsellor whose appearance might be upsetting to a rape survivor? In such cases, we cannot afford to be too precious about rights of employment, we must consider the victims first and foremost. But it's not about appearance. It's not about the victims and their feelings. It's about transphobic prejudice. It's now legitimate to refuse to help victims who are "transsexual persons" because of the transphobia of others.

There are other consequences to this redefinition of transgendered women as "transsexual persons" rather than women. It means that

"real" women, like the "womyn born womyn" (that is such a foolish phrase!) can see to it that women who have a transgendered background are excluded from "women only" spaces, and worse, from employment in their chosen field, if that happens to be, for instance, rape counselling.

They are no longer women but rather "transsexual persons" and as such they can be subject to as much transphobia as those of ill-will towards the trans community can muster.

One comment on Zoe's blog suggested that there is now no support for the G.R.C. system in Parliament and that it will be necessary to make progress through the courts.

Another said that she had used the services of a rape crisis centre and found accessing them unproblematic. But she went on to say that she felt that legally sanctioned discrimination of this kind is disgraceful, not least because it is fairly certain there will be no separate provision for trans people (and would we want it if there were?).

Katherine Cummings



Katherine Cummings is a writer and transgender activist, currently working at the N.S.W. Gender Centre as Librarian and Information Worker. Her autobiography, *Katherine's Diary*, based on a two-year series of radio talks she gave on Radio National's "Health Report", won the Australian Human Rights Award for Non-Fiction in 1992. It has since been expanded and updated and was re-issued at the end of 2007.

Katherine edits *Polare*, the quarterly magazine of the Gender Centre and writes for it. She is currently putting together a collection of her essays, short stories, poems and book reviews to be published in mid-2013 under the title *The Life and Loves of a Transgender Woman*.

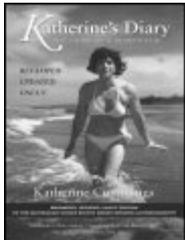
Katherine transitioned in 1986 at the age of fifty-one.



The Life and Loves of a Transgendered Lesbian Librarian
Author: Katherine Cummings
Publisher: Beaujon Press (2014)
I.S.B.N.-13: 978-098036535X

From Polare Magazine Review: The publication of this collection is a timely reminder that there is still a lot to learn about gender identity, its causes, aetiology and expression. To redress common misconceptions, prejudices, and targeted violence, ethically focussed education is critical. Of overriding importance is the acknowledgment of the truth of all 'real-life' experiences and within this framework Katherine's lifetime experience, retold through cleverly assembled vignettes (essays,

book reviews, verses and poems), is central. The book's content is varied and provides the reader with decisive personal viewpoints centred on the paramount issue of gender identity.



Katherine's Diary: Revamped, Updated, Uncut Edition
Author: Katherine Cummings
Publisher: BookSurge Publishing (2008)
I.S.B.N.-13: 978-1439215456

From Bookpod Book Store website: "I think that I was irrational, even insane, at the time. My transsexualism had taken hold of me with such obsessive force that I could not concentrate on anything else. There I was, a fifty-year-old professional academic librarian who had desperately wanted to be female ever since memories began ..." In 1986 John Cummings became Katherine Cummings and a whole life changed. In this painfully honest account of John's transformation into a woman, Katherine tells of years of fantasising behind locked doors, of the betrayal felt by her family and the final relief of surgery. *Katherine's Diary* covers a lifetime of self-discovery and self-destruction told with acerbic wit and crisp observation.

Polare Magazine is published quarterly in Australia by The Gender Centre Inc., which is funded by the Department of Family & Community Services under the S.A.A.P. program and supported by the N.S.W. Health Department through the AIDS and Infectious Diseases Branch. Polare provides a forum for discussion and debate on gender issues. Unsolicited contributions are welcome, the editor reserves the right to edit such contributions without notification. Any submission which appears in Polare may be published on our internet site. Opinions expressed in this publication do not necessarily reflect those of the Editor, The Gender Centre Inc., the Department of Family & Community Services or the N.S.W. Department of Health.

The Gender Centre is committed to developing and providing services and activities, which enhance the ability of people with gender issues to make informed choices. We offer a wide range of services to people with gender issues, their partners, family members and friends in New South Wales. We are an accommodation service and also act as an education, support, training and referral resource centre to other organisations and service providers. The Gender Centre is committed to educating the public and service providers about the needs of people with gender issues. We specifically aim to provide a high quality service, which acknowledges human rights and ensures respect and confidentiality.