

12884
S



NEWSLETTER

VOLUME 2 No.15

JUNE - JULY 1986



INSIDE

THE EURO COURT HEARING

CONTENTS

SHAFT Notes	2
Letters	3
Games Transsexuals Play	5
Relationships	6
Milestones	8
Information Please	10
Photo Gallery	12
THE EURO COURT HEARING	14
Impressions of Strasbourg	14
The Mark Rees Case from a Legal Perspective	16
The Law in Europe	19
The Transsexual and the Law	20
TV and Radio Interviews	22
What the Papers say	23
Why I had to change sex	25
Noticeboard	28

The Editor apologises for the omission of some regular features such as Nuts & Bolts and Talking Shop due to pressure on space caused by the Eurocourt items and other factors.

Newsletters and Handbook

Copies of previous Newsletters (Vol 1 Nos 1-24 and Vol 2 Nos 1-14) are available to members at £1.00 each (non-members £1.50). Copies of the Revised Handbook are available to members at £1.50 each (non-members £2.00). All prices inclusive of p+p. Send cheque/PO to 46 Liddell Way, South Ascot, Berks.

Articles and Letters to the Editor are welcome on all topics relating to transsexualism. Please send them direct to:

*46 Liddell Way, South Ascot, Berks SL5 9UX
Deadline for the next Edition is 1st July 1986*

Acknowledgements

Newsletter logos and drawings - Melanie of Wallington (501)

The views expressed in this Newsletter are those of the author and do not necessarily reflect the opinions of the Editor or of the Association. Articles, letters and contributions on transsexual matters are welcome and should be sent to the Editor. The Editor does reserve the right to alter shorten or refuse any item submitted for publication

©SHAFT 1986

SELF HELP ASSOCIATION FOR TRANSSEXUALS

VOLUME 2 No. 15

JUNE - JULY 1986

SHAFT Address: 46 Liddell Way, South Ascot, Berks SL5 9UX

Telephone: (0990) 27916

President (Membership, Correspondence & Accounts):	Judy Cousins
Hon. Vice President:	Tonia Allen
Editor of Newsletter:	Cheryl Warren
Records Officer:	Frances of Dulverton (424)
F to M Organiser and Adviser:	Todd of Hornsey (418) Tel: 01-348-4938
Medical Adviser:	Alice of Hove (100) c/o 41 North Gardens, Brighton, Sussex
Overseas Liason Member:	Richard of Hampstead (320)
Librarian:	Dr Richard Ekins The Trans-Gender Archive, SHAFT Collection, University of Ulster, Magee College, Northland Road, Londonderry BT48 7JL, Northern Ireland

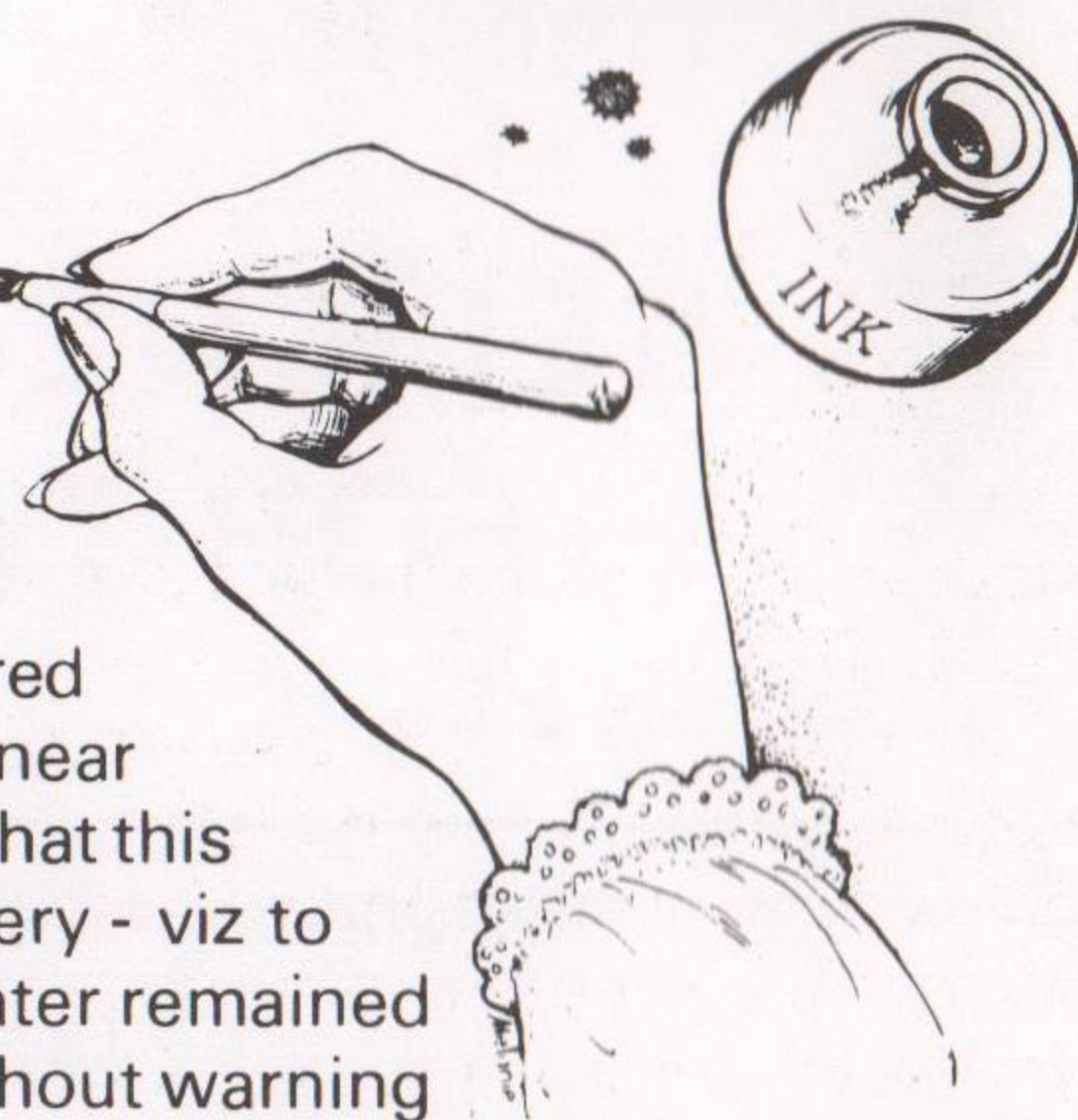
REGIONAL CONTACT SYSTEM

Name and Location	Address or Phone
Co-ordinator - Jane Thayer (281)	(0452) 28739
London Medical & Surgical Contact - Wendy of London (181)	(01)968-9451
Nienna of Bristol (687)	(0272) 736245
Vanessa of Edinburgh (222)	via Contact System
Jane of Gloucester (281)	(0452) 28739
Kaye of Guernsey (220)	(0481) 38563
Alice of Hove (100)	c/o 41 North Gardens, Brighton, Sussex
Helen of Hull (481)	(0482) 851917
Kelly of Leeds (675)	(0532) 794896
Julie of Luton (188)	(058239) 1515
Barbara of Manchester (82)	(061861) 9572
Vicki of Newcastle (588)	(0632) 665135
Helen of Nottingham (683)	(0602) 870531
Alison of Plymouth (482)	(0752) 559939
Diane of Plymouth (23)	(0752) 405350
Joanne of Woking (681)	(04862) 24001

Set and printed by Simplith Printing Service, 5a Coytes Gardens, Ipswich (59170)

S.H.A.F.T. Notes

by Judy



I have heard of several women who, post op, have suffered from urinary problems usually due to the closure or near closure of their urethra. I have to report a cautionary tale that this can occur years and years after any reassignment surgery - viz to myself. My surgery was in 1971 and the passing of water remained adequate for 14 years until this time last year, when without warning the urethra closed almost completely. An emergency visit to hospital and a dilation followed by two more such events at monthly intervals did nothing to relieve the situation. For some six months I had to time myself from loo to loo at about 3/4 hour intervals. Finally I went for another dilation only to wake up after the anaesthetic with a catheter inserted and a further four days in hospital. I had had a 'meatoplasty' but never gathered exactly what that implied. The result - the best water works I have ever had. So for any others who may suffer a similar fate don't take second best. Demand a meatoplasty and start living again.

A Special Programme by Yorkshire TV - Miriam Stoppard series entitled - 'Where There's Life' - is due for showing this summer. The subject is transsexualism - but focused on yours truly and Mark Rees. Filming has already taken place and we hope that what is shown brings out the message we wish to broadcast to relatives and friends of all transsexuals in particular and the public at large. The producer is a lovely cooperative person but there is inevitably a conflict between the programmer's concern for viewing figures and the subject who wants to put over a particular message. If the date is available it will be given as a Stop Press.

As an experiment, which hopefully will be continued if there is sufficient interest, I will offer my flat for visits by members and/or their close family relatives on the following two Sundays - 15th June and 13th July between 11 am and 5 pm. Squash, tea or coffee and biscuits provided ad lib but no food. Bring your own refreshments if desired.

If members ring beforehand I will send a map of how to find me.

ACCOUNTS 1985

The income and expenditure account for 1.12.84 to 30.11.85 is as follows:

INCOME		EXPENDITURE	
Subscriptions	3286.21	Stationery	242.52
Sale of Handbooks	220.30	Postage	680.84
Sale of Newsletters	193.75	Printing & Secretarial	2100.42
Deposit of Interest	167.93	Travelling	125.63
Sundries	84.50	Telephone & Office	595.06
Donations	61.00	Bank Charges	21.74
		Corporation Tax	31.20
		1984 Creditors	133.95
		Donation*	500.00
		Sundries	56.63
	£4013.69		£4487.99
		Excess of expenditure over income	£474.30

*NOTE :In 1983 a member left SHAFT £500 in her will to be used for a worthwhile purpose. It was decided that Mark Rees' case to Europe and his solicitors and his expenses justified the use of this donation. Without this abnormal expenditure the excess of income over expenditure would have been + £25.70.

LETTERS

WHERE DO WE GO?



Where do we go when we can't get the help we need? When you live in a small town and you are the only TS and wish you had a female face and still have got your beard. So what do we do? Do we slowly go round the bend?

No, if you want to be a woman badly you fight and by God you fight. But if fighting is still getting you nowhere do let me know what you would do. What do we do when GPs just give you hormones and you can't get any more help than that? You keep writing letters to hospitals till you find a surgeon who will do your ops. Then you have the long wait. But if you have got money you can get all you want overnight.

So why do we have to wait for years on the NHS, spending years of torment just to have a face that looks just like a woman's? Why can't doctors see we need help as we have to go out in to the outside world and face people? If your face can still be read as male even with make-up on then, to me, I think some doctors think we have no feelings or nerves.

We are people - we can't help the way we are so I do think we should fight more for what we want and try to get face surgery as soon as we have lived for that one year and shown that we do want to be a woman. I have been fighting for 2 years to get a face op and still do not know if I am going to get one or not.

So what do we do? If you know, do let me know how you did it so I can get the help just like you.

Donna of Ilkeston (594)

NOTE: There is no such thing as a 'face op', Donna. We are what we are, and no doctor or surgeon can wave a magic wand and turn us overnight into a beautiful princess. All they can do is offer hormone treatment which may alter fat distribution in the face so giving a more feminine appearance. Surgically there may be operations available to alter specific facial features, such as reducing the adams apple or altering the shape of the nose or chin. And gender reassignment surgery itself may produce a more softening and prettier appearance by stopping the production of testosterone. All this, together with the long-term benefit of electrolysis to eliminate facial hair growth, can alter the appearance of the M-F TS face to something more female. But all this takes time - certainly longer than one year - and one must be prepared not only to 'fight' but also to 'wait' and to accept that doctors can help but cannot do the impossible.

(Editor)

SOMETHING FOR NOTHING

Reading the Newsletter, I cannot avoid the impression that a large percentage of TSs are always looking for something for nothing. They expect not only the State to pay for the operation etc. but also seem to think it quite in order to, additionally: do no work; get supplementary benefit; free fares; free electrolysis; free clothes; council housing etc. etc.

For God's sake why can't the vast majority of them try standing on their own feet and do something for themselves? This sort of behaviour can hardly be expected to enamour us to the general public.

It makes me feel ashamed to be associated with such a large number of pariahs.

Pamela of Tadworth (221)

THANK YOU SHAFT - PART 2

Following my item 'Thank you SHAFT' Vol.2 No.10, I made a visit to Charing Cross in December on weekend leave, and everything went very well there. I will be on hormone treatment on leaving prison. I have been given two months parole off my sentence.

I will be seeing a GP who said he will help me on the matter of electrolysis on the NHS. Everything is working out very nicely, I am most grateful for the help given me by SHAFT members, it's been a life-line. Your letters and visits have been so important to me, and have helped me through a time when I need this help most. I have learned a lot from meeting other members, their advice etc. The future is only going to get better, thank you all. Now that I am living full-time in Luton, if I can help any other member in any way, I will try my best. Write via the Contact System.

Julie of Luton (613)

PARTY LINE

Well, I finally got one! a telephone of my own that is. Until now I have been rather reluctant to call anyone on the 'phone. It wasn't very convenient to call one's fellow SHAFT members for a private chat when the room is full of people (Mum, Dad, brother and sister and company) so I decided that it was time for me to have a 'phone of my own. I would dearly love to talk to other members (those who are willing), however because of the cost of the installation, I won't be making many calls during the first quarter i.e. until mid June, but, if any members would like a quiet friendly chat, please do give me a call, or if you prefer, drop me a line via the contact system.

I can be contacted directly on my own private line after 6.30 pm. You will be speaking directly to me, I say this because I am sure there are members who would like to communicate but, perhaps like me, they're not sure who will answer.

I am willing to meet other members for person to person talks, a friendly chat over a cup of tea (or coffee if you prefer!). There is one member who has expressed her intention to meet me and to 'phone me, she knows who she is as we have been writing to each other, but I am hoping a few more members will be interested. My number (including STD code) is (075 785) 8926.

One final thing, don't be alarmed if the voice that answers you does not sound very feminine, I am doing my best, and I should soon be receiving speech therapy, and don't worry too much if your voice isn't quite up to the mark, I'm sure you will do your best as well.

Here's waiting for your call!

Marion of Selby (727)

REJECTION

A few months ago, I was on my way to visit a friend, but she was not at home. So I called at a public house. The time was between 7 pm and 8 pm. I asked the bar lady for a soft drink (still orange) and she seemed to hesitate. Just then the landlord's wife spoke to the bar-lady 'What does HE want?' (I have been living in the female role since last August, full-time. I think one of the regular customers who knew me in my former gender role told the staff about me). The landlady asked me what I wanted I repeated my request for a soft drink. She said she would not serve me. I asked her why not. She said 'I don't like your company'. I asked her to give a fuller explanation but she just repeated 'I don't like your company'. As I don't work for, or represent a company she meant my personage. I left that public house feeling hurt and angry. I went to the police to ask about my rights and they told me that the landlady is within her rights not to serve a person, for any reason.

Jamie of Manchester (738)

GAMES TRANSSEXUALS PLAY

During my visit to hospital for the op, my psychiatric assessors asked me to write some notes on 'counselling TS patients'. In my remarks I pointed out that to many people the assumptions of the professionals are patently obvious, and other people learn about those assumptions through groups like SHAFT. It then becomes a simple matter to take advantage of those assumptions by tailoring responses to illustrate that one is a case of the stereotypical and 'approved' pattern. The fault lies in the de-personalising attitudes of medical staff; and the tendency of some TSs to join a subculture, contributes to the problem.

In my case, the entire psychiatric assessment seemed like a game in which one had to recognise the demands of those who had the power to deliver the goal, and tailor the feedback accordingly for optimum response. This is where I differ strongly with Ms Webb (Talking Shop, Vol.2 No.14). There is no collusion between TSs and the Empire of transsexers, simply the struggle to exercise our prerogatives concerning our own bodies without having the power ourselves.

If one is removed from mainstream society, by choice or by stigma, then one loses the already limited access of society's members to equality. The struggle is entirely similar to the struggle of women to chose responsibility for their own bodies when faced with social pressures concerning childbearing, appearance, and other role aspects.

Two strategies can be employed in that struggle. Currently, some women confront the pressures for social role-playing with arguments that have the force of logic and natural justice. Such an approach may have limited success in a society that gives little respect to logic or justice.

Historically, women have gained their goals by gameplaying skills similar to the ones I employed to get the op - flattery, cajoling, trading the granting of favour, approval, or fulfillment in the few areas controlled in return for similar grants in other areas (sex for money, purity and holiness for protection and material wealth, mothering for social validity, apparent submission for the meal ticket). It is an appropriate response in a situation where assertiveness and competitiveness without power is self-destructive.

I'm not asserting that the second strategy, sometimes called deviousness, is to be respected. It does work however. Most TS (M-F) women, like other women will gain from a raised consciousness only if their newfound awareness enables them to use or gain some form of power - social, political, moral, or military. We are asked to have faith that such power either already exists or can be won, and that we can use it ('we have to begin somewhere, sometime'). I don't have any faith in collective power, nor in the justice of democracy, nor in the effective force of reason. I do see that it is possible to form a decent personal morality and to achieve goals as individuals, and then to help others as individuals.

If we treat the Empire, the law, the government, and any other interference as a game situation to be survived, then each new game may need those with common cause to band together, but then to assert our individuality.

We need SHAFT as a counter to the Empire's games, but I question any assertion that TS people have common cause with the labour movement. Like Ms Webb, I feel I have common cause with other women. It seems, however, as if the Women's Movement shares some of the depersonalising attitudes held by the Empire, suggesting that 'collusion' with either group will be equally improbable.

Deri of Rugby (98)

☆ ☆ ☆

RELATIONSHIPS

I would like to respond to Cheryl's request for views on 'relationships' (Vol.2 No.13). In her 'comment' she provided alternatives of a limited nature and of limited generation. But she has bit on a real woman's question - very close to the heart of my 'glossy' feminism.

Success, it was implied, comes from 'pairing up ... and going off to lead normal lives in which they want to forget they were ever TS'. Well I don't think that many of us, surely, want any reminders - it would seem to me that continuing a 'pre-op' relationship can only leave one haunted with it. The problem, some of us might say, is that we don't see success as being measured by early marriage - is the marriage of a 16 year old girl, of necessity, a cause for celebration? My daughter, now 15, would shudder at the very idea. She wants 'a man and a couple of kids' but she wants a lot of life both before and after - and during.

I have two old friends in that position though, obviously, less lucky. They have 'husbands', nice blokes but not really worth the space they take up. Both have nice homes, security and, I guess, a kind of loving. Unfortunately what seemed a good thing at the pre-op time has now palled for both of them. They are both 'de-classed' - being both more intelligent than their husbands. They are bored but enmeshed in mortgages, bank loans, lack of alternatives, social nets and sheer bloody habit. Sensible styles, sensible clothes, unsensible brains. Mutual love in circumstances like that you can keep - to me it would be a living death, to them - in private - it is living death.

Could it not be that I, and others, having control over our material being and relationships, might have a higher level of 'built in' stability and security than a 'married' TS? It all depends doesn't it? Could it be that my attitude to relationships is a function of that security?

I do not live an aesthetic, non-sexual life - far from it. I am not afraid of men, - far from it (though I have always been a bit scared of men who tower above my 5'9") and I do not live in a TS ghetto. But surely I cannot be that unreasonable to believe that relating to men is neither the mark nor the means towards personal expansion and certainly not the fulfillment of potential in our 'new gender roles'? In the end blokes are just blokes (often seeming an occupational hazard) and there is a hell of a lot more to life than blokes. I 'resumed' sex after two months but discovered that, while it was better than ever, I might *want* a man but I didn't *need* a man in order to fulfill all my potentials.

It might be, after all, that a lot of TSs are neither incapable of forming stable relationships, nor all rushing off to 'pair up successfully'. They could just be doing what a lot of normal girls do - trying to maximise their over-all potential. It might be that many transsexuals have a higher propensity for excitement and lower one for comfort than others - how does this differ from other girls? This might not be a sign of instability (if it is, then death is a highly stable state) - it might just be a question of taste. The assumption that one should settle down is not a question of truth - it is a question of taste.

We see people's lives through our value systems. Some may choose 'monogamous heterosexuality' and take it to be 'the norm' - *the* state of normality. Here there is a problem - since it would require a belief in 'biological imperative' in making transsexuals to parallel a belief in it being a 'biological imperative' in women to live in such a state (i.e. if it is 'normal' for women it can only be 'normal' for us if we are what we are for biological reasons). But there is one much greater 'biological imperative' in women - in fact an undisputable biological imperative (if one believes in 'normals'), motherhood and child care. Now I chose that road - but I don't know anybody else who would have sublimated via 'motherhood' rather than take the obvious course (and one already approached in 1970) for twelve years. I could claim, but don't, that my brand of transsexualism was more that of 'normal' women who would (on the whole) sacrifice their man for their children and that the 'marrieds' were merely, a sterile mutation and 'unstable'. Not only that but it takes only a slight shift to say that whilst reproduction is natural the 'nuclear family' is not.

I too, thoroughly enjoy being a girl - but I enjoy being *my* kind of girl. This does not mean that I'll never be 'monogomously heterosexual' - what it means is that, when I do, I won't

see it as acquiring 'normality' or 'stability'. One person's sanctuary can be another's cell and a sanctuary can become a cell with time - at the very least one should be terribly careful when seeking sanctuary!

I would like to make a plea for a 'whiff of uncertainty' in what is written in the Newsletter. I would never make myself or my life view a 'bench mark' of anything - I am merely able to relate my situation to my existence to what I feel is the achievement of my potential. It may be, of course, that we 'self-select' our friends. I have close friendships with three TSs all of whom are 'single' all of whom are successful in career terms - all 'achievers' (which does not make us 'nice' or a 'good thing' - we're just like that) all of us are attractive enough to be 'out and out' posers (!) all of us 'fall in and out of love'. I happen to be in a situation where the 'real' girls tend to be friendly with one just the same. To me 'marriage' is something that I may do if it seems a good idea sometime - or, if for some reason things go wrong, one can always get 'married'. To some of us, as to some women, it is a 'second prize' in the game of life.

But I would never say that it should be seen as the 'second prize' by everybody or that 'second prizes' are a bad thing, just as I can't be really 'down market' about sisters who have to make a living on the streets. Neither should 'lesbianism' or 'homosexuality' be taken as signs of instability or inadequacy. I know lesbian couples with greater depths of love, affection and understanding than I will ever know and where, to them the positive rather than negative driving forces are tremendous.

Two of the girls I mentioned above are after their first million (i.e. they are in business, separately of course), two of us would like to get to the top of our careers - all of us would like to finance having an even better time (seperately of course) even more 'cosy' lifestyles and so on. I may be the most addicted to 'life in the fast lane' but not a lot more. Why give it up to 'knit yoghurt and drive a Citroen Dyanne in after work hours'?

But I don't say that anyone should 'get divorced' so that they could become a 'real girl' living a life of uncomfortable, to them, freedom. I don't see all married TSs as 'losers' those who 'marry' for love certainly are not, but those who grab at the first man who comes along so as to give meaning to their lives, I do not envy at all.

There are, I think, two transsexual tragedies. The first is obvious - the poor creatures who really never ought to have been allowed to do it because they are never going to stand a chance of physical integration into any part of the range of experiences that women have open to them, who will always be physically and, since they are under seige, men in dresses.

The other is more nebulous but just as profound - it is part of the problem that Cheryl was attempting to address, I think. What is important is that one's life should have *meaning*, if not it is a tragedy. I would hold that the criteria for success is that our lives should be meaningful - full of the joys, sadnesses and realities of being women.

As long, I argue, as we live women's lives within a context that is the broad range of female experience, then our lives have meaning and we are successful in what we set out to do and have done.

Can't Cheryl Warren, 'Liberty Belle', Phaedra Kelly, Aleksandra Kollontai all be right? Can't married bliss, 'Kinder, Kuche, Kirche', lesbian feminism and Cosmopolitan feminism all be right?

Can't it all be a question of 'taste'? Can there be 'no whiff of uncertainty' in the party line?

Aleksandra Kollontai (pseud)

For reasons of space the original article has been edited.

☆ ☆ ☆



MILESTONES

MILESTONES & MILLSTONES

When in disgrace with fortune and men's eyes, I read an article about Judy and joined SHAFT. I had just recognised my inability to displace my TS feelings by going on the gay scene, and I was determined to try anything that would sort out my growing mental, emotional, and sexual problems. People in SHAFT helped in many ways.

First problem was to make a relatively painless transition. I'd become a source of amusement and hostility in the neighbourhood, working as male but with increasing local appearances as female. The job had to go, it was a bit fragile anyway.

Fortunately I had the qualifications for a place at university, and was offered a place - but under my old name. A SHAFT member I met at the time turned out to be a member of staff at the university and was very helpful in finding sympathetic people in my chosen department. My requests to the university and to the LEA to alter their newly created files to a more appropriate name and gender were traumatic in apprehension, but no problem at all. So with at least three years planned, and a student grant to try and live on, we moved to a different neighbourhood and I moved into a new full-time lifestyle.

First day 'back at school' in twelve years is a strain for any mature student, quite hairy if you're the new girl in more ways than one. But the age gap and some relevant experience in the subject area bought respect and eventually several students and staff became quite friendly - no negative feelings were ever expressed, and one slip of the tongue by a student at a late party was quickly hushed by the others. Any conjecture or knowledge any had was compensated by a wonderful sensitivity. Most of the students in my course (history & literature) were young women, and I became something of an aunty to some of them. The disadvantage was that in my pre-op state I could not improve my marks by sleeping with the lecturers, a common practice in that department.

After graduating I found I had no saleable skill, and was lucky to get a place for postgraduate study at another institution. The change of place helped a lot. I arrived with a fully established identity and references. Another SHAFT member helped me many times throughout the course with comments on the subject material and my efforts, and giving encouragement. With three years of exchanging gossip, advice, fashion, ideas, problems and concerns, recipes, seminar notes, and intellectual concepts in a mostly female populated arts faculty; I was much more confident in my social acceptance as a woman. My new department was male dominated (24 men to 4 women), and I was very nearly at the average age of the group. It may well be the case that I was more favourably received as a woman because the department was anxious to have a better balance of sexes. I soon became close friends with the other women, and we all enjoyed having the attentions of so many men. Most of us had non academic partners, so the social side was balanced and without pressure. My co-students were more settled in their own identities than the average undergraduate, and the intensity of studies preoccupied us all. There was no time or reason to worry about my acceptance, and the year became my social 'finishing school' in a sense.

While finishing the postgraduate study I was offered a lovely job which had the advantage of using the skills gained both in the arts degree and in the later science degree. Again, I may have got the job partly due to my female role - it is research by interviews, and the employer felt that a woman could get better responses from the men who dominate the research subject area. Not only was I paid a full salary while finishing my studies, but when I went in for the op in November my employers were fully supportive. They did not require (or get) details of the op. I sent the personnel dept a note saying I was to have gynaecological/urological surgery. My (male) colleagues and employers simply knew it was 'trouble down there', and as I can do much of the work from a terminal at home I was

back on strength within a fortnight of the op.

There have been small and happy milestones for me: a housewarming party that secretly celebrating the disposal of my last male clothing as well, the first invitation to a student party, a heart to heart chat about boyfriends in the women's loo, getting chatted up at the end-of-exams party, getting the degree certificate in my proper name and gender status, compliments on a dew dress from a lecturer, the first formal dinner party, beginning a new career.

Millstones, the negative events and problems, were remarkably few for me. Telling my parents was a weird adventure. They live abroad, and we had to visit in weather even colder than England has seen recently. My passport hadn't been changed so I had to dig up some male clothes and tie a scarf tightly around my breasts! (Anxious moments at customs and immigration.)

I spent much of the time wearing some very unfeminine old skiboats, jeans, and a parka, feeling uncomfortable and looking worse - and still cold in spite of the elegance I had to sacrifice. I met a lovely TS person on my visit, she must have thought me very odd indeed! At home and fully expecting rejection, I was astounded by the way my family handled their surprise and became very supportive. Mum's always sending fashion articles and advice. I am prevented from rejoining them because the law there follows Britain's system, and does not recognise my marriage - so my partner is not accepted for residence on that basis.

My height and weight cause most of my problems. I'm as tall as Tula, much heftier, and nowhere near as pretty. I suffer the familiar embarrassments caused by children's unrestrained perceptiveness. Clothes that fit are expensive and conservative. But even this has helped(!) for my imposing presence commands attention in interviews and when I'm lecturing.

My journey has been mostly a good one, and I'm grateful.

Deri of Rugby (98)

There have been quite a few milestones, and one or two millstones, in my life. But I think the greatest one was the day I had to go to Manchester, to see a consultant.

I set off with a neatly packed suitcase. I met a friend at the station who had offered to go with me.

We went to my son's house for me to affect my transformation. I was given the privacy of the bedroom to do this. When I re-appeared, my son was astonished, he said that he wouldn't have recognised me, and that I looked ten years younger, praise indeed.

With coat on, and bag on shoulder, I stepped through the door. It was the first time that I had been out in daylight, dressed as I feel I should be.

With my friend, I walked into the hospital, presented my appointment card to a rather bored receptionist, and waited to be called. I didn't get what I wanted from the consultant, but he did offer to endorse any request for surgery after twelve months, instead of two years.

Back in the fresh air again, I walked back with my friend to my son's. On the way, we called in a shop. Nobody stared, or even looked twice, I was accepted for what I am, a woman.

Pamela of Preston (557)

Milestones is a feature devoted to any members who would like to share their gender transition experiences - perhaps changing over at work, or going out dressed for the first time, or telling parents and friends, or having the op etc. Give some details of how you felt and what other peoples reactions were and send your account to 'Milestones' at the Newsletter.



Information please

SHAFT often receives specific requests for information and advice from members. Some of it is available in the handbook or the special supplements in the 1985 series of newsletters, but needs extracting and linking together. Sometimes it is a 'cri de coeur'

(such as Donna's letter on page 3) which contains misunderstandings which need to be corrected. In all these cases, the information and answers given could perhaps be of benefit to more members. So with this in mind we are starting an occasional feature that will set out to deal with the most common - and some unusual - enquiries. The first one deals with the medical profession - future ones depend very much on what you want to know. Send any queries to 'Information Please' at the newsletter - all requests will be reprinted anonymously unless you specifically ask for your name to be given.

Q. I recently went to see my GP to tell him about my transsexuality and ask for his help. He was most unsympathetic and gave me a lecture on how evil I was. Can I just by-pass him and go straight to a Gender Identity Clinic, and if so what happens there?

A. Unfortunately your GP's reaction, although rare nowadays, does happen sometimes. Many GPs are marvellous: sympathetic, helpful and with at least a rudimentary knowledge of trans-sexuality. Personally I (Cheryl) have been very fortunate. My original GP offered to organise all the NHS document changeover herself for me, and also was willing to counsel my family at the time - but then she was a woman!

However, my present GP whom I have known before, during and since the op has also been helpful professional and interested throughout - I suppose our cases must make a change for them from the usual round of measles and sciatica! No doctor has any right to pass a moral judgement on what you are - if they do so they are well exceeding their professional remit. Of course that does not stop some of them doing so - one member of our organisation was refused all treatment by one GP in a team when he discovered she was TS -so much for the Hippocratic oath! One could in such cases I suppose complain to the General Medical Council, but this may be taking a sledgehammer to squash a nut!

It may be that the GP genuinely does not understand the nature of what you are telling him - if so, perhaps you could offer to give him a copy of 'The Reality of Transsexuality' - the handout that goes to all new members, or the Q & A supplement in Newsletter Vol 2 No 7 'Everything you ever wanted to know about TSuality'. If on the other hand he is implicitly opposed to you and what you are, you really only have one course open and that is to change doctors. This you may do with his co-operation - he may be pleased to get you 'off his books' - or if not without - your medical card tells you how to do this. You do actually need a referral from your GP to go to a GIC, so will need a GP who is willing to do this. I suggest you write to other members in your area (via the contact system) to see if they can recommend anyone whom they have successfully used.

Once you have this referral, you may then go to a GIC. 'Gender Identity Clinics' are something of a misnomer: there is no organised system of GICs under the NHS covering the country. It's just that some hospitals in some area health authorities handle some TSs: in its simplest form it may just be a part of the normal psychiatric work of the hospital, with no surgical facilities for the op: at its most sophisticated it will be somewhere like Charing Cross with a separate clinic, and specialist psychiatrists and surgeon. A list of the currently operating GICs may be found in the Helplist in Newsletter Vol 2 No 12, and in the Handbook, from where the following information on GICs is reprinted:

GENDER IDENTITY CLINICS

from the New Revised Handbook

A Gender Identity Clinic (G.I.C.) is usually located in the Department of Psychiatry at a General Hospital or at a Psychiatric Hospital. There are two G.I.C.s at London hospitals and a limited number in the provinces. Each G.I.C. is headed by a Consultant Psychiatrist who is a specialist in the field of Gender Identity but usually has a general psychiatric appointment within the National Health Service. If requested, the Consultant will see patients privately for a fee of around £45 per session.

Within the N.H.S. the Consultant will only see patients who have been referred to him by a G.P. or another psychiatrist who feels that specialist help is required.

The primary function of a G.I.C. is to establish that the patient is a genuine Gender Dysphoric before guiding him/her through the complicated procedure for changing gender roles. as a first step this procedure will include hormone therapy (male to female) or testosterone treatment (female to male). In addition there will be three monthly visits to the G.I.C. for a period of about two years before a referral is made to surgeon if that is the psychiatrist's recommended outcome of treatment.

All the requirements of a G.I.C. must be fulfilled before a recommendation for N.H.S. surgery is made; though broadly similar they may vary slightly in detail. They are:

- (a) You must be single in civil law.
- (b) You must live continuously in the new role for a specified period, usually 1 or 2 years.
- (c) You must be self-supporting (unemployment benefit does not count) in the role of your choice.

There is a, frequently unspoken, fourth condition, namely:

- (d) You must pass convincingly, form satisfactory social relationships as a woman (man) with normal everyday people, be emotionally stable, and stay out of trouble with the law.

Being unemployed or working in a gay club with a social life based around the gay or transvestite/transsexual scene would not be taken as an optimistic indicator of future success. On the contrary, it might suggest an inability to be accepted as a woman (man) by the world at large.

No G.I.C. will advise you to pursue gender reassignment. Their approach is to specify the conditions under which help may eventually be offered. The decision to proceed is entirely your own, as is the responsibility for subsequent events. In this way the G.I.C. is protected against possible litigation, which it must be if you will think about it for a moment. By and large you are expected to accomplish the steps outlined in sections 1 to 7 of the Revised Handbook under your own initiative, with little or no help from the G.I.C. If you don't or can't it is taken to mean that you are insufficiently motivated, inadequate or otherwise unsuitable for gender reassignment. The period specified in (b) should be regarded as a minimum period, referral for surgery will not be automatic after this time, but will depend entirely on the psychiatrist's assessment of your progress.

There is a widespread misconception that psychiatrists are sympathetic listeners who are there to help you solve your problems. In the context of gender reassignment this is pure nonsense. It is largely up to you to solve your own problems, the principle function of the psychiatrist is simply to protect you from yourself. This is not always compatible with being pleasant. With regard to psychiatrists we can only offer the following advice. Find a psychiatrist prepared to refer patients for surgery (some are not prepared to do so, on principle), provided the patient fulfills his requirements, and whose surgeon is a consultant urologist. Having found him, be polite, adhere to medical protocol, and stay with him.

Once the decision to change gender role has been made the psychiatrist will offer the patient a certificate stating that the patient is under his care and that it is in the interest of the patient that he should dress in the clothes of the seemingly opposite biological sex. This certificate can be useful if the transsexual encounters any difficulties with the law.

Picture Gallery

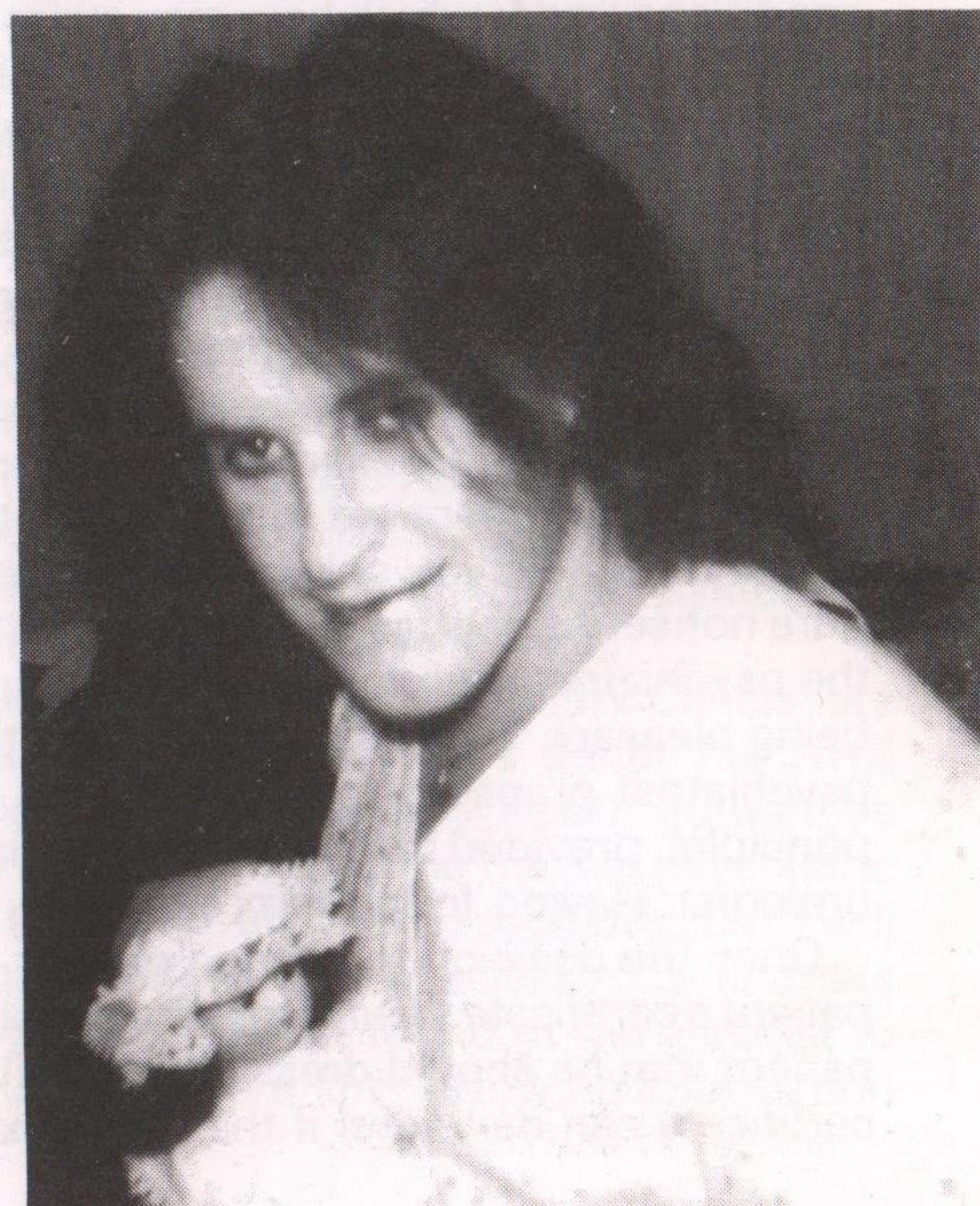
These pictures have been supplied by members - named where requested. If you would like to appear on these pages, please send a clear close-up picture of yourself and enclose a SAE if you would like your photo returned. Let us know if you would like your SHAFT name and number to be given. No guarantee of insertion can be given.



Melanie



Marion of Selby (727)



Eileen of Greenwich (801)



Tracey Stamp



THE EURO COURT HEARING

On the 18th March 1986, the historic legal appeal to the European Court in Strasbourg, Rees v U.K. Government, was heard. This appeal, the culmination of years of preparation and protest by transsexuals against the denial of their human rights in this Country, was backed by

SHAFT whose European Fund (contributed by members) has helped towards legal costs in this case. Co-operation and help between all the principal people involved - Mark Rees himself, his solicitor David Burgess and adviser Richard Ekins, and SHAFT representatives Judy and Cheryl, has been especially close and fruitful. SHAFT would like to express its gratitude to those whose unstinting work and dedication, much of it beyond the call of duty and at no little personal cost, has paved the way for helping all transsexuals achieve their goal. Whatever the verdict in this case, the fact that the transsexual community could 'get its act together' over this, and be blessed with such a splendid torch-bearer as Mark Rees (not forgetting Tula who stands waiting in the wings should this appeal fail), is a splendid reflection on a group of people who are too often condemned for their internecine bitchiness and trivialised by the media. Make no mistake - this is an historic time for the transsexual world, and the case marks a watershed in our fight for normal decent treatment by society. If we fail this time, there will be - there must be - other watersheds. If we succeed then 1986 will be long remembered by generations of thankful TSs. (Ed.)

The remainder of this specially extended Newsletter is given over to reports and comments on the case: firstly by the principal participants themselves - Mark, David Burgess and Richard Ekins; secondly some of the arguments and counter arguments used in the case; and finally, extracts from the media coverage given to the case.



IMPRESSIONS OF STRASBOURG

Tuesday, 18th March 1986, the long-awaited day, the day of my hearing before the European Court of Human Rights in Strasbourg. (Strasbourg is a lovely old city, well worth a visit for its own sake.)

The importance of the proceedings began to sink in as I entered the entrance hall of the Human Rights Commission building with my legal companions. There was a large notice bearing the announcement:-

'March 18th, Court of Human Rights, REES Affaire.'

(Never before has my name received the VIP treatment of being written in white plastic letters and pressed into holes on a black board!)

As we waited below, a couple of coachloads of people entered and made their way upstairs. I wondered where they were going but was soon to discover. They were awaiting our arrival in the Court! I don't think they'd made a special journey to hear my case but were visiting the Council of Europe and attended part of the proceedings out of interest in the Commission's work.

It could have been daunting - the large courtroom with the interpreters aloft in their sound-proofed glass-fronted rooms, the public, Commission Officials, the UK Government's FIVE-man team, press, court writers and the TWENTY blue-robed judges, but strangely enough it wasn't. I felt quite calm and unembarrassed. After all the Press exposure, somehow this didn't seem so bad after all. To be fair, my excellent Counsel, Nick Blake, did all the talking, but even so, positioned as I was on the central dais before the judges I felt a bit like 'Exhibit A'. I can only think that my composure was due to the knowledge that many people were with me in spirit and that I had every confidence in 'my' team. (At this point I must pay tribute to my solicitor, David Burgess, barrister, Nick Blake and adviser, Dr. Richard Ekins of the University of Ulster. Not only have I been blessed with

three men of great skill and expertise, but also men of great integrity, compassion and enthusiasm for our cause. I could not have had better and shall be forever grateful to them.)

I understand that David will be writing about the hearing so I shall not dwell on the minutia of the proceedings. Sufficient to say that much of it did not even concern me personally, but involved discussion of other relevant cases, psychology, endocrinology (wisely, the Court agreed not to get bogged down in medical arguments about the aetiology of transsexualism) employment, pensions, life insurance, marriage, adoption, A.I.D.S., immigration, co-habitation, breach of the peace, wills, imprisonment and legal reform in other countries of Europe. (Mark himself didn't receive a great deal of attention!) I was referred to throughout as the Applicant. During an adjournment David Burgess told me that I'd become a 'household name' in law journals, REES v UK 1986. Fame at last!

I was fortunate in having a friend amongst the listening public, a retired French Appeal Court judge. He was very impressed by Nick Blake's skill and obvious sincerity. Nick was convincing because he was himself convinced. As for the case itself, my judge friend believed we should win, there was a logical case to answer and it was a mystery to him why the UK should be so awkward.

The day's proceeding began with the presentation of the case by the Commission, then the Government lawyer, Nicholas Bratza, delivered his lengthy defence of the Government's position. After this Nick Blake spoke and the hearing ended with questions from the judges. Only three (British, Irish and French) spoke and both counsels gave their respective replies.

The British judge, Sir Vincent Evans, asked about the apparent inconsistency of appealing against 'invasion of privacy' whilst giving a broadcast interview. At my request Nick explained that I had asked for confidentiality (even the SHAFT journal was initially given a pen-name!) but owing to a misunderstanding the Commission had issued a Press Release which gave my full name and details. That being so I had decided to exercise some control over the resultant publicity which was why interviews had been given. Judge Evans seemed satisfied and no more mention was made of the matter but it had been a worrying few moments. David later remarked that good publicity could help us. I agree, but it has cost me my privacy.

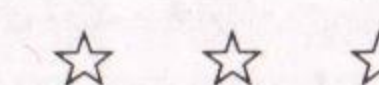
I was asked by a reporter (only one thank God) if I thought I had any chance of winning, to which I replied that if I didn't believe that we'd win I'd not waste my time going to Strasbourg! In spite of the rather slanted and negative press reports which quote Bratza and totally ignored my lawyers, I do think that we've a good chance of a favourable decision. We must, however, wait several months, perhaps a year or so before judgement is reached. Even if we lose that will not be the end. Whatever happens, continual pressure must be brought to bear upon the Government and this is where SHAFT members can help. They can also help by themselves starting proceedings for the European Commission. I know of MPs of all parties who are sympathetic, maybe we should keep a list of them at SHAFT?

As for the reaction from the general public, I've been overwhelmed by people's kindness and support. Whether or not they fully understand transsexualism isn't really important. What matters is that they are showing great sympathy for one's legal plight - and for the condition as a whole. It is clear to me that WHEN the law (not 'if!') is reformed, there will not be a public outcry as suggested by certain Government employees.

In general the public is much more aware and humane than the Government would have us believe. The public are on our side, many MPs are on our side, we hope the Court will be on our side so success will and must come. The struggle isn't over yet; I personally have been waging it since 1973, but I can hear the sound of victory at long last.

ULTIMATELY WE SHALL WIN.

Mark Rees. April 1986



THE MARK REES CASE FROM A LEGAL PERSPECTIVE

By David Burgess, Solicitor for Mark Rees at the Eurocourt hearing

This article is a personal comment on Mark's case with particular reference to the Court hearing. It is not a comprehensive summary of the proceedings.

On 29 September 1981 Mark Rees petitioned the European Commission of Human Rights. SHAFT members may know that the procedure under the European Convention of Human Rights takes place in 2 stages. The first involves the Commission of Human Rights and the second the Court of Human Rights. The Commission eventually found the petition admissible. Proposals for a friendly settlement raised no response from the Government and on 12 December 1984, the Commission adopted a report recording a breach of Article 8 (respect for private life). So far as Article 12 was concerned, (right to marry) the 10 Commissioners were divided. Five felt that since the breach of Article 8 resulted from the non-recognition of Mark's true sexual identity, it necessarily followed that once recognition occurred, he would be able to marry a woman. The other 5 stated that there was a difference between Article 8 and Article 12 and that in short, the Government must be permitted to exclude from marriage 'persons whose sexual category itself implies a physical incapacity to procreate'. On 14 March 1985, the commission lodged a request with the European Court of Human Rights bringing the application before the Court. The case came for public hearing before the European Court of Human Rights on 18 March 1986.

As is generally known, the United Kingdom definition of sex was laid down in the case of *Corbett v Corbett*. This was the famous April Ashley case and was presided over by Mr Justice Ormrod. The case took place in 1970 from which it may be said with confidence that the judgment is dated. It may also be added that it was a first instance decision only (i.e. it was not appealed against to higher Courts), and that it was a decision about marriage only. Unfortunately, the decision came to be relied upon in many other areas of law including the criminal, employment and National Insurance spheres. Ormrod held that the definition rested upon the chromosomal, gonadal and genital tests. If all three were congruent, that settled sex for the purpose of marriage. Any operative intervention was to be ignored. The Judge also commented that 'even the most extreme degree of transsexualism in a male or the most severe hormonal imbalance which can exist in a person with male chromosomes, male gonads and male genitalia, cannot reproduce a person who is naturally capable of performing the essential role of a woman in marriage'. Perhaps I should add that a singular aspect of the *Corbett* case was the fact that the Judge was also a doctor. This qualification of Ormrod's was trumpeted as a virtue by the Government throughout the Mark Rees case. From another perspective this blurring of the line between medical and legal reasoning and responsibility may be viewed as the cause of the marginalisation of transsexuals by the law.

In this application, Mark Rees did not seek simply to change his birth certificate. It is not the birth certificate which legally defines sex in the United Kingdom. The birth certificate is simply very good evidence. Mark Rees sought to have his true sexual identity as a man recognised for all legal purposes.

The Irish representative of the Commission made only a brief address to the Court. He made it clear that in the Commission's opinion, what mattered was not whether an applicant's sex had been changed in a medical or biological sense but that socially Mark wanted to be, and was accepted as, a man. He stated that in the Commission's opinion, this justified 'full legal recognition of the applicant's new personal status'. For the Commission, the representative argued that Mark should be allowed to have his birth certificate changed. Marriage was a different matter. The representative recorded the split in the views of the Commission which I have referred to above.

The United Kingdom's representative - Mr. Bratza - was a polished performer. He should be. He has performed on the same stage on many previous occasions. Basically, the

United Kingdom's case was the alteration to the Birth Register would not merely involve 'minor tinkering' with the system in the United Kingdom but would involve 'a fundamental change in the role and function of public records'. These would cease to be records of a historical fact or event and would become instead records of current identity or civil status. The Government was entitled to strike a balance between the competing interests of the individual and of society as a whole. It was argued for the Government that the United Kingdom was not outmoded or out of touch with modern thinking so as to be arbitrary or unreasonable. It was submitted that the treatment of transsexuals in the United Kingdom 'has been both humane and enlightened'. The Government's representative pointed out that many official documents are adapted to cater for the transsexual. The birth certificate was an exception for the reasons stated. However, it was submitted for the Government that the Birth Register does not easily yield the fact of an applicant's sexual re-assignment and that in practice there was no great intrusion into the applicant's private life from this point of view.

On the issue of marriage the Government argued that Mark's disability in contracting a valid marriage followed 'from the substantive and fundamental principle of law that a valid marriage could only be contracted between a man and a woman, between persons of the opposite sex to one another'. SHAFT members may observe there that they have no quarrel with this principle, their argument being with the United Kingdom's definition of 'a man and a woman'. The United Kingdom Government seemed reluctant to embrace the Commission's linkage of marriage to the potential for procreation. However, '... the institution of marriage cannot be entirely divorced from the question of reproduction, or from the capacity of the partners for heterosexual intercourse ...'

Medical opinion continued to play a large part in the United Kingdom's case notwithstanding the fact that the Commission had made it quite clear that they could not adjudicate upon the correctness or otherwise of competing medical opinions, about transsexuals and notwithstanding the fact the the Court are likely to prove equally unwilling in this respect. Shortly before the hearing the United Kingdom filed additional opinions from Sir John Dewhurst and Professor Beazley. For a man who wrote to April Ashley's biographer to report that he had stopped working with transsexuals because he was not getting anywhere Sir John Dewhurst has remained oddly and unhelpfully close to the struggle of transsexuals to achieve their rights.

At the heart of the case made for Mark was the contention that there is no compelling reason for the social or legal definitions of sex to follow a biological or medical one. We argued that under Article 8, the only discretion that the United Kingdom had was the criteria it adopted for recognising the condition of transsexuality, secondly the mechanism resolving any disputes as to the existence of such a condition and thirdly the procedure of giving effect to the social identity of a person who is admittedly a transsexual. We strongly submitted that the discretion did not extend to the issue of whether or not the United Kingdom gave social or legal recognition to the sexual identity of the transsexual at all. We pointed out the Mark's surgery had taken place in the United Kingdom, indeed with the support of the United Kingdom, and that it was inconsistent to facilitate the confirmation of the individual's sexual identity and then refuse to sanction that identity.

By the time of the Court hearing it had become an important element in our case that the purity of the births registration scheme in the United Kingdom simply did not hold up to examination.

The original birth registration is subject to tinkering in a number of instances, most notably for present purposes, in the case of adoption. Adoptions is a striking parallel because there can scarcely be a more factual or 'natural' relationship or state than that of parent and child. Yet a scheme has been created to protect the original birth details of adopted children. We argued that the original birth details of transsexuals could remain sacrosanct; the important issue is simply that issued certificates to the public should not disclose the sex recorded a birth. This could be achieved in a number of ways. The allegation by the Government that a transsexual's original birth details were not really

available at the present time was rejected. It was pointed out that a determined investigator for example a lawyer, who in the course of his professional duties might have to trace a persons birth certificate, could do so after determined investigation.

The Court was also told about the position of transsexuals in other countries. We submitted that the trend was clearly towards the recognition for all purposes of the true sexual identities of transsexuals. (see page 19 of this Newsletter for more details - Ed)

It was when Nick Blake began our submission on the issue of marriage that interest perceptibly quickened amongst the Judges. The gap of 16 years since the judgment in April Ashley's case makes the phrase 'the essential role of a woman in marriage' look a decidedly weak foundation stone for the important definition of sex. Nick questioned what was that essential role. Was it simply to be penetrated sexually? There is a New Jersey case which we understand forms the basis of transsexuals' right to marry in America which involved a transsexual and came to a quite different conclusion. There, the male to female transsexual was recognised as a woman for the purpose of marriage.

Perhaps I could add that although that case provides a striking contrast, my own view is that it does not provide a satisfactory basis for the new era that we all hope will dawn for the transsexual community, at least insofar as marriage is concerned, sticking as it does to the same old preoccupation with 'vera copula'. This latter may be summed up as a sort of guts Church/legal hybrid feeling about what true sexual intercourse between a man and a woman in marriage is or should be. Unfortunately, vera copula is not an anachronism of historical interest only. It lives and breathes as an issue within the law of nullity of marriage. If we are able to secure a favourable ruling from the European Court about transsexuals and marriage, then it may well be necessary to amend the law of nullity as 'inability to consummate', makes a marriage voidable.

We pointed out that insofar as having a family is a purpose of marriage, with modern technologies, it is perfectly possible to found a family without each partner being biologically capable of reproduction. In any event, there is always adoption. We submitted that in our view, marriage was not all about procreation. Happily, we were supported in our view by Margaret Thatcher - inadvertently of course. In reply to an oral question in the House of Commons on 4 July 1985 she commented that an MP's opinion that the prime purpose of marriage is procreation was 'a very limited idea of marriage'. We also quoted from an important Divisional Court judgment in April 1985 in which Mr Justice Forbes had affirmed that the purposes and intentions of marriage as a genuine and generally accepted union included mutual love, support and comfort, cohabitation in the matrimonial home as husband and wife, union for life and the production of children. This was a list with which we would not disagree.

These were the principal points made and there the matter must rest pending the judgment. Perhaps I could end on a personal note about Mark. Mark has been one of my most courageous clients and, considering the circumstances, one of the most level-headed. I do not know whether the case has been fortunate in its lawyers but it certainly has in its chief character. Whatever the outcome, I will not need to tell SHAFT members that the struggle for recognition will have to continue. Involving as it does individuals such as Mark, I have no doubt about the eventual outcome.

© This article copyright SHAFT and David Burgess. May 1986.

Medical papers in support of the British Government's position were submitted by Sir John Dewhurst and Professor Beazley (University of Liverpool) who both took the view that there is no pre-natal cause of transsexuality and thus sex is fixed at birth. David Burgess comments that it must be reasonable to query the perception of a man such as Dewhurst who recognises the intolerable suffering that can be visited on TSs but at the same time is capable of making the quantum leap from (what is for him) an immutable sex from birth to the impossibility if TSs being accommodated by the law - 'It is singular how confidently some doctors have skated into the social and legal spheres from their particular disciplines'.

THE LAW IN EUROPE

As part of the submission 25 European Countries were asked the following questions to determine the legal situation as it affected TSs.

1. Under the law in your Country is the transsexual's altered state recognised?

17 Countries replied. Most have some form of legal recognition. Denmark, Holland and Spain amend their registers. Finland and W. Germany specified post-ops, while Sweden doesn't even require this. Even Greece and Poland would make changes though there are no specific laws. Italy, Switzerland and Czechoslovakia also said yes. Only Ireland, France, Belgium and Luxemburg make no provision (except in birth errors etc.).

2. Is it recognised for all purposes or only for certain purposes? If so, what are they?

For all purposes in Czechoslovakia, W. Germany, Greece, Holland, Italy, Portugal, Switzerland. Sweden bars TSs from certain posts 'on medical grounds', Poland requires legally approved change of sex with new or modified birth certificate.

3. Are changes planned in the law as it affects transsexuals?

No changes are planned in most countries who already have a good record in treating TSs.

4. Specifically, is an individual's birth certificate altered if he or she changes sex?

A key question in which 9 of the 12 replies were yes, sometimes after a judicial or state process (e.g. Sweden, Portugal, Italy, Holland). Only 3 countries (Ireland, Luxemburg and Switzerland) said no.

5. Are the birth registers open to the public - i.e. can anyone obtain information about someone's birth details?

Not in West Germany, Czechoslovakia and Poland. In Sweden and Italy birth registers are open but 'there is nothing to indicate to a third party that the sex has been changed'. In Portugal, Luxemburg (under certain conditions), Holland and Greece they are open.

6. Is a TS permitted to marry persons of the opposite sex to the sex the TS has become?

The other key question. *Nearly all the replies were yes.* (Czechoslovakia, Finland, W. Germany, Greece, Holland, Italy, Norway (providing spouse is informed), Poland, Portugal (in theory), Sweden and Switzerland). Only Ireland and Luxemburg said no.

7. What evidence of change of sex has to be provided to secure legal recognition?

Most countries require official certification (e.g. Czechoslovakia), sometimes involving a court case (e.g. Greece, Spain) and/or medical documentation (e.g. Italy, Norway, Portugal(?), Switzerland, and Finland (rigorous psychological test included)). Sweden because it does not insist on a post-op qualification, demands a demonstration of gender role change before its Social Welfare Board.

8. What documents are issued in the new sex e.g. passports, driving licence, identity cards?

Czechoslovakia, W. Germany, Greece, Holland, Italy, Portugal, Poland and Sweden change all documents, sometimes as a result of the change of birth certificate. Switzerland, like the UK, changes all the documents except the birth certificate.

SUMMARY.: The best European Countries - W. Germany, Italy, Greece, Norway, Portugal, Holland, Sweden, possibly Denmark and perhaps more surprisingly Poland, Finland and Czechoslovakia change all documents including birth certificates and permit marriage. The baddies include Luxemburg, Ireland and Belgium and possibly Spain, who like Britain, change documents but nothing else. Switzerland lies in the middle, permitting marriage but not changing birth certificates. And worst of all? Surprisingly, France home of 'liberty, equality and freedom', who does not even change documents. Of course it may be worse still in Albania, Bulgaria, E. Germany, Hungary, Rumania, Austria, Yugoslavia and Liechtenstein - they gave no information at all!

© Information drawn from document prepared by Winstanley Burgess with the co-operation of Interights.

THE TRANSSEXUAL AND THE LAW

Background Papers for The European Court of Human Rights

by Dr. Richard Ekins

Department of Sociology and Social Anthropology - University of Ulster

Extract from a paper first given to the Symposium on Psycho-Legal Aspects of Sexual Problems, 2nd International Congress on Psychiatry Law and Ethics, Tel Aviv, Israel, February 1986 and subsequently submitted to the European Court hearing.

© Trans-Gender Archive, Reproduced with permission and edited by SHAFT Newsletter Editor.

THEORISING SEX CHANGING

I wish to bring to your attention the case of *Mark Rees v The United Kingdom* (Rees, 1985) heard before the European Court of Human Rights in March, 1986. It marks the culmination and convergence of two post-war developments; one fundamentally medico-legal - the making of the modern transsexual; and the other fundamentally ethico-legal - the constitution of the modern individual as the subject of individual rights in international law (Beddard, 1980). For Mr. Rees is a transsexual (a post-operative female to male transsexual) who alleges that his government is in violation of the European Convention on Human Rights in refusing to recognise his change of sex for the purposes of birth registration and marriage (Rees, 1984).

Now Mr. Rees has grounds for cautious optimism in the matter of the change of birth registration he desires. The European Commission of Human Rights, having reported on his application prior to referring it to the Court, are of the unanimous opinion that the United Kingdom (U.K.) government is, indeed, in breach of the Convention in refusing to alter his birth certificate. Specifically, in their view the U.K. government's:

'failure to contemplate measures which would make it possible to take account in the applicant's civil status of the changes which have lawfully occurred, amounts to a veritable failure to recognise the respect due to his private life within the meaning of Art 8 (i) of the convention'.¹ (Rees, 1984, para 50).

On the question of his right to marry in his new sex, however, Mr. Rees has ground for more concern. Although the Commissioners unanimously agreed that there had been no *separate* violation of the 'right to marry and found a family' article (art. 12),² they were split evenly on the fundamental issue as to marriage. Five of the Commissioners were favourable to Mr. Rees and took the view that once the breach of art. 8 (i) had been rectified there was 'no reason to believe' that he could not now marry in his new sex, on the basis that his civil status would now be 'as a man'. The remaining five, however, took the view that it was permissible for national laws to require as part of the formal requirements of marriage the physical capacity to procreate. To these Commissioners the text of article 12 'Men and women of marriageable age have the right to marry' is 'obviously intended to refer to the physical capacity to procreate', once regard was had to 'the essential nature of marriage and its social purpose (finalite sociale)'. It therefore followed that a member state 'must be permitted to exclude from marriage persons whose sexual category itself implies a physical incapacity to procreate either absolutely (in the case of a transsexual) or in relation to the sexual category of the other spouse (in the case of individuals of the same sex)' (Rees, 1984, para 55(ii)).

I do not wish to delve too deeply into matters of legal interpretation of the relevant articles, or into the social policy reasons for the differing interpretations. It might be argued, for instance, that article 12 confers two separate rights - the right to marry *and* the right to found a family, and that they should not be taken together in the manner implied in the previous paragraph (Fawcett, 1969, p. 225; 1985). Again, it is not immediately apparent why the reference to 'marriageable age' is 'obviously intended to refer to the physical capacity to procreate'. In *Van Oosterwijck* (1979) for instance, it was emphasised that marriage in contemporary European society is divorced from reproduction and is an aspect of the development of the personality. I wish rather to point to some of the

difficulties that would emerge if the European Court was to endorse the Commissioners 'civil status' and 'procreation' arguments as outlined.

In the first place, English law does not have a concept of civil status controlled by law in the manner implied by the Commissioners. In the U.K. identity cards are not used. A passport or driving licence is commonly used to establish identification, but they are not identity documents in themselves. As for the birth certificate, however it may be used in practice, in law it simply records facts at the time of birth. It is not a document of current identity. Accordingly, if the U.K. government were to permit Mr. Rees to change his birth registration and certificate (as they do his passport and driving licence), this would not in itself effect or recognise a change of sex for other purposes. Rather the European Commissioners seem to be asking for changes in English law which would in effect retrospectively grant Mr. Rees civil status as a woman prior to enabling him to change that civil status into that of a man, thereby enabling a change of legal sex.

In the second place, English law has never sought to prevent persons from marrying on the grounds of incapacity to procreate. (cf. inability or refusal to consummate a marriage rendering a valid marriage voidable (Thomson, 1980, p.93)). In particular, under English law transsexuals are not permitted to marry in their new sex not because they cannot procreate, nor because they are transsexuals *per se*, but rather because they remain in their original biological sex for the purposes of marriage and cannot marry a person of the same biological sex (*Corbett v Corbett* (1970) 2 All E.R. 33).

(The paper then goes on to contrast the opposite conclusions reached to Corbett v Corbett by an American case MT v JT which has formed the basis of the right to marry in the U.S.A.)

The task of the Court then is to determine human rights under the convention. And on the question of birth registration there can be little doubt. It cannot be justifiable for the U.K. government to recognise Mr. Rees's 'condition' for purpose after purpose - even granting him 'free medical assistance for the medical treatment necessary to adapt his appearance to his psychological sex' - and then to treat him 'as an ambiguous being' (para 48) by refusing to consider an entry in the birth register reflecting what has lawfully taken place. Thus, in law, this alteration must be acknowledged. His new status must be recognised. In terms of civil status he must be allowed to change sex.

However, to change birth registration is one thing. To be granted the right to marry in his new sex is a rather more serious matter. Clearly, for five of the Commissioners the requirements for marriage should be tighter. Under article 12 this right is only exercisable 'according to the national laws' and if the U.K. government wishes to exclude transsexuals from marrying in their new sex they should be allowed to do so. The problem, however, is to find the logical grounds for the exclusion. It cannot be on the grounds that transsexuals remain in their original sex for the purposes of marriage, because under the ruling on article 8 they are to be recognised in their new sex. Furthermore, as the Commissioners have avoided adjudication on the matter of the precise medical and psychological status of sex changing they would seem to have denied themselves the possibility of finding any firm foundation from which to argue the exclusion. The only possible ground left would seem to be the 'procreation' argument actually advanced. But this argument is, I think, too weak to be taken too seriously. Indeed, the Commissioners themselves in *Van Oosterwijck* (1979) had determined that there was 'nothing to support the conclusion that the capacity to procreate is an essential condition of marriage or even that procreation is an essential part of marriage' (para 59). The conclusion must surely be this: the view from human rights which enables a change of sex through recognition of altered civil status cannot then logically deny the right of the transsexual to marry.

I wish Mr. Rees well in his case.

A full copy of this paper may be obtained from Richard Ekins at the address on p1 of this Newsletter. Please enclose a large s.a.e.



TV & RADIO INTERVIEWS

Thanks to Mark's willingness to give interviews, media coverage around the date of the Hearing was extensive. As mentioned in the last Newsletter (2/14) BBC TV featured it in their 9 o'clock news on 7th March. There was a TVS report on Wednesday 19th in the South of

England and an Invicta Radio interview on Tuesday 18th, repeated on LBC Radio in the London Area (if any members living in the south saw or heard, or even better taped, these reports please let us know). Radio Eire ran an interview in the first week of April, but the main UK Radio interviews were on Radio 4 on 'Womans Hour (17th March) and 'Today' (16th March). We have transcripts of both these interviews.



WOMANS HOUR - (17.3.86)

Mark said that it really came to a head when he applied to go to College and they asked to see his birth certificate. He had to write to the registrar and explain everything, and thought to himself 'why should I have to tell everyone my medical history. No one else has to. An offender is better off than I am, because after so many years the slate is wiped clean. My slate isn't.' He wrote to the Equal Opportunities Commission who couldn't help - 'the Transsexual just can't win. We are in a complete limbo. As far as the law is concerned, we don't have any rights it would appear.'

He was asked if the limbo was inside himself as well - the feeling of not being totally a man and replied 'I know that I am wholly me and that is more important than being completely physically 'a male'. I felt myself a drag act when I was in the female role.'

The interviewer suggested that if Mark won his case, it was possible that some people might abuse it - transvestites, for example, who might try to pass themselves off as the opposite sex. Mark said he envisaged something as it is in many other countries - 'lets face it, England is way out on a limb in this matter' - whereby the application for change of certificate has to be accompanied by duly qualified medical practitioners reports - 'and I do think there should be a stipulation that if one marries the spouse must be informed. I think there should be strict regulations. I'm not asking for an easy way out.'

Mark was asked what the point in marrying was if he couldn't have a proper physical relationship. He saw that if that was the only criteria, many hundreds of marriages would be invalid. 'I am as capable of loving as the next person'.

The interview then turned to his personal life - was it something he told his women friends about? 'I don't tell people unless they're very close, but with the approach of the case I did tell friends and have been overwhelmed by the response'

Did he feel wrong as a girl as a small child? 'I've always thought of myself as a boy in a way though it wasn't at the front of my consciousness when I was tiny. The crunch came at puberty.'

His feelings for a girl in the WRNS? 'I didn't feel for her in a lesbian-type way - I wouldn't have wanted a relationship with her while I was inhabiting a female body'.

His hospital experiences having the ops? 'I was treated with great consideration - I can't speak too highly of the care I had in all the hospitals.'

Finally, the interview moved back to the medical and legal arguments. It was suggested that there is quite a change in medical opinion about TSs now. Doctors seem to be saying that sex and the fact of Transsexuality is present *before* birth - 'it's there in utero'. Mark replied that some doctors say that, though not all agree. 'Some would say it's purely psychological, but if it was why doesn't it respond to psychotherapy? It doesn't - TSuality is totally resistant to psychotherapy'. For him, the medical battles were over, but there was now the legal battle - 'much harder than having the operations.'

SUNDAY - (16.3.86)

The interviewer gave the background to the case, and said the law still regards Mark as a woman - the basis of his rejection for the Priesthood. However the Christian faith has played an important role in his life getting him through many difficulties. 'It's total conflict of mind and body - there's the intrinsic suffering, then there is also the suffering brought about by people who are ignorant'. Asked if his faith helped him make sense of what was going on - 'Not really - I was clutching at straws. I kept praying I would change sex and got rather cross with God because I didn't spontaneously change sex!'

When you decided to change roles completely, did that solve all your problems at a stroke he was asked. 'My most immediate effect was a tremendous feeling of relief and release. I felt I had been walking miles with a heavy pack on my shoulders and it had suddenly been lifted. But of course it didn't solve all the problems.'

Mark said his church had been very supportive, but that he expected the Church as a whole to be a lot more compassionate (over his application to become a priest). 'I've become disenchanted with the Church, but not with the Church as the body of Christ.'

WHAT THE PAPERS SAY

The serious National Press covered the case and the following two reports show the types of reporting:



SEX CHANGE MAN'S COURT CHALLENGE

A man who changed his sex in his twenties takes the Government to court today for refusing to alter his birth certificate. Mr Mark Rees, aged 44, of Tunbridge Wells, Kent, claims that Britain is in breach of the European Convention on Human Rights by not recognizing his legal status as a man. But the Home Office says he was female at birth and must remain registered as such.

Mr Rees, born as Brenda, changed his name by deed poll in 1971 after undergoing medical treatment to change his sex. Mr Rees's passport, driving licence and national insurance card were all altered to show his adopted male forename. But the Government refused to change his birth certificate, citing a 1953 Act which allows alteration only of errors, incorrect statements or omissions.

The Government will tell the Human Rights Court in Strasbourg today that the birth certificate correctly identified Mr Rees as female, and must remain unaltered as an accurate record. But Mr Rees says that the continued existence of his original birth certificate is an unwarranted interference in his privacy, contrary to the Human Rights Convention, and threatens his honour and dignity because it identifies him as female by the names on it and the explicit entry about his sex. He says the certificate has to be presented to obtain a first passport, for insurance policies, or to show to prospective employers.

The Times
18.3.86

MARK'S EURO BATTLE OVER SEX CHANGE

The British Government claimed at the Court of European Human Rights yesterday that a sex-change operation does not change the sex of a person. Bearded Mark Rees, 44 of Tunbridge Wells, Kent, says his dignity and self respect have been violated by the Government's refusal to recognise him as a man. He objects to his inability to change his birth certificate to reflect his alteration in sex, and also protests that the law will not allow him to marry.

For the government, barrister Mr Nicholas Bratza told the court: 'It is wrong to say that sex changes change the sex of an individual. It would be a fiction to record a change of sex in the birth certificate.'

The Commission backs Mr Rees's claim.

Daily Express 19.3.86

CHANGE OF HEART

The following article on the case appeared in the Guardian's 'Out of Court' column on March 17th:

The European Court of Human Rights has a wide variety of clients from the United Kingdom. The Court will, tomorrow, turn its attention to the case of Mark Rees. All he wants is a birth certificate and a right to marry.

Mr Rees is a transsexual. On his birth in 1942 he was registered as a female because he exhibited all the characteristics of a girl. He later assumed the social and psychological role of a man. He had hormone and surgical treatment. He now considers himself male and he is socially accepted as such. Unfortunately the United Kingdom Government is not prepared to allow Mr Rees to decide for himself one of the most fundamental aspects of his character - his sex. He is unable, as a matter of domestic law, to have a birth certificate which records his male status. Not surprisingly this causes considerable embarrassment when Mr Rees needs to show his (female) birth certificate, for example when obtaining employment.

Nor, under English law, is Mr Rees classified as a man for the purposes of marriage. There are two leading cases in which the English judiciary have displayed their traditional expertise in relation to sex. In 1971, Mr Justice Ormrod decided that April Ashley remained a man despite having had "a so-called 'sex-change operation'." Since she was not 'naturally capable of performing the essential role of a woman in marriage' - whatever that might be, it certainly is not reproduction of the species since many women lack that capacity for a variety of reasons - she remained a man. Therefore her purported marriage to a man (who was well aware of her history) was null and void.

In 1983 the Court of Appeal approved this reasoning when deciding that a person born male necessarily remained so (despite sex-change surgery) for the purpose of the Sexual Offences Acts (under which certain offences can only be committed by men). Mr Justice Parker pronounced that 'both common sense and the desirability of certainty and consistency' demanded this result.

It is far from clear that common sense requires one to insist that once female, always female, irrespective of social, psychological or medical change. Nor can certainty and consistency be values which override the individual's fundamental right to determine his private life and to be accorded a label which accurately reflects his present status.

The European Court is likely to take a rather more humane approach to the civil rights of an unfortunate section of the community. The European Commission, which referred the case of Mark Rees to the Court, unanimously concluded that the denial of a new birth certificate was a breach of Article 8 of the European convention on Human Rights. This guarantees the right to respect for private life.

The Commission was evenly divided on whether Article 12 of the Convention - which guarantees the right to marry - applies to transsexuals. To refuse Mark Rees the right to marry a woman - as English law currently does - is effectively to prevent him marrying at all. The Court is likely to find difficulty in understanding how, consistently with Article 8, a State may deny an adult the right to marry a person of the sex opposite to that which the adult enjoys and which the State is obliged to respect. Some other Member States of the Council of Europe already allow a transsexual to marry a person of their former sex.

The Commission stated in an earlier case that 'transsexualism raises relatively new and complex questions to which States must find solutions compatible with the respect for fundamental rights.' The United Kingdom has barely attempted the task. The consequence of tomorrow's hearing will be another European Court decision requiring a change in our law.

WHY I HAD TO CHANGE MY SEX

Mark Rees came into this world as a girl, named Brenda, and only discovered his real self after a sex-change operation. There are those who say he should keep quiet about his life. But to win the kind of basic rights the rest of us enjoy, Mark has had to take his case to the European Court of Human Rights. He's chosen Women's Own to tell his story in full.

The house is nothing extraordinary - 1930's type detached with neat gardens front and back, in ever-so-proper Royal Tunbridge Wells, Kent. Mark Rees seems an ordinary enough chap, too - a bit on the short side perhaps, but very pleasant and chatty, and with the most arresting blue eyes. He's not of the rugby club brigade, not the type to be found playing darts in a pub. Serious-minded and bookish, his main interests are writing and singing in the local choral society. Not the sort of person who seems likely to have caused his family any problems - and certainly not someone you'd expect to make any great impact on the world outside his own immediate environment.

Yet Mark is trying to change the laws of this country. Laws surrounding the controversial - and, to most people, bizarre - area of transsexualism. Sex change? The very idea makes most people snigger. At best they're curious about how exactly the operations are done. Few of us have any sympathy or understanding. Transsexuals are ... well, weird. Aren't they?

Three years ago, for Women's Own, I met an amazingly beautiful and elegant woman from Manchester. On the face of it, there was nothing weird about her. *But she* was once *he*, the father of three children. By changing sex, she'd lost not only her wife, but the children she adored, her home, her £26,000 a year job and practically every one of her old friends. 'You don't give up all that on a whim,' she pointed out.

Mark Rees knows how she feels. Fifteen years ago he changed from being a woman to a man, a transition which, somehow, seems far more difficult to understand. He's suffered years of being regarded as an object of ridicule, and subjected himself to undergoing three serious operations. The pain has been severe - both physically and mentally. But not as painful as trying to live as a person he's convinced he was never meant to be. 'I felt like someone trapped in the wrong body,' he says, sitting in the bedroom which was like an isolation cell for the adolescent girl, Brenda, he once was. 'I can't think of one time when I was growing up that I didn't feel the odd one out.'

Now casually dressed in sweater and corduroy jeans, he could be any man in his early 40s. The voice is deep, the physique broad, the reddish beard full, even the hands, often a telltale sign, are wide-tipped and masculine. There would be no reason for a casual onlooker to question his identity. As far as the authorities are concerned - the DHSS, the driving licence centre, even the passport office - they, too accept him as a man. All that is except the Register of Births. Which means that Mark can't be married in this country - except as a woman - and if he does describe himself by his new sex on official documents, he's legally guilty of deception.

Last month, Mark went to the European Court of Human Rights to gain a ruling which would allow transsexuals in this country to change their birth certificates, just as they can in countries as far ranging in their interpretation of compassion as South Africa and Sweden. After 15 years of being taunted with jibes about 'sex change', he's putting himself in the spotlight again - a spotlight he realises will be on him long after the court announces its decision, which probably will not be for some months yet. And he's doing so willingly - to obtain a right which he considers basic to a surprising number of the population. For, no matter what the rest of us think, transsexuals aren't that tiny a minority. For the past nine years - that's as far back as figures go - about 100 people a year have had sex change operations on the National Health Service. And there are others who, for very understandable reasons of privacy, go abroad for treatment.

Changing his birth certificate won't make much practical difference to Mark's life.

Surgery on female to male transsexuals cannot result in a satisfactory sex life, and Mark is not prepared to have another major operation in order to get genitals which would be numb and non-functional. Realistically, he doesn't expect to get married. And, after spending six years as a mainly unemployed graduate, he grudgingly accepts that his prospects of getting a job aren't too good either, so confusion over his status as an employee isn't likely to be a problem. For Mark, setting down the most intimate details of his private life in front of 20 of the most prestigious judges in Europe - and leaving himself open to the most intrusive of public comments - was merely a rounding off process. 'I am a man,' he says. 'Everybody accepts me as a man and I should be allowed the legal courtesy of being known as such officially. Before I was too conscious of what I was, to worry about the importance of who I was.' It's a typical way for him to talk. The years of taunting haven't dented his dignity. In fact, he says, it's only since he changed roles that he's felt sufficiently self-confident to have any pride at all.

He talks about his 27 years as Brenda as if it were a life apart, something which involved his body, but very little of his mind - except under severe protest. There are no fond memories, no amusing little stories, of his earlier years. It's as if it's all been lost in confusion or heartache. Even right back in childhood, Brenda preferred building camps with the other lads, rather than make-believe games with dolls. That was not problem at first: a little boy acting soft and soppy might cause concern, but a girl tomboy has her own adventurous charm. 'There was nothing extraordinary,' Mark recalls. 'I was given dolls for Christmas, and I played with them, but I played with toy soldiers, too.'

It wasn't until puberty that Brenda started feeling, acting, thinking - Mark would say *being* - different from other young girls - even the tomboyish ones. They were looking forward to boasting about their periods starting and wearing their first bras. Brenda was dreading it. They loved dressing-up to go to their first grown-up parties, she loathed it and stayed at home. They giggled coyishly when boys stopped to speak to them in the street; Brenda wanted to jump on her bike and follow them. Mark insists that even at that age he knew he was meant to be male. 'I used to go out a lot with the dog and spend hours on my own thinking. There was no confusion in my mind about what was wrong - I was the wrong sex. Confusion about what I was going to do about it - yes, there was that.'

Mark vividly recalls the first time jibes of 'sex change' were shouted across the High Street, how an artist Brenda met on holiday asked her straight out if she were male or female, and a visiting 'friend' of the family looked at her and said: 'He, she or it'. At the time, such remarks were unbearably painful, but Mark recalls them now almost as proof that he was right and that he should have been born a boy. Everywhere she went, Brenda was looked at with confusion - particularly at home.

Mr Rees, who died in 1969, was at sea with the Merchant Navy most of the time, but her mother, Alice, couldn't understand why Brenda was so different from the other girls in the street and her sister, three years younger. 'I'm sure she must have been very worried about me. She kept asking: 'Why don't you wear dresses? Why don't you wear make-up?' says Mark. 'There were always arguments.' Brenda had to explain but isn't surprised that Alice Rees didn't understand. What mother would?

Mrs Rees was relieved when, at 16, Brenda tried to confide in a doctor, who then referred her to a psychiatrist. She was admitted to hospital, diagnosed as suffering from an insecurity complex and depression. 'It was a merciful escape really, six months away from people shouting abuse at me. But I didn't know what they would do, what they could do. Take my brain away and replace it with another?' Brenda came out of hospital none the wiser about a condition she thought was unique to her. 'I decided I'd have to put all my energy into a career - there was nothing else to me in life, no hope of marriage or a family.' It was perhaps a strange choice for someone with such a problem, but Brenda applied to join the WRNS - an institution in which she would have to live and work alongside women who would be constant reminders of how she 'should' be. 'I liked the idea of discipline,' says Mark. 'And I wanted to be part of a community.' But when Brenda developed a crush on another Wren she was medically discharged for having suspected homosexual

tendencies. 'Nothing physical ever happened between us. But I realised then that in future I'd have to be very careful that any friendships I made weren't misinterpreted.'

Several years later, shortly before she was due to start a degree course in dentistry at university, Brenda read an article in *The Times* and saw the word transsexual for the first time. 'I thought: 'Thank goodness, there are others like me and I can be helped.''' After 27 years of torment the transition which Brenda had so desperately wanted, but hadn't thought possible, happened remarkably quickly. 'I knew this was for me,' Mark says. 'There were no doubts.'

Through the Albany Trust, a psycho-sexual counselling service, Brenda was referred to a Harley Street specialist. Constructing a functioning, sensitive penis would be difficult, he told her, but he could prescribe hormones to give her a deeper voice and facial hair and she could eventually have a mastectomy to remove her breast. Mark recalls the next six months - this crucial stage in his life - with calm matter-of-factness. It seems the strangest thing to everyone else, but to him it was almost like realising a vocation.

Throughout the summer term, Brenda's voice gradually got deeper. But it was nothing too noticeable. Her close friends, and the university authorities, knew she was going to change roles during the summer holidays - and frankly, she didn't care what anybody else said or thought. Her church in Tunbridge Wells, where the community had accepted her unquestioningly during her youth, arranged for her to spend her first few weeks as a man at a priory. 'It was what I'd always wanted,' Mark says. 'But I still had to get used to it. I had to answer to another name for one thing.'

By the time he went back to university, Brenda's registration papers had been changed and Mark was sporting a sprouting ginger beard. There had been very few students in his first, pre-degree year, so to most of them he was just another new boy. This is the earliest point in his life when Mark can recall any of the funny, silly stories which feature in most of our memories - like how he made other men laugh when a young nurse tried to pick him up at a concert.

Mark could at least live socially as a man. 'I remember at the beginning of the second term going to the Matron's Ball dressed up in a dinner-suit and with a girlfriend on my arm. *That* was how I was meant to feel. Changing roles was like having walked around all my life with a great boulder on my back, then suddenly finding it was gone. The relief!' Mark has had two girlfriends since then, but the relationships haven't lasted.

Operations to remove his female parts - his breasts and womb have both been removed - haven't made him a fully functioning male. And he's more acutely aware than anyone of the importance of sex in a relationship. There are also the more trivial problems of always having to find a cubicle in the gents loo, and never putting himself into a situation where other people might be able to see his body. He lives at home with his mother, a kind, caring woman, who gave birth to Brenda, but loves Mark for himself - despite what anyone else might say about him.

Apart from that, his life isn't a lot of fun. He has friends now - good ones - and a very active social life. But the future he foresees for himself consists of lonely days without a job and nights with no-one to love. 'I'd like to live with somebody - and I know who that somebody is - but she doesn't feel the same way. Not surprisingly. But I'm as happy as one can be. Certainly I'm much happier than I was before. And at least I can be me - *really* me.'

Womans Own 19.4.86

Noticeboard:

STOP PRESS

The Yorkshire TV Special Programme mentioned on page 2 is to be shown on 9th July 1986. It is part of Miriam Stoppard's series entitled - 'Where There's Life'.

SURGERY Would all members who have received surgery of any nature - reassignment, voice, adam's apple, mammoplasty etc - please write to Judy with details of when, by whom, where, result, remarks etc. All in confidence - it would be invaluable to build up our knowledge to help in future referrals. Please send reports separate to other correspondence - acknowledgments only if further information required.

COUNSELLING The Sexual Minorities Advisory Service, PO Box 42B, London W1A 4ZB is a new sex therapy service, offering counselling, therapy and referral for people with specific sexual problems and those who are coming to terms with belonging to minority groups. Fees negotiable on consultation. Contact Peter Gordon or Tuppy Owens at the above address.

MEMBERS DETAILS Frances of Dulverton (424) apologises to all whose details were incorrectly given on the new computerised lists, but makes a plea for clear writing in communications to aid her. She hopes this month's lists are as accurate as possible, but if not let her know a.s.a.p.



I can't stop you from having the operation, Father Mallory, but I can stop you becoming a nun

JENNY'S JOTTINGS



Try to be discreet Roland...

...my ex-wife is watching us!...

...Eh up, I think we're OK, Lucy...

...she's with ex-husband!

☆ IN YOUR NEXT NEWSLETTER ☆

★ POLITICS, TRANSSEXUALISM AND THE MEDIA

- An In-Depth Report on Rachel Webb's Election Success

★ CAN TRANSSEXUALS BEAR CHILDREN?

- A Report Of Startling New Medical Research

★ THE ASTROLOGY OF TRANSSEXUALITY

PLUS

ALL THE REGULAR FEATURES
IN YOUR AUGUST/SEPTEMBER NEWSLETTER

CORRESPONDENCE LIST

The following members have indicated their willingness to receive letters and guarantee to reply:

F to M

Kaye of Guernsey (220)
John of Newport (359)
Michael of Wickford (398)

M to F

Helen of Birmingham (715)
Pamela of Daventry (495)
Jessica of Dumbarton (751)
Plus all regional contacts

Kate of Kingston-upon-Thames (393)
Fiona of Leeds (648)
Michelle of Leyland (210)
Julie of Luton (613)
Anne of Manchester (597)
Fiona of Poole (619)
Marion of Selby (727)
Sylvia of Solihull (126)
Donna of Trowbridge (605)

If any other members are actively interested in correspondence, please write to the Editor.

IMPORTANT

ALL MATERIAL FOR THE NEWSLETTER
MUST NOW BE SENT TO:-
46 LIDDELL WAY, SOUTH ASCOT

The previous address, via Tonia, at Battersea is no longer operative and any mail sent there will not be received by the Editor for a very long time - if at all!!