

Transsexual People and the Press

Collected Opinions from Transsexual People Themselves

Prepared on behalf of transsexual people in the United Kingdom

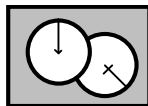
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TRANSSEXUAL PEOPLE AND THE PRESS

CHRISTINE BURNS ~ NOVEMBER 2004

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Declaration by the Author

This document has been compiled from authentic personal messages emailed to the author and the Secretary of the Press Complaints Commission Code Committee, Ian Beales, during October 2004. The names and contact information of the correspondents have been removed in order to protect the privacy of the contributors in the compilation of this public dossier. Apart from this, the words contained in the assembled evidence are the complete un-modified and unabridged views of the individual correspondents.

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- “ Trans people are both assaulted and murdered at a rate grotesquely out of proportion to our tiny numbers in society, and blood is surely as much on the hands of those in the media who cultivate bizarre and prurient images of gender variance, as it is on the hands of those who cut with broken glass and sharpened screwdrivers. (Exhibit 2-6) ”**
- “ There are no guilty little secrets surrounding being transsexual, but it is an extremely private matter. All that transsexual people desire is to be able to get on with their lives quietly and to contribute to society. Very few of us are as flamboyant as Nadia. [...] All of us have passed through very considerable soul-searching and have not taken the steps we have taken lightly. This is a measure of the lengths to while transsexual people are driven. To further stigmatise such a group is beyond understanding. (Exhibit 2-8) ”**
- “ As a transsexual woman, every time I walk into town, catch a bus, go into a pub etc, I run the risk of verbal abuse, physical abuse or worse. All for just being myself. The attitudes that form the foundations of this type of abuse can be traced back to newspaper articles. It's ok for the papers to say that they're only reflecting their readership's opinions, insecurities & fears: the fact is that a lot of those insecurities & fears are formed by those self-same newspapers. (Exhibit 2-10) ”**
- “ The ugly way you slipped out of your responsibilities to protect me, and therefore to protect vulnerable trans people from organisations and individuals bent on destroying trans people lives was unforgivable. (Exhibit 3-1) ”**
- “ About 7 years ago my family were faced with the 'Sun' newspaper's front page headline of "NO NOBBY BOBBY KEEPS JOBBY" in big black type. The 'Sun' was wrong, I didn't keep my job as a police officer as I was hounded out of it by attitudes that are formed in the same mould that the 'Sun's' editors come out of. I hadn't broken the law, I just found myself diagnosed with a medical condition and wanted to get better again. (Exhibit 3-5) ”**
- “ Throughout my adult life I have been confronted by "stories", even in respectable broadsheet newspapers and serious journals, about transsexual people that are sensationalist, misrepresentative, humiliating and degrading. I have also known people who have been hounded by reporters seeking sensationalist stories to boost the circulation of their limp organs. I have friends who have been attacked (physically and verbally) in the aftermath of a story in the press about a transsexual person. (Exhibit 4-1) ”**

A: Executive Summary and Recommendations

A.1 The Problem

- A.1.a** The British Press has generally tended to keep pace with changing social attitudes towards minority groups in the last forty years. Indeed, in some areas, the Press and other media have taken a leading part in the process of change.
- A.1.b** Journalism dealing with topics such as gender equality, race, physical disabilities, homosexuality and religious diversity has reflected the discourse of the time – or at least presented issues of contention in depth and with an effort to achieve balance.
- A.1.c** Specific incidents have in other areas led to a consensual view within the press that certain standards of reporting should be defined and upheld through embodiment into the Editors' Code of Practice, policed by the Press Complaints Commission. Examples include reporting about the young families of people in the public eye and references to sufferers of mental illness.
- A.1.d** Whereas press coverage of minorities such as homosexual people and racial groups has evolved considerably – especially in the last decade – the characterisation and reporting of transsexual people has not changed in a significant way since newspapers first became fascinated by so-called “sex changes” in the 1950's. Indeed, in certain significant ways, coverage has hardened into narrow formats within tabloids and broadsheets alike – the former depicting transsexual people as bizarre, freakish and essentially deviant, the latter dominated by a particular flavour of feminist discourse which barely seeks to conceal its motives.
- A.1.e** The effect of press coverage on transsexual people over the last fifty years has been extremely significant. Not only is there cause to believe that much of the negative treatment experienced by transsexual people was put there by falsely created press stereotyping in the first place, the continued repetition of negative attitudes over entire lifetimes has also led to considerable psychological distress, through internalisation of the attitudes which transsexual people have had to read.
- A.1.f** Transsexual people have been encouraged to use the complaints process afforded by the Press Complaints Commission and the Editors' Code of Practice. Such complaints have seldom been successful however. In the limited cases where newspapers have apologised for offence, the result has had no carry-over. Indeed, in one case a printed apology by the Readers' Editor of the Guardian was followed-up a few days later by an especially vitriolic column by resident columnist Julie Burchill.
- A.1.g** The fact that transsexual people feel the offence of ridicule, condemnation and one-sided representation very strongly is evidenced by the volume of responses generated when the author of this dossier invited ordinary members of the Press for Change campaign to write to the secretary of the PCC's code committee. Ian Beales received more than 60 personal emails in the space of three weeks. All of those messages expressed feelings of dismay concerning the way that the writers felt treated by the press, whether personally or vicariously.

A.2 The Options

A.2.a It is not possible to legislate for changes in attitudes. Nevertheless, if the Press Complaints Commission is to claim any effectiveness at all in defining and policing the standards of the newspaper industry then it must have the means in some way to encourage certain forms of soul searching appraisal to take place among editors and proprietors – in the year when Parliament itself has delivered the strongest possible signal of a time for change.

A.2.b The code committee is believed to be consciously reluctant to extend the categories of vulnerable groups referred to within paragraph 12(i) of the code:

The press must avoid prejudicial or pejorative reference to an individual's race, colour, religion, sex, sexual orientation or to any physical or mental illness or disability.

A.2.c The committee has expressed the view that transsexual people are to an extent covered by what is effectively a reflection of the current main strands of anti-discrimination legislation.

A.2.d However, it has been long established that the Sex Discrimination Act (prior to extension in 1999) was unable to protect transsexual people on grounds of sex – since discrimination was directed especially towards a *characteristic* of their sex; namely the fact that they were transsexual. Likewise being a transsexual person has nothing to do with sexual orientation. Trans people can identify as straight, gay, lesbian, bisexual or even asexual, just like anyone else.

A.2.e Some have argued (eg Dr Lynne Jones MP) that pre-operative transsexual people might claim a vestige of protection by virtue of the fact that they are undergoing a medical treatment (supervised at present by mental health practitioners). This argument only covers a portion of the trans community at best, however, and invites the possibility of further stigmatisation.

A.2.f In reality there is therefore nothing contained within the code, as it stands, to signal either that (a) there is something wrong about the current journalistic treatment of trans people or (b) that anyone wants it to change. The best that a trans person could hope for at present would be to argue (after the event) that one of these existing categories applied. When this approach has been taken in court cases involving discrimination, however, the usual response is that *if it had been intended to protect transsexual people then they would have been mentioned by name*.

A.2.g Changing the code explicitly may not be the only option. Trans people care only about the positive outcome – a respectful change in the way they are treated – they are not specifically concerned about how it is achieved.

A.2.h It could be that change may be achieved by certain editors taking a lead and creating a climate in which change can occur naturally. If it seems outrageous that a newspaper should spend some time writing respectfully, without sensation, and in an informed manner about the issues facing real transsexual people (or should invite articulate transsexual people to write that way about themselves) then this perhaps underlines the point about the need for change.

A.2.i Alternatively it could be that the PCC and code committee might decide to publish a guidance note to editors, helping them to avoid unintentional offence of the kind that may often occur when writing about unfamiliar groups of people.

A.3 Recommendations

A.3.a The author does not recommend a specific method by which change should be encouraged or ordered. Carrots are perhaps preferable to sticks.

A.3.b Nevertheless it is recommended that the Press Complaints Commission should adopt a more proactive position in regard to encouraging fairer and more equally balanced reference to transsexual people in the British Press.

A.3.c One way of explicitly signalling this need for change is to adopt the very small but significant change in the code recommended by Dr Lynne Jones MP. Dr Jones simply recommends that the code committee should insert the expression “(including gender transition)” after the word “sex” in paragraph 12(i) of the code. It would then read:

12(i) The press must avoid prejudicial or pejorative reference to an individual's race, colour, religion, sex (including gender transition), sexual orientation or to any physical or mental illness or disability.

A.3.d Unfortunately, the same technique would not be as effective in modifying paragraph 12(ii), which currently reads:

12(ii) Details of an individual's race, colour, religion, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story

A.3.e For this reason a more explicit inclusion is called for:

*12(ii) Details of an individual's race, colour, religion, sexual orientation, **gender status** physical or mental illness or disability must be avoided unless genuinely relevant to the story*

A.3.f A change of this kind may not be fully effective on its own unless accompanied by some specific advice to the industry on ways to avoid unintended offence and to achieve better editorial balance. Materials which could help in drawing up a guidance paper are contained in this dossier and have also been previously supplied to the Commission.

A.3.g It is certainly not envisaged that these tiny amendments to the text of the code will constitute any sort of “magic bullet” on their own. Nevertheless, combined with explanation of why the inclusion of transsexual people is rendered necessary, the explicit inclusion of transsexual people into the code provides an important signal, underlining that the discrimination faced by our kind is distinct from any other variety listed, and significant enough to deserve mention.

A.3.h Social history in Britain shows time and time again that the process of examining public attitudes towards a minority will not begin until steps are taken to positively acknowledge that a problem exists. The phenomenon has to be labelled and described before people can examine and discuss it.

A.3.i No group or individual would ever willingly ask to be added to a list of vulnerable people were it not considered absolutely necessary. To draw a parallel: Most Police forces do not yet record hate crimes against transsexual people. Anecdotally it is known that violence and verbal harassment are commonplace. However, the lack of distinct statistics means that no resources can be mobilised to tackle the issue. Similarly with the Press: Without a way to distinctly catalogue discriminatory journalism focussed on transsexual people it will remain possible for editors to continue in denial that it exists. And that is a free license for the behaviours evidenced in this dossier to carry on happening with impunity.

B: Background

B.1 The background to this dossier

B.1.a In May 2004 the Code Committee of the PCC announced the latest revision to the voluntary standards known as the Editors' Code. The author has an extensive background of liaison and "bridge building" work with the PCC over the last 7+ years, and has regularly helped and encouraged transsexual people to complain to the commission in that time. The previous six months had seen a particularly intensive period of contact, during which extensive training about trans people, their lives and concerns, was given to case officers to help enhance the way that complaint matters could be handled. Many discussions had taken place about some of the ways in which transsexual people as group could be better protected; therefore it was hoped that a new revision of the code might reflect the results of some of that exchange in ideas.

B.1.b On finding that the May 2004 update to the Editors' Code did not contain anything new to protect vulnerable trans people, the author wrote to Tim Toulmin, commenting:

"I'm disappointed to see that you didn't take the opportunity afforded by this revision of the Editors' Code to include gender identity (or age for that matter) under the list of specifically protected characteristics under article 12. This would have been a very simple addition to make so I am wondering why the Code Committee did not do so?"

B.1.c Tim Toulmin directed the author in this case to the code committee, and the author wrote to the secretary, Ian Beales (Exhibit 1-1), setting out a brief background to the issues already discussed at length with the rest of the Commission, and requesting that the committee should,

"...give serious consideration to the problems that transsexual people continue to have with press coverage that demeans us collectively and agree to include us as an explicitly protected minority within article 12 at the next available opportunity to update and reissue the code."

B.1.d After an acknowledgement from Mr Beales, promising to bring the issue to the attention of the committee, nothing further was then heard until early October, when he wrote back to the author to indicate that the committee had decided not to extend the code in this way. The author responded promptly to indicate her disappointment (Exhibit 1-2)

B.1.e At this time the author also wrote a news article for the email distribution list operated by the trans rights campaign, Press for Change, of which she is a retired vice-president (and where she continues to work as a prominent community leader). This "PFC-News" story (Exhibit 1-3) exhorted the list's many transsexual readers to write to the code committee and...

"...describe a particular example in your own words of what you would like the Press to stop doing to our kind. If it happened to you, describe WHAT happened, HOW it felt, WHY you did or did not refer to the PCC and (if you did), how you feel they FAILED (or succeeded)."

B.1.f Over the ensuing three and a half weeks, sixty or more people wrote to the committee secretary to say their own piece; roughly half of those copying their messages to the author where they were prepared for their views to be cited. Ian Beales promptly promised that the issue would be placed before the committee when it next met in January 2005 and, in response to this, the author volunteered to compile this dossier, recording some of the key points that individual trans people had made and wished to be taken into consideration by the committee.

B.2 About the Author

- B.2.a** Christine Burns is a transsexual woman and a leading community activist in the UK. She is a member of the Parliamentary Forum on Transsexualism, a former vice-president of the campaign group "Press for Change" and writes and teaches regularly on trans diversity issues. Articles of hers have been published by the Guardian, EOC and Personnel Today among others. She was closely involved in the introduction of employment protection legislation for trans people in 1999 and was one of the four community representatives to liaise with Government in the drafting and passage of the Gender Recognition Act, which was recently passed by Parliament and is expected to take effect from April 2005.
- B.2.b** During her 13 years as an active campaigner Christine has helped hundreds of trans people with the real problems which beset them, regardless of age, education or circumstances. These problems have included several instances involving the press and she has dealt with the PCC on many of these over the years, starting from around 1997. The experience of dealing with so many real problems over an extended period of time provides Christine with an educated insight into the origins of transphobic attitudes, the extent to which these have evolved over the period, and the factors in society which have driven and sustained those behaviours.
- B.2.c** Christine has also been a vocal complainant herself, concentrating on issues involving derogatory reporting or opinion writing involving trans people collectively. This phenomenon, which affects certain ostensibly liberal broadsheets as well as the obvious tabloid titles, is regarded as a key contributory factor in maintaining discriminatory attitudes and violence.
- B.2.d** Her work is not limited to the press. In 2004 she successfully persuaded the BBC to issue first time guidance to broadcast journalists and programme makers relating to the depiction and description of transsexual people. She also encouraged formal complaints which led to a positive OFCOM ruling on a soft drinks commercial in 2004. The previous year she also orchestrated an international campaign to persuade the internet search service "Google" to stop showing pornographic advertising alongside search results for transsexual support organisations.
- B.2.e** In 2003 Christine encouraged the Chair of the Parliamentary Forum, Dr Lynne Jones MP, to write to the newly appointed Chairman of the PCC, and to invite a dialogue on press coverage issues at that level. This resulted in Tim Toulmin meeting with the Forum in the summer of 2003 and, shortly afterwards, Christine had a reciprocal meeting with the case staff of the PCC, to educate them about the background of Transsexualism and the kinds of issues which trans people encounter.
- B.2.f** Following those meetings, a period of closer discussion and exchange ensued. However when the Guardian published a controversial column and artwork by Julie Bindle in February 2004 (for which a subsequent apology was made), Christine concluded that the fundamental issues of collective discrimination could only be addressed by changes to the code itself.
- B.2.g** Christine lives in Manchester, where her "day job" involves helping to run a company that provides care for people with learning disabilities and long term mental health problems. Prior to this she was a senior level business and IT consultant for a large multinational consulting house. She has also worked as a lay chair within the NHS complaints process and served as a Samaritan volunteer for almost five years. Her experience of hearing and analysing problems at all levels is therefore considerable. More details of Christine's campaigning career are contained in the biographical summary accompanying this dossier.

B.3 About Press for Change

- B.3.a** Press for Change (PFC) is the largest representative organisation for transsexual people in the UK. PFC was formed in 1992 to “*achieve equal civil rights and liberties for all transgender people in the United Kingdom, through legislation and social change*”. Today it has a postal membership of approximately 2,000 transsexual people and, through a web site and bulk email distribution, is able to reach a subset of around 450 of that membership almost immediately. This provides especially valuable feedback to the leadership when it is necessary to speak with authority on behalf of a representative sample of transsexual (or “trans”) people .
- B.3.b** The campaign has always sought to achieve its objectives through education and engagement rather than confrontation or demand-making. This is exemplified by the manner in which the campaign’s leading representatives have engaged with Government Ministers and officials over the course of the last seven years, leading to the successful passage of the Gender Recognition Act.
- B.3.c** Leaders of the campaign have similarly sought to engage with the press and other media over the 12 years since Press for Change was formed. Indeed, the name, “*Press for Change*” is no coincidence. The group’s founders were very conscious at the beginning of the last decade that the single most terrifying force in the lives of the average transsexual person was the British press.
- B.3.d** Over those 12 years the leadership of the campaign have all had considerable experience of meeting and talking to print journalists – giving quotes on breaking events, providing interviewees for features, furnishing research material for projects and generally knowing how to work with writers and researchers as professionals. This extends to working with tabloid writers as well as broadsheet staff and freelancers.
- B.3.e** As a result of this considerable experience we have an educated view of the processes involved, and how a good apparent working relationship in the writing can still sometimes end up as a travesty on the page. Sometimes this is entirely due to the attitude and behaviour of the journalist themselves. More often, however, it is our experience that intelligent and perceptive journalists are no more happy about the results than we are as campaigners. It is far more often the case that the real problem lies with editors and sub-editorial staff, detached from the face-to-face reality of the subject, adding prejudice to an otherwise balanced story simply out of ignorance and habit.
- B.3.f** British journalism is judged fit or otherwise by the *Editors’ Code*. It is with Editors that the responsibility for change therefore lies.

B.4 Transsexual People – Current Day Understanding

B.4.a According to Government statements,

“The Chief Medical Officer has confirmed that gender dysphoria¹ is a medical condition that may require treatment and that that treatment may be carried out by the NHS, as well as privately.”

B.4.b Government policy statements released in December 2002² also make plain the official view that :

- “Transsexualism is not transvestism or cross-dressing for sexual thrill, psychological comfort or compulsion.
- It is not an orientation towards people of the same sex.
- It is not related to paedophilia.
- It has nothing to do with drag queens.
- Transsexual people do not choose their gender identity. Transsexualism is an overpowering sense of different gender identity rather than any sexual orientation: transsexual people may be heterosexual, gay/lesbian or celibate.
- It is not a mental illness. It is a condition considered in itself to be free of other pathology (though transsexual people can suffer depression or illnesses like anyone else).”

B.4.c A gradual process of education about this topic has brought about a significant change in the way that transsexual people are reported by newspapers and periodicals in the last few years – mostly as a result of responsible feature articles encouraged by transsexual people themselves.

B.4.d Nevertheless, editors need to be aware that transsexual people often express frustration with the manner in which their lives and condition are in some cases portrayed.

B.4.e Government policy and a statement of intent to legislate for the legal recognition of transsexual people was formally announced in December 2002, starting a process which culminated in the passing of the Gender Recognition Act. The Act received Royal Assent in July 2004 and is expected to come into force in April 2005.

B.4.f The public view of transsexual people has evolved considerably in the last few years, a process which was accelerated by the long term inclusion of a popular fictional character in “*Coronation Street*” in 1998 and further consolidated by the popularity of Nadia Almada in the summer 2004 season of “*Big Brother*”.

B.4.g Nevertheless, although the overall trend in the last decade has been generally very positive, certain publications still periodically exhibit a contradictory editorial position, ranging from low level derogatory references dropped into commentary on other matters, through poorly informed writing about trans-related issues in medicine, to blatant hate speech.

¹ A medical term that replaces “transsexualism”

² LCD Press conference 13/12/2002 : <http://www.dca.gov.uk/constitution/transsex/policy.htm>

B.5 Transsexual People And The Press

- B.5.a** Gender variant people are recognised to exist in most societies and are increasingly understood to have done so throughout human history. The way in which such people are described varies between societies and has achieved a particular fascination in the West over the last 75 years, since surgical hormonal technologies offered the potential for people to cross the physical divide and seek to make a successful and happy life as members of the opposite gender role in which they were raised.
- B.5.b** British newspaper interest in transsexual people really got underway in the 1950's, at a time of global fascination with the first "modern" case of Gender Reassignment, Christine Jorgensen. Other cases followed; however, it was not until the famous divorce case of April Ashley in 1969 that the mould was really defined for the way in which the lives of transsexual people were portrayed.
- B.5.c** April Ashley had already been "outed" by "The People" some years previously. The court ruling in February 1970, establishing her and all transsexual people thereafter as legally tied to their birth sex, created one of the foundations on which trans people thereafter came to be reported.
- B.5.d** The other major long-standing cultural influence stemmed from the emergence of a strongly political women's movement at about the same time, which chose to depict transsexual women as enemies of the cause – a view still periodically reflected in vitriolic re-runs of the same basic thesis over the decades since. Significantly, not much was seen of this phenomenon in the 1970's and 1980's. Following the republication of "*The Transsexual Empire*"³ in 1994, however, a number of feminist columnists and their editors appeared to have latched onto the idea, at a time when serious transsexual activism was also just finding its' feet in the UK.
- B.5.e** The Guardian alone has played host to versions of this discourse at least four times during the last decade.^{4 5 6 7} Similar tirades have also appeared in the Independent⁸ and the Times⁹. As made clear to the editors of these newspapers on repeated occasions, the issue with this style of column is not that the newspaper should not allow space for a particular prejudice to be aired as a valid opinion from time to time, but that there has never been any equivalent lineage presenting the opposite view. The bias therefore results not from the individual column, but from the lack of prominence to any other opinion.
- B.5.f** The tabloid equivalent to the broadsheets' feminist tirade is the "outing", the stereotypically cast story, and the play on words. Expressions such as "sex swap", "gender-bender", "freakish" and the frequent references to genitals contrast strongly with the way in which the recipients of any other kind of modern-day medical treatment are described.

³ "The Transsexual Empire: The Making of the She Male" – Janice Raymond – Teachers College Press, 1979 and 1994, ISBN 0807762725

⁴ "Lost Boys" – Sally Vincent – Guardian Weekend supplement, October 1993

⁵ "Gender Bending" – Julie Burchill – Guardian Weekend supplement, Saturday Jan 20th, 2001

⁶ "Mutilation won't make a man a woman" – Dee Birkett – Guardian G2 Thursday Aug 5th, 1999

⁷ "Gender Benders, Beware" – Julie Bindell – Guardian Weekend supplement, Saturday Jan 31st, 2004

⁸ "On why sex change is a lie" – Germaine Greer – The Independent , July 22nd, 1989

⁹ "Sex change operations don't work" – Nigella Lawson – The Times, Feb 6th, 1996

- B.5.g** Particular tabloid columnists have established a position on the discussion of transsexual people which would probably result in scandal and dismissal were the subject to be any other group in society. An often cited example is that of the Sun's Gary Bushell. Where one remark by Robert Kilroy-Silk was sufficient to end his long-standing column for the Express earlier this year, Mr Bushell has had regular opportunity to write about transsexual people in ways that invite the continuance of social exclusion every bit as serious as the race hatred directed towards British Muslims.
- B.5.h** Tabloid treatment of transsexual people is referred to in greater detail by the individual writers whose letters make up the body of this dossier. However, one recent example of a report from the "*The Sun*" will indicate key characteristics of the genre. To underline the point that distorted reporting is not solely directed towards transsexual women, this recent story concerns the case of someone who is very clearly a transsexual man (female to male), and towards whom the partner clearly has a grudge:

Son Knew "Dad" was a Lady – The Sun, 9th October 2004

A LAD brought up by married **lesbians** guessed his **sex-change "dad" was a woman** after watching Coronation Street. Schoolboy Ben, 12, realised **the truth about butch Susan Abberstein** after he saw Street transsexual Hayley Cropper in the hit soap. And when mum Lucy came to break the news, he blurted out: "I already KNOW his secret."

The Sun told yesterday how Lucy and lover Susan **posed** as man and wife for 13 years after a register office wedding. Susan changed **her** name to Sam, cut her hair short and **grew a moustache with hormone treatment to maintain the charade**.

Ben was born in 1992 through IVF treatment with sperm from an anonymous donor — and Susan, now 47, was registered as his dad. Lucy, 37, has now divorced her "**hubby**". She said her son grew suspicious after seeing Corrie, where factory girl Hayley — played by actress Julie Hesmondhalgh — used to be a man.

She said: "I'd always tried to be honest with Ben and as soon as he was old enough I told him the truth about his origins. "But I'd never talked to him about his dad as it was just too difficult a subject for him.

"About a month ago I decided he needed to know before someone else told him so I sat him down for a talk.

"I warned him he might be shocked, but he said, 'Oh, I know mum — he's transsexual'.

"Although Susan and I acted as man and wife everywhere, Ben had worked it out himself.

"We used to watch Coronation Street as a family and I think the storyline about Hayley marrying Roy Cropper had something to do with it.

"Whenever it came on it caused tension between Sue and me as it showed problems we had in real life. Ben had obviously picked up on that."

Lucy had a daughter Millie, four, with a new man after leaving Susan. She now fears **the bizarre set-up** of Ben's early years may affect him long-term.

She added: "He seemed okay at first, but now it's sinking in I'm getting worried for him.

"He's getting confused and asking all sorts of questions. He always knew Sue as a father-figure so to be told 'he' was a girl has blown his head a bit."

Lucy, who lives in Cornwall, **came clean** with Ben when Susan made contact with the lad after a 2½-year silence. Lucy fears her ex — now living in Yorkshire with a woman called Rebecca — aims to work her way back into Ben's life.

She said: "I don't want her to have anything to do with Ben as it's only going to cause problems for him.

"When he's old enough to make his own decisions then of course he can get in contact. But right now I don't want it."

Lucy is taking legal advice about having her marriage annulled so she can remove Sam's name from Ben's birth certificate. At the moment the "**dad**" is entitled to get in touch with the lad via his school and be kept informed about his progress. Susan refused to talk about the **weird marriage** last night. But dad Keith, 73, admitted he had never come to terms with seeing his only daughter become a man.

He said: "I worshipped Susan as a girl and my world fell apart when everything blew up."

Corrie cafe boss Roy wed Hayley in an unofficial ceremony and fostered a teenage boy.

- B.5.i** The above story contains many of the elements which act as cues for the continued marginalisation of transsexual people:
- referring to someone whose identity is clearly male as a woman (using reported speech as the excuse);
 - implying dishonesty throughout through expressions such as “the truth”, “posed”, “charade”, “came clean” and through the use of quotation marks on terms such as “dad” and “hubby”;
 - signalling cultural disapproval to the reader through value judgements such as “bizarre set-up” and “weird marriage”
- B.5.j** Tabloid headline writing about transsexual people has itself become a miniature art form, and contributes strongly to the message being communicated between the lines. Readers will remember the Sun’s “Portugeezer” epithet for Nadia Almada far longer than the somewhat more affectionate “Portu-Gal” offered by a rival. Stories about transsexual police officers struggling to remain employed have been headlined, “*No Nobby Bobby Keeps Jobby*”.
- B.5.k** Broadsheets are also not exempt from the adoption of expressions which, whilst probably considered clever by editors, are nonetheless viciously demeaning. In August 2004, for instance, Cole Morton writing in *The Independent*¹⁰ may have had valid points to make about the underlying factors in the sudden apparent popularity of Nadia in “*Big Brother*”; however, in concluding that “*They voted for the bearded lady*” he invited readers to exercise a stereotype that is no less offensive than branding Arabs as “limb amputators”.
- B.5.l** Tabloid and broadsheet writers alike have learned how to tread the right side of the voluntary regulation line in the way that they refer to transsexual people. Two common techniques are used.
- B.5.m** The first approach is to attribute the negative remarks to someone else, either as reported speech (as in *The Sun* example above) or an anonymous third person, as in “*Colleagues of the strapping six foot fifteen stone former rugby player said they were shocked and disgusted when he came into the office one day and demanded to use the ladies’ loo*”.
- B.5.n** The second technique is for the writer to be far more blatant in taking ownership of the prejudice, but to direct it towards transsexual people as some sort of heterogeneous group, who are all implied to share the characteristic described. Neither style of writing technically contravenes the Editors’ Code. In turn this leaves the transsexual readers feeling actively defamed and without any form of effective redress. This, above all, contributes to the sense of anger felt by transsexual people towards the entire British Press.

¹⁰ “Nadia Almada: A heroine for our times?” – Cole Morton – *Independent on Sunday*, Sunday Aug 8th, 2004

C: Key Areas of Concern Among Trans People

This section categorises the principal areas in which intentional or unintended offence may be generated by newspapers and periodicals writing with insufficient knowledge of or empathy towards trans people's lives. It is based on a draft paper previously offered to the Commission as the possible basis for a guidance note to editors.

C.1 Pronoun Usage

C.1.a Deep offence can be occasioned by use of inappropriate pronouns – referring to a transsexual woman as “he” or a transsexual man as “she”.

C.1.b The Associated Press recommended in the 2002 edition of its Stylebook that writers should

“Use the pronoun preferred by the individuals who have acquired the physical characteristics (by hormone therapy, body modification, or surgery) of the opposite sex and present themselves in a way that does not correspond with their sex at birth. If that preference is not expressed, use the pronoun consistent with the way the individuals live publicly.”¹¹

C.1.c Press for Change, the UK-based campaign for the rights of transsexual people, also recommends that care should be taken not to make value judgements based on an individual's appearance, as it is particularly common for transsexual people to retain some natal sex characteristics in the early stages of their treatment.

“The diagnosis and treatment of the distress caused by gender dysphoria is the same regardless of a person's looks and use of the wrong pronoun amounts to a refusal to acknowledge the importance of the person's self-identity. If in any doubt it is advisable to ask the individual how they wish to be described”.

C.1.d If the reported speech of other people refers to a transsexual person in their birth gender then this must be reported accurately of course. However, writers should endeavour not to do this when writing in the third person.

C.2 Terminology

C.2.a Reporting of transsexual people involves the use of language which is generally unfamiliar. In particular, confusion often exists between the terms for those people who undergo a permanent change of role (often with accompanying surgery and a diagnosis of gender dysphoria) and either those heterosexual men who occasionally cross-dress for personal pleasure or gay men / entertainers who cross-dress as part of Gay “*Drag*” culture.

C.2.b Terminology has changed in many ways over the last few years, in the same way and for the same kind of reasons that other minorities take ownership of the terms used to describe them. Newspaper and magazine editors therefore need to be aware of the potential for unintended offence resulting from careless use of outdated terms, especially where those terms have derogatory or demeaning associations. Expressions such as “gender-bender”, “sex change”, “tranny” or “she-male” are considered inappropriate ways to describe persons experiencing a medically recognised condition.

¹¹ Goldstein, Norm (2002) *The Associated Press Stylebook and Briefing on Media Law*. Cambridge, MA: Perseus Publishing. Page 231. "sex changes"

C.2.c Words apart, one issue of repeated concern among transsexual people is that terms such as “transsexual” should be utilised as adjectives rather than as collective nouns. This is similar to the courtesy of referring to “disabled people” rather than “the disabled”. Referring again to the Government’s own policy on this issue:

“Government policy is to use the terms transsexual people or transsexual person, transsexualism and gender reassignment – and not the respective expressions "transsexuals", "transsexuality" and "sex change", which some transsexual people find unacceptable.”¹²

C.2.d Some transsexual people increasingly advocate the use of the adjective “trans” in place of “transsexual”, arguing that the older term is itself the source of misunderstanding about the nature of their condition, which is about their identity as members of a particular sex and not their sexual orientation.

C.3 Balance and Accuracy

C.3.a Paragraph 1(i) of the editors’ code places a clear obligation to uphold standards of accuracy and fairness in this subject area, like any other.

1(i) Newspapers and periodicals must take care not to publish inaccurate, misleading or distorted material including pictures.

C.3.b Editors are also reminded that paragraphs 13(i) and 13(ii) are also very relevant in this context.

13(i) The press must avoid prejudicial or pejorative reference to a person's race, colour, religion, sex or sexual orientation or to any physical or mental illness or disability.

13(ii) It must avoid publishing details of a person's race, colour, religion, sexual orientation, physical or mental illness or disability unless these are directly relevant to the story.

C.3.c Editors are also reminded that the long-established view within medicine is that transsexual people do not “choose” to be different, and that the distress which they experience, and the adaptations which they are helped to make in dealing with that distress, result from circumstances which are innate to the individual. It is acceptable that some commentators may hold a different view on the basis of their convictions or political / religious beliefs. Care must be taken to ensure that opinions are clearly distinguished as such, however. A newspaper or periodical which can show that it has also regularly represented transsexual people’s experiences in their own words will be in a far better position to argue “fair comment” than one whose coverage is dominated by opinion from a single perspective.

¹² LCD Press conference 13/12/2002 : <http://www.dca.gov.uk/constitution/transsex/policy.htm>

C.4 Respect for Privacy

- C.4.a** Instances of transsexual people being “outed” by newspapers are rare nowadays. Nevertheless the memory of such events is one cause of sensitivity about journalists’ motives. The personal cost resulting from inappropriate exposure of a transsexual person’s history also remains very high.¹³
- C.4.b** The reporting of transsexual people can be an instance where the interest of the public and the “public interest” may be confused. Paragraphs 3(i) and 4(i) should therefore be considered with care in cases where the story involves an individual with a transsexual background – especially when that fact is of no direct relevance to the issue being reported. The Gender Recognition Act now also imposes serious penalties for unwarranted disclosure of an individual’s past identity and transition, where that information has come into someone’s hands in an official capacity. Journalists relying on this kind of source will need to be particularly aware of the criminal law implications of publishing such information.

C.5 Opinions Encouraging Antipathy Towards Transsexual People as a Group

- C.5.a** Britain does not have a general law prohibiting the incitement of hatred, other than in the specific case of racial hatred. This means that journalists and their editors enjoy considerable freedom in the expression of opinion about groups of people within society. This freedom of speech is greatly valued by the public as much as by the press.
- C.5.b** Nevertheless there are several instances in which the Press Complaints Commission has felt the need to draw a clear line concerning remarks relating to groups regarded as vulnerable, and in instances where the line between bona-fide opinion and prejudice is perceived to be crossed.
- C.5.c** The very existence of a list of vulnerable groups within the Editors’ Code reflects the tacit acceptance that there are categories of people in society for whom the press has a responsibility to act in a responsible manner.
- C.5.d** A prejudice is, by definition, *an opinion about someone or something that is not based on reason or experience (OED)*. Publication of prejudice is not therefore an exercise of free speech but an abuse of it.
- C.5.e** Editors may not necessarily recognise a prejudice concerning transsexual people when they see it – this is the unfortunate effect when falsehoods are repeated over an extended period; they assume the appearance of facts.
- C.5.f** Nevertheless, the effect of the unrestrained repetition of such falsehoods, and the hostility and sense of ever-present danger which they convey to transsexual people reading them has a corrosive effect on people’s self esteem, confidence, sense of inclusion and health.
- C.5.g** The effect is compounded when the victims of this type of mass verbal assault are left to form the impression that nobody cares sufficiently to reprimand or punish the aggressors.
- C.5.h** Psychological wounding may also be accompanied by the effects of actual hate attacks, by people who draw the tenuous justification for their violent attitudes from the apparent encouragement contained in the views they read.

¹³ Employment Discrimination and Transsexual People : Dr Stephen Whittle, Reader in Law, Manchester Metropolitan University : http://www.gires.org.uk/Text_Assets/Employment_Disc_Full_Paper.pdf

D: Specific Personal Representations

D.1 *In Their Own Words*

- D.1.a** The email and postal lobby which led to the production of this dossier gave rise to more than sixty personal messages directed to the secretary of the PCC's code committee, Ian Beales, for the attention of committee members. About half of those messages were also copied to the author, and the majority of those make up the second half of this report.
- D.1.b** The correspondence has been divided into four headings for the convenience of committee members.
- D.1.c** **The first section** contains the author's own original correspondence with the committee secretary, as referred-to in earlier sections.
- D.1.d** **The second section** contains correspondence in which transsexual people and their supporters address the general point regarding the vulnerability issue, without referring to any specific cases.
- D.1.e** **Section 3** consists of letters referring to first hand experiences of press harassment or harm.
- D.1.f** **Finally, section 4** contains letters in which transsexual people or their friends have written about incidents that they know about second hand.

Detailed Dossier

Section 1 – Background Correspondence

EXHIBIT 1-1

From: Christine Burns
Sent: 17 May 2004 19:37
To: 'Ian Beales'
Cc: 'Lynne Jones MP (Lynne Jones MP)'; 'Stephen Whittle (Home)'; 'Claire McNab'; 'Tim Toulmin'
Subject: Revised PCC Editors' Code

Dear Mr Beales

You will see from the correspondence below that I have been referred to you by Tim Toulmin.

My name is Christine Burns, I campaign for the transsexual rights organisation Press for Change (www.pfc.org.uk) and I am also a long-standing member of the Parliamentary Forum on Transsexual Issues, chaired by Dr Lynne Jones, MP.

Last summer, following correspondence between Sir Christopher Meyer and Dr Jones, a period of information exchange took place between the Parliamentary Forum and the PCC, wherein Tim Toulmin came and took part in a Forum meeting and I (as the Forum's nominee) delivered a comprehensive training and discussion session to the PCC's case staff. Before that point (and subsequently too) I have been in regular contact with PCC staff as a campaigner on case matters that have arisen out of specific coverage, and I would certainly like to stress that Tim's staff and I have had many useful exchanges about particular issues, even though the instances of complaints being satisfactorily resolved are unfortunately quite rare.

There are some specific ways in which I strongly feel that the code fails minority groups such as transsexual people, and I've made those views known to Sir Christopher in public and to Tim and his team on several occasions. I have also attempted to assist the Commission in its work, and to help us in our mission of achieving real social change for trans people, by recommending actions which the commission could take to make editors more aware of a steadily changing climate in this field.

Aside from matters as fundamental as permitting us to deal with instances of group discrimination (as opposed to personally targeted instances), and the problem of long term editorial policies that block trans people's own voices, I believe that some very simple measures can also have a significant effect.

One of these simple measures would be to explicitly include gender identity / trans people within the listed categories where discrimination is explicitly prohibited in article 12 of the code. This is a very simple step which could be introduced without any great fuss; however in dealing with a form of discrimination that has come to be regarded as unremarkable over the last 40-50 years, the effect of that very small addition would be huge. Furthermore, the more that other categories are added to the article 12 list *without* the accompanying inclusion of trans people, the more likely it is that editors and journalists will interpret that omission as conscious and deliberate.

I am therefore very disappointed that an opportunity was not taken to make that small addition as part of the latest review of the code. With the Gender Recognition Bill about to complete its Parliamentary passage next week there could not have been a better time to do this.

Nevertheless I also acknowledge that I am perhaps guilty of assuming that discussions on this matter with the staff of the commission would find its way into the deliberations and the code committee. Had I realised that I needed to be talking directly to you as well then I would most certainly have done so earlier.

Could I therefore ask you to give serious consideration to the problems that transsexual people continue to have with press coverage that demeans us collectively and agree to include us as an explicitly protected minority within article 12 at the next available opportunity to update and reissue the code.

Yours sincerely

Christine Burns
Press for Change
Member of the Parliamentary Forum on Transsexualism

EXHIBIT 1-2**From:** Christine Burns**Sent:** 06 October 2004 19:08**To:** 'editorscode@fsmail.net'**Cc:** Lynne Jones MP (Lynne Jones MP); Vice-Presidents@Pfc.Org.Uk (vice-presidents@pfc.org.uk)**Subject:** Omission of transsexual people from PCC code

Dear Mr Beales

Thank you for taking the trouble to write back to me about the Code of Practice Committee's decision to NOT add transsexual people as a separate and distinct class of potentially vulnerable people covered by the discrimination clauses in the PCC Editors' Code. I find it particularly sad that you believe there is any comfort in the assurance that transsexual people would have redress on grounds connected with "sexuality" .. an error which only underlines the lack of thought that has been given to my request.

For over forty years transsexual people have been one of the most consistently vilified groups within the output of British print media .. and not only the tabloids. Indeed in a recent self-congratulatory feature about the Guardian's self-policing strategy, I noticed that the readers' editor, Ian Mayes, singled out the paper's writing about transsexual people as a particularly memorable example where he had felt it necessary to step in and criticise his own colleagues. Ian and I have corresponded rather too often for comfort over the last seven years that I have been focussing on media reform.

Whilst the treatment of other minorities has evolved, the coverage of transsexual people's issues and life events still remains stuck in world of lurid headlines and frankly obnoxious prose. This summer may have seen a brief respite, as editors scurried to cope with the shock realisation that they were out of step with public reaction to Nadia Almada; however, I and my colleagues are seeing no evidence that that brief moment of euphoria has translated into anything more lasting. Indeed, even Ms Almada remains a "Portugeezer" in the hands of the subeditors.

Transsexuality is NOT a form of sexual attraction. Imagining that transsexual people feel in any way comforted by the existence of protection for Gay, Lesbian and Bisexual people is a gross mistake.

Trans people (which is the way we prefer to be described) suffer the discrimination and marginalisation which takes place because of a very deeply felt conviction about their identity as people with the opposite gender to the one imposed on them at birth on the basis of their genital configuration.

Discrimination is serious enough that the European Court of Human Rights ruled unanimously on two cases involving the right to private life and the right to marriage and family life. In turn, that ruling led the Government to enact the Gender Recognition Act .. which attained Royal Assent on 1st July. The provisions of the Gender Recognition Act have particular implications for reporting in the future. The strong privacy protection contained in the Act is largely there because of an acknowledgment that discrimination is often grounded in the malicious revelation of details about trans people's pasts.

None of these things would have occurred had the European Court and the Government not viewed the position of trans people as something deserving of specific action. The Gender Recognition Act consumed six months of Parliament's time, backed by two Government Ministers, both sides of the House, and with a team of civil servants working on the issues for the last two and half years.

All these people thought that the discrimination encountered by transsexual people was serious enough to warrant explicit action for the people in my community and my community alone. All I have asked is that the PCC should do the same, in order to send an equally explicit message to editors to end the snide comments and downright defamation of the people I represent. I estimate that the Government expended something close to 30 man years of effort on protecting trans people. All I was asking your committee to do was spend 30 minutes and insert a phrase or a sentence.

I therefore urge you most strongly to go back and reconsider your decision .. first taking the trouble to understand properly who we are. I invested a great deal of my own time in training the PCC's case officers in the first half of this year, and in subsequently discussing examples of seriously discriminatory journalism .. including a case that even the Guardian is ashamed of. It was clear at that time that the code as it stands provides zero protection for transsexual people from class defamation, or in cases such as the doorstepping incident which I referred to before. Nothing has changed. Therefore I am not in the least bit satisfied by you coming back to me after five months of silence with an empty platitude.

Please go back and think again.

Yours sincerely

Christine Burns

Trans Rights Campaigner and Educator

<http://www.pfc.org.uk/campaign/people/cburns.htm>Email : c_burns@btinternet.com

EXHIBIT 1-3

From: Christine Burns
Sent: 06 October 2004 19:35
To: Press for Change News Distribution
Subject: UK: A slap in the face from the Press Complaints Commission [PFC]

Dear Readers

This time last year I was invited by the Press Complaints Commission to carry out training for their full time case staff in London so that they could better understand the issues involved when trans people put in complaints about press coverage.

The training (which I carried out on behalf of the Parliamentary Forum on Transsexualism) went very well and a warm relationship developed with the PCC team, who really seemed to want to be helpful. The warm glow diminished somewhat in February of this year when it became apparent that the PCC Code of Conduct couldn't even properly address an example of malodorous writing that even the Guardian felt ashamed to have printed.

After exploring various possibilities I then tried writing to the PCC's Code Committee in May, to request that they consider explicitly adding "transsexual people" on the list of vulnerable groups explicitly referred-to by the non-discrimination clauses of the Code.

Tonight, the secretary to the code committee has written back to deny that simple request. His email message to me is reproduced below. I have already responded in very strong terms. However, this is one of those occasions when I invite readers here to think of writing for themselves too .. especially if you or anyone you know has ever suffered at the hands of the British Press, or have felt demeaned by reading the way in which another trans person has been done over.

This is an occasion when a quick and substantial reaction will have the maximum effect. As usual I'm not going to suggest WHAT to write (except to say, keep it polite, concise and think about how you choose words to express angry feelings). Above all, however, describe a particular example in your own words of what you would like the Press to stop doing to our kind. If it happened to you, describe WHAT happened, HOW it felt, WHY you did or did not refer to the PCC and (if you did), how you feel they FAILED (or succeeded).

Send your thoughts directly to the secretary to the code committee, Ian Beales (editorscode@fsmail.net) and please copy them to me. Please help with this. If we want the press to change then we sometimes have to be able to show our disapproval in both quantity and quality.

Kindest regards

Christine

Section 2 – Expressions of General Concern

EXHIBIT 2-1

Sent: 06 October 2004 20:39
To: editorscode@fsmail.net
Cc: c_burns@btinternet.com
Subject: PCC code committee and transsexual people

Correspondent 'JJ'

Dear Mr Beales

I write to state my disgust at the PCC's decision to deny cover to transsexual people within the organisation's discrimination clauses.

This small minority has, over the years, been one of the most cruelly discriminated against groups in society, a discrimination all too often fomented and encouraged by a media all too willing to misrepresent and wilfully misunderstand the nature and needs of transsexual people. Recent reportage in the 'Guardian' would only go to confirm that the so called 'liberal' press are amongst the worst offenders in this.

I note that you state that 'the sexuality of individuals is protected' which simply goes to show that the PCC too simply does not, even after many attempts to explain the nature of gender dysphoria syndrome, seem to have taken on board that transsexuality has little to do with sexuality and everything to do with gender.

With the Gender Recognition Act 2004 about to give full human rights to transsexual people, I feel that it is high time that the media were given notice, in no uncertain terms, that certain styles of reportage will no longer be acceptable. I ask once again that the discrimination clauses should be extended to include transsexual people to prevent the media from being given the impression that this is the last minority which may be insulted and demeaned with impunity.

I would appreciate a response to this e-mail explaining why the PCC feels it unnecessary to protect an at risk minority.

Yours sincerely

(Ms) JJ

EXHIBIT 2-2

Sent: 07 October 2004 00:07
To: editorscode@fsmail.net
Cc: c_burns@btinternet.com
Subject: Editors' Code of Practice and transsexual people

Correspondent SH (US Academic)

Dear Mr. Beales,

I have just learned that the Editors' Code of Practice Committee has declined to include transsexual people on the list of potentially vulnerable groups with regard to discrimination in the print media of Great Britain. Although I am in the US, not Britain, I frequently see British newspaper articles, particularly ones relating to transsexual people, and I am concerned about the the efforts taken to not taken with regard to this group of people in the British media.

I admit that I am not familiar with the specific requirements for including a group of people on the list of potentially vulnerable groups. Is it required that this group frequently be the subject of articles that cast them in a negative light? I have many times been appalled at the way I have seen transsexual people, either as a whole or as individuals, are referred to in British newspapers, particularly of the tabloid variety (though not exclusive to that branch). While in American newspapers, the worst is likely to be an impolite (or perhaps ignorant) usage of pronouns, British newspapers are too often prone to insulting phraseology, such as referring to a person as a "sex change"; and far too many articles take upon themselves to draw pointed attention to a person's transsexual status, when that is not actually material to the story. Is it required that the group actually be marginalized in society? Surely there can be few groups as open to "polite" discrimination as those whose gender is perceived and judged as impermissible. Is it required that common public perception of the group be negative? There can be few groups who are as routinely held in disregard as transsexual people.

I hope this policy decision can be revisited. The English-speaking world looks to Great Britain for the epitome of considered and thoughtful journalism. Please help burnish this image, in respect of transsexual people.

SH

EXHIBIT 2-3

Sent: 06 October 2004 22:21
To: 'editorscode@fsmail.net'
Subject: Discrimination

Correspondent 'SS'

Dear Sir

I understand from correspondence I've received that you have recently refused to extend the discrimination clauses in your code to cover transsexual and transgendered people.

I find the wording in your discrimination clause remarkably old fashioned in the way it refers to sex rather than gender. It seems perverse not to extend the discrimination protection such that an individual's transgender status is not made an unnecessary issue in a story.

I've suggested a suitable set of words below by way of illustration but I'm sure that someone cleverer than me could come up with a better suggestion.

i) The press must avoid prejudicial or pejorative reference to a person's race, colour, religion, gender, transgender status or sexual orientation or to any physical or mental illness or disability.

ii) It must avoid publishing details of a person's race, colour, religion, transgender status, sexual orientation, physical or mental illness or disability unless these are directly relevant to the story.

To not make these changes is against the trend of public changes in attitude, ECHR decisions, and changes in UK legislation.

A cynical person might think this was to allow the continued publication of juicy salacious articles about transsexual individuals of the nature that have caused much pain and hurt in recent years. Perhaps transgendered people are the last group which are considered "fair game" by the press, because perhaps they are a smaller group than the others who are protected in the code, and haven't had as loud a voice in recent years.

I would like to hear a reasoned argument as to why this change cannot be made.

Yours Faithfully

SS

EXHIBIT 2-4

Sent: 07 October 2004 17:54
To: editorscode@fsmail.net
Subject: Regarding the list of potentially vulnerable groups of individuals

Correspondent 'EW'

Dear Sirs,

It has been recently brought to my attention that the PCC has rejected Ms Burns' suggestion that transsexuals be added to the 'potentially vulnerable groups of individuals' list. Personally I am both surprised and quite disappointed that transsexuals weren't on such a list in the first place. Do I really need to point out the disgusting and hugely offensive comments that are almost without fail published regarding transsexuals in the tabloid press? The Guardian is far from innocent either. Transsexualism is an inescapable handicap, nobody chooses this path, it chooses us. It is in effect a disability. Transsexuals are all too often treated like lepers, gawked at and insulted by the general public. Attitudes have much improved in the last decade but we remain hugely vulnerable and one of the ways we can be protected is by correct policing of the media. Seeing as many journalists and newspapers are unable to police themselves, I believe that it is your responsibility to do it for them which I feel you have consistently failed to do.

In closing I would like you to reconsider the proposal for transsexuals to be added to the list of 'potentially vulnerable groups of individuals'.

regards,
Ms. EW

EXHIBIT 2-5

Sent: 08 October 2004 17:25
To: editorscode@fsmail.net
Cc: c_burns@btinternet.com
Subject: Tanssexuals and discrimination

Correspondent 'DP'

I am sorry that you are not adding this group explicitly to the category of discriminated people. As an equalities practitioner since 1983 I am very aware that until a group is named and recognised the specifics of the discrimination they face can be ignore. Their situation is different and worthy of inclusion; hope you can do so

Best wishes
Dr DP

EXHIBIT 2-6

Sent: 09 October 2004 00:30
To: editorscode@fsmail.net
Cc: c_burns@btinternet.com
Subject: Transsexualism and the Editors' Code of Conduct

From Stella Purvis:

Dear Ian Beales,

as the trans editor of G-Scene magazine, I am concerned at the apparent lack of commitment of the PCC's Code Committee to protecting trans people from misrepresentation and ridicule by unscrupulous editors and advertisers.

Were the Code Committee to be as relaxed in its attitude towards discrimination against any other minority group, questions would be asked in parliament, and resignations called for.

Such is the prejudice against transsexuals in Britain, Nadia notwithstanding, that the Gender Identity Clinic at Charing Cross Hospital reports an 18% suicide rate amongst its patients.

Trans people are both assaulted and murdered at a rate grotesquely out of proportion to our tiny numbers in society, and blood is surely as much on the hands of those in the media who cultivate bizarre and prurient images of gender variance, as it is on the hands of those who cut with broken glass and sharpened screwdrivers.

I have been attacked eleven times, twice needing hospital admission for major lacerations and broken facial bones. More than once I've had the words of reggae and rap murder music chanted at me, music which no one would dare perform let alone broadcast outside of a Munich beer hall were any other minority its intended victim.

Perhaps you will remember that people are being seriously injured and even killed now and then when your Code Committee enters its next session, and the subject of discrimination against trans people once again slips from the bottom of your agenda.

Yours sincerely,

Stella Purvis

Trans Editor

G-Scene

EXHIBIT 2-7**Sent:** 09 October 2004 15:04**To:** c_burns@btinternet.com**Subject:** Copy of message sent to PCC people.**Correspondent 'MT'**

I am writing to express my disappointment at the refusal to add transsexuals to the group explicitly covered under the Press Complaint Commission Code of Practice. Earlier this year I complained about a highly offensive article in the Guardian but received no satisfactory response because, in the absence of specific protection, the complaint could only be upheld if individuals named in the piece objected.

I must admit I find the decision not to include transsexuals (and indeed, other transgender people) incomprehensible. Surely discrimination on the basis of transsexuality is as objectionable and unacceptable as discrimination on the basis of sexuality, race, gender, disability or any other grounds. Trans people are, if anything, more vulnerable than members of other minority groups because we are such a small and under-represented minority. I would greatly appreciate having this discussion explained to me,

Yours faithfully, MT.

EXHIBIT 2-8**Sent:** 09 October 2004 23:21**To:** editorscode@fsmail.net**Subject:** Treatment of Transsexual Individuals in the Press**Nicole King – Secretary, Inner Enigma**

Dear Mr. Beales,

I write on behalf of the charity of which I am Secretary, Inner Enigma. We spend a lot of time and effort putting people back on their feet after they have encountered hostility and ridicule in public. The damage done to people's self-confidence can often be shattering. I am rather too well-known at the local A&E departments, following suicide attempts. I, myself, have been the subject of such hostility and have been extremely lucky to have around me people to help restore my self-image.

Transsexuality is not a life-style choice. More accurately, it could be described as a terminal condition. Untreated, according to one of the leading surgeons in the field, one in five such affected individuals will attempt suicide. The best research in this field, regrettably widely ignored, show that this is a physical defect - a misalignment between body and brain.

No-one would dream of ridiculing the unfortunate victims of Thalidomide, or those born in some way different from the accepted norms of appearance. Why should victims of this horrible condition be held up to public scorn, then? Yet, this is only too common. We have had an instance of this in the Sun newspaper within the past few days of a story highly prejudicial to the safety and public image of a happy family. Such a story adds nothing to the sum total of human knowledge: indeed, quite the contrary, it perpetuates an out-dated attitude that is just quite plainly wrong and inconsistent with the facts. By the time the story has appeared, it is too late. The damage has been done. Nothing can put back together the lives shattered in this way. If newspaper editors cannot appreciate this, then transsexual people richly merit protection from the dissemination of such misinformation.

There are no guilty little secrets surrounding being transsexual, but it is an extremely private matter. All that transsexual people desire is to be able to get on with their lives quietly and to contribute to society. Very few of us are as flamboyant as Nadia. Some are, indeed, deeply damaged individuals: damaged by their families and by the medical profession itself. All of us have passed through very considerable soul-searching and have not taken the steps we have taken lightly. This is a measure of the lengths to which transsexual people are driven. To further stigmatise such a group is beyond understanding.

Consider this. As man (presumably happy in your gender identity), would you consider plucking your nose hairs? It hurts - a lot. Could you imagine as an apparent woman, having your breasts removed - you know the distress that mastectomy due to cancer can cause. The process both for transmen and transwomen, is physically very painful and arduous. The mental anguish is no less so. Transition is not a whim. Transsexual people deserve the protection of the PCC.

As a group, transsexual people are highly vulnerable. To illustrate this point, consider the provisions of the Gender Recognition Act 2004 in respect of maintaining confidentiality of information which provoked much hostility from the Religious Right. The government has understood the need for privacy. Why should the PCC not also appreciate this fact? This is not a matter to which the PCC can remain indifferent. The transsexual community is gaining strength every day and is more prepared to make its voice heard than ever before. The PCC must come up to date on this change in attitude. Indeed, it has a role in promoting this change of heart, just as it has done over drink-driving. I look forward to your considered reply.

Yours sincerely

Nicole King

Secretary, Inner Enigma (Inner Enigma is a charitable company limited by guarantee. Reg. No. 5222692.)

EXHIBIT 2-9

Sent: 10 October 2004 18:28
To: editorscode@fsmail.net
Cc: c_burns@btinternet.com
Subject: Discrimination code

Correspondent 'CJE'

Ian Beales,

My name is CJE, I live in the United States but have retained my British citizenship since I moved here in 1982. I am a male to female transsexual that was very pleased and happy to see legal reforms made in England regarding the gender bill, I do however feel it falls much to far short of being as protective of those like myself that were BORN with GID.

As I said I live in the U.S. now and there has been multiple occasions where transsexuals have been murdered or beaten because they are transsexual and the overall attitude of police here is absolutely horrific in their dealing with these crimes never mind their attitude towards transsexuals. These crimes are hate crimes and the police seem to openly discriminate against transsexuals, my wife is also a mtf transsexual she was born an hermaphrodite she found out she was born this way when she was forty years of age and no one could possibly mistake her for anything but a genetic female, yet one police officer in the town she lived in found out and immediately passed this information around to every police officer and individual citizen in the local area and it got so bad that she was constantly harassed and called MAN Darcy until she found it impossible to feel safe in her own home.

My question to you is are these the kinds of thing you want to happen in the UK., which without an anti discrimination law on the books that is properly enforced these incidents will happen because the typical non understanding people in the country will look on us as "fair" game in just the manner they used to prior to anti discrimination laws coming into affect there protecting gay people, or have the rights of openly gay people been removed from anti discrimination laws now.

Excuse me for trying to tell you what you and your committee should do as a human being but anti discrimination laws are more than needed they are a must to protect the people that pay your wages even though they are just a small community in comparison to the total population living in the UK.

I strongly urge you and the committee's involved to enact anti discrimination laws for the protection of the residents there not just a few people but all people of every minority group in the same way Indian's Pakistani's and all other foreign immigrants have been protected who were in fact British Citizens prior to their arrival in the UK.

Yours Sincerely,

CJE

EXHIBIT 2-10

Sent: 07 October 2004 10:54
To: c_burns@btinternet.com
Subject: Re: A slap in the face from the Press Complaints Commission [PFC]

Correspondent 'SW'

Dear Mr Beales,

It was with some regret & disappointment that I heard of the PCC's refusal to extend the list of vulnerable people to include transsexual people. This leaves us, as ever, in the firing line for every kind of sneering, prejudiced, bigoted newspaper article that the gutter press can contrive. There have been numerous examples, as exemplified by the Daily Mirror's attitude towards Nadia in Big Brother. The journalist concerned, even on meeting her, felt it necessary to say, "Even I liked her."

We have been as oppressed as a section of the population as gay people were or as racial minorities were. However, we are beginning to step into the arena of public acceptance. As a transsexual woman, every time I walk into town, catch a bus, go into a pub etc, I run the risk of verbal abuse, physical abuse or worse. All for just being myself. The attitudes that form the foundations of this type of abuse can be traced back to newspaper articles. It's ok for the papers to say that they're only reflecting their readership's opinions, insecurities & fears: the fact is that a lot of those insecurities & fears are formed by those self-same newspapers. If you doubt the power of the press, just watch its behaviour at election time.

You would be rightly outraged at racist or homophobic articles in the press, it's time you included those of a trans phobic nature too.

Regards

Ms SW

EXHIBIT 2-11

Sent: 12 November 2004 21:30

To: editorscode@fsmail.net

Subject: Addition to the list of vulnerable groups of individuals

Correspondent 'Freya'

Trans people are often the victim of violent attack and harrasment. Trans children in paticular can often be the targets of sustained harrasment, violent assault, torture, and about every kind of hate you can imagine.

I remember reading an article in the Scottish Record about the murder of a trans woman called Christine Chappel. The entire article was full of an air of sniggering. I still have the article somewhere to remind me of how funny a dead trans person is to some people and how the suffering of trans people is entertainment to many.

However I would like to point out that there are a great many people who would be heartbroken and full of hurt and grief if a trans person that they cared about died. I also like to believe that a dead trans person is not quite as funny an idea as it used to be but maybe I am just deeply sobby and far too optimistic.

In any case, I really do think you should add TS people to the list of vulnerable groups if only so that there might be a tiny bit less hate in the world.

Honestly, it's not much to ask to create this small addition to the text. It would however be a step in the right direction towards acknowledging that trans people are people and that their lives are of, at least, some small value.

As editors you must have been asked for many big things and have had to make some very difficult decisions. This is a tiny request, I'm only asking you to care about some people you don't know for this one small moment.

Please add transsexual people to the list of vulnerable groups.

Thankyou for your time and for listening.

Section 3 – First Hand Accounts

EXHIBIT 3-1

Sent: 06 October 2004 22:59
To: editorscode@fsmail.net
Cc: c_burns@btinternet.com
Subject: Why still no trans-people inclusion at the PCC?

Correspondent XY

Dear Mr. Beales,

I am appalled at the lack of understanding of gender identity issues expressed on behalf of the Press Complaints Commission in your letter. Sexuality is a different consideration to gender identity, this much I sure was conveyed by Ms. Burns in her considerable efforts so far to break through the Commissions seemingly nonsensical repeated refrain, to just plead ignorance.

I wrote to the Commission in [date removed] when I was publicly attacked by a national co-ordinated hate campaign, the consequences still disable me now, daily. The ugly way you slipped out of your responsibilities to protect me, and therefore to protect vulnerable trans people from organisations and individuals bent on destroying trans people lives was unforgivable.

Nearly.

By the simple addition of two words "gender identity" to it's policy statements, the Commission will signal it is in step with modern and current diversity policy development and practice, as encouraged by governments through out Europe, and else where, and now including in the UK with the government's introduction of the Gender Recognition Bill 2004.

The Gender Trust web site lists dozens of the rapidly growing numbers of corporate members who specifically do now include trans people in their policies with the words "Gender Identity" or equivalent. The Equal Opportunities web site also recommends that organisations must include a list of all specific kinds of minorities to avoid confusion, to promote transparency of intent and meaning to others about the organisations culture of tolerance, and to show that it intends to promotes diversity. It is also essential in practice to include trans people specifically, to be classified as an equal opportunity employer by the EOC.

Why are the commission so reluctant to join us in the 21st century by including me, and all other trans people in your policy statements?

Please obtain detailed considerations in writing on the issues I have raised, answers to my questions, and convey most urgently to the code committee that it is necessary to re consider their untenable decision to exclude me, and other trans people from desperately needed protection from the huge edifice of intolerance and discrimination many of us experience daily here in the UK, often at the hands of the press.

I look forward to the day the Gender Trust can proudly include the Commission as a corporate member, and I can have some trust in the PCC.

Thank you

Yours sincerely

XY

Note that this correspondent particularly requested anonymity owing to the nature of her past experience. Details such as the date when she approached the PCC have therefore been obscured

EXHIBIT 3-2

Sent: 07 October 2004 08:58
To: editorscode@fsmail.net
Cc: c_burns@btinternet.com
Subject: Press Complaints

Correspondent JAS

Dear Sir or Madam

Referring to the still prevalent lack of consideration by the press to act more sensitively to transsexual people.

My own experience several years ago, when I held a high profile job with the Department of Transport, was a classic example of being humiliated and devastated by unwarranted media exposure. This was after a crowd of photographers and reporters descended on the office where I'd worked quite happily previously. The result of this was an unflattering photo (taken covertly) appearing in the Sun and an expose of my personal gender problem and medical details.

The repercussions of that linger on, I am currently still unemployed as a result....

I was told then that a complaint to the 'news-paper complaints body' - 'was a waste of time', apparently things have not moved forward enough to protect this small but vulnerable group of ordinary citizens!

Yours truly

JAS (MS)

EXHIBIT 3-3

Date: 10/07/04 12:22:19
To: editorscode@fsmail.net
Subject: ** PERSONAL TO IAN BEALES **

Correspondent 'JH'

Dear Mr Beales,

I write to ask you to reconsider putting Transsexual people specifically on your vulnerable list at PCC.

I have never involved myself in lobbying at all before.

My experience and qualifications are that of Occupational Psychologist and also Management Consultant.

However and, very privately, I had gender reassignment surgery at aged 18 in 1970, my age now is 53 next month.

There have been 2 occasions where I feel my privacy has been affected, a few years ago, and I don't wish to bring that back up.

I live a totally normal life like most Transsexual people. My life is normal both socially, professionally and family-wise, having the same male partner for **[many]** years.

Please consider my personal request to add this obvious vulnerable group onto your list, in view of the new Gender Recognition Act 2003, additions to Equal Opportunities Act and implications in the Human Rights Act.

May I respectfully ask that you take this matter back to full committee, so they are rightfully involved equally, in any objective and careful reconsideration.

Thank you and I look forward to your personal reply and would you please confirm the date you intend to take back to full committee?

JH

EXHIBIT 3-4

Sent: 08 October 2004 18:39

To: c_burns@btinternet.com

Subject: Re: A slap in the face from the Press Complaints Commission [PFC]

Correspondent 'CB'

Dear Mr Beales,

I am very disappointed to learn that transsexual people are not to be added to the PCC's list of vulnerable people and would urge the Commission to reverse this decision which leaves trans people largely unprotected.

In July 2001 a journalist and photographer working for the Sun newspaper broke 'every rule in the book,' stalking me at home and in the hospital where I worked. Sadly, I was unaware of my right to complain to the PCC and when I did so the one month deadline had passed so that the case could not be pursued.

Thanks to the press officer at the hospital, who immediately arranged for a comprehensive statement to the Press Association, we were able to influence the article that appeared in the Sun and in many other newspapers. However, even though I had legally changed my name and gender many of these articles referred to me by the male pronoun which I found extremely distressing. This public 'denial' of what has taken place is quite damaging to transsexual people at any stage but especially at the start of transition when huge adjustments are taking place in people's personal and working lives. The Sun article also referred to my partner, who is a very private person, and had already been scandalised by the journalists' nerve in turning up on our doorstep and following us in our car.

There is no doubt that Transsexual people remain an easy target for those tabloid journalists ready to exploit the delicate circumstances of transition from one gender to another.

Yours sincerely,
CB

EXHIBIT 3-5

Sent: 08 October 2004 20:52

To: editorscode@fsmail.net

Subject: Protection lacking from the PCC

Correspondent 'CA'

Mr Beales

I had hopes that the Press Complaints Commission would keep up with modern social values and changes in the law affecting minority groups. I am afraid that hope was misplaced.

I understand that you are not allowing transsexual people any protection as a minority group from discrimination in the media that you have some control over. This is tantamount to giving some sections of the press a green light to treat us as they wish.

What have I to worry about?

About 7 years ago my family were faced with the 'Sun' newspaper's front page headline of "NO NOBBY BOBBY KEEPS JOBBY" in big black type. The 'Sun' was wrong, I didn't keep my job as a police officer as I was hounded out of it by attitudes that are formed in the same mould that the 'Sun's' editors come out of. I hadn't broken the law, I just found myself diagnosed with a medical condition and wanted to get better again.

Earlier this year a friend of mine won her case to be a police officer in the House of Lords. The police force involved were castigated for their discrimination against her, a transsexual woman just trying to get a job so she could get on with her life. So the efforts I made at the time of my losing my job, and since then, have finally paid off for her. So times are changing. But we still need protection. Protection that the PCC can provide. Don't let us down, don't let the last 7 years be a waste for me.

I do not want to see a similar headline splashed over the front page of the Sun - telling all the world about my friend who just wanted to live a normal life. It can happen, unless you give us the security that we need to live our lives without the fear of the tabloid press hounding us at every turn.

I would be happy if you can convince me that transsexual people do not need the protection of the PCC. If you can do this I would be satisfied that the PCC is taking this seriously. You can help, please do so.

Yours Sincerely
CA

EXHIBIT 3-6

Sent: 08 October 2004 22:01

To: c_burns@btinternet.com

Subject: Re: UK: A slap in the face from the Press Complaints Commission [PFC]

Correspondent 'AT'

Dear Mr Beales

I am a professional artist, studied in London with a county major award and worked on the staff of St Martins School of Art. With 3 solo exhibitions in central London and many mixed shows. I am currently featured on www.hastingsarts.net/ recently here in Hastings 1066 Country, we have an artists led regeneration of a sadly neglected space. My solo exhibition in The White Rock Theatre Gallery, project was sponsored by Clear Channel a large USA international company, The Arts Council of England, and Hastings Borough Council.

Because, of the way most of the press report anything positive by anyone who is labelled as Trans, my encounter with the press has been diabolical in the negative trash they wish to write about me. This is because for some reason they appear to think that my past medical history from years ago is more important than contemporary culture and artwork of a new groundbreaking and edgy style. I refused to let them print it unless it bears at least some resemblance to reality and suggested that they let me write my own article. Their reply was a straight no we cannot, after that I had to threaten legal action and luckily for them it was not printed.

This is not limited to the popular daily papers, such as the Mirror or Sun. The Guardian is even worse as they cannot be called ignorant in fact they have attacked us in an intellectual manner which is currently popular reading by teachers and civil servants.

The uncreative depths descended by the Julie Bindell article was only fit to be Bindelled in the trash can, complete with a cartoon poking fun at us in a very nasty way. Reminding us of similar images of black people from America from long ago or portraits of Jews in Nazi Germany. These images and words bear no relation to people like me at all whatsoever in any way and are a key part in a mass delusion.

So much for the artwork and journalism, maybe I will enlarge it to a few meters in size and show it in a foreign art gallery for the world to see what bigoted and smug modern journalists can write.

That article crossed the line into unacceptable incitement of hate.

We collect such articles and have an entire hate library of British journalism to show to the rest of the world. Dear Mr Beale do you honestly feel proud of this kind of thing and why do you insist on retreating into denial which implies guilt.

If you need proof that we are a vulnerable sector of the UK community simply read the Home Office Report of the Interdepartmental Working Group, the submissions to the Joint Committee on Human Right and the Gender Recognition Bill. In addition this its also well documented in many hate crimes including rape, murder, arson, loss of employment or just plain bad words.

When my new birth certificate arrives I will consider moving to a better country where I can get on with my life's artwork and not get arrested by the police or beaten by criminals. Why do they appear to think they have the perfect right to behave in this manner? Why does the UK press support this? Why do you insist on holding the dominant discourse?

Yours Faithfully AT

EXHIBIT 3-7

Sent: 09 October 2004 16:07
To: editorscode@fsmail.net
Cc: Christine Burns
Subject: The Press and Trans People

Dr Stephen Whittle, Vice President – Press for Change

Dear Mr Beales

I am very disappointed to read that the PCC does not feel that it can take any action towards ensuring a better deal for trans people in the way we are treated and reported by the media.

I have been a very open trans man, fighting for trans people's rights from the 1980s. On many occasions both myself and my family have been treated with great respect and given very fair reporting of the battles we have faced. However on other occasions we have not been so lucky.

It is one thing to be referred to as 'butch, bearded and balding' (Daily Mail) and quite another to be referred to as 'sex swap dad' (the Sunday People).

However, I am articulate, very well educated as a lawyer and very able to stand up and fight my battles. But not all are. Recently my 11 year old daughter was a speaker at the UN in Geneva on a panel discussing 'alternative families' and the need for the UN to recognise, when planning policy and actions, that not all families were homogenous.

We were very aware at the time that this would be a story of media interest, and would be likely to be picked up by the press. Consequently we agreed to do a piece for the local evening paper (the Manchester Evening News). The article in itself was fair and representative. However, without our knowledge, the 'online' version http://www.manchesteronline.co.uk/news/s/87/87683_meet_my_amazing_family_.html included the question "What do you think of Eleanor's amazing family", inviting the public to respond on the web.

As a result there were public responses which were very supportive, but there were also some which were bigoted and cruel. For example "The world has gone completely mad. I hope social services are monitoring this "family"?? closely." and "I think the whole thing is a disgrace! A radical lesbian trying to act as a father, a child who is biologically rootless and a lesbian mother. I just hope that all this nonsense was not carried out on the NHS. Why should we fund this!!".

The Manchester Evening News acted totally irresponsibly in inviting this debate into the online arena, and if we had been consulted we certainly would not have given permission. I did debate contacting the PCC but I know what would have been said - "The story was true and you agreed to it". You would have avoided completely the fact that an 11 year old girl was put at risk of harm (without consultation never mind permission) by creating a permanent online record of the hysteria and prejudice of some.

This was a disgraceful and underhand action by the newspaper, but we had no method of redress. It would now appear that the PCC is going to continue to fail to address the needs of vulnerable minority groups of people who have been law abiding good citizens. Why you should wish to undermine your own mission is beyond me. That you have now had the training and information to realise what could be done, but have failed to do it, is a great disappointment.

I will continue not to approach the PCC about unfair handling by the Press - you have proven that it would be the pointless exercise I had always known it to be.

Stephen Whittle
Stephen Whittle, PhD, MA, LLB, BA
Reader in Law
The School of Law
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email: s.t.whittle@mmu.ac.uk

EXHIBIT 3-8

Sent: 13 October 2004 13:17
To: editorscode@fsmail.net
Subject: Attn: Ian Beales

Correspondent 'CM'

Dear Mr Beales

I am writing to express my extreme concern [and, frankly, dismay] that you have not yet found it appropriate to include transpersons in your delineated categories on the list of vulnerable groups explicitly referred to by the non-discrimination clauses of the PCC's code.

My concern is from personal experience in that I was subject to press harassment in 1994 and again in 2002. I made a formal complaint to the PCC in 1994 which, because of the rules at the time, was not able to be upheld despite the sympathy and understanding of the PCC being expressed. To include transpersons as a distinct category would have given me protection at that time and, of course, others in the future. Despite being subject to press attention in 1994 [Daily Star, Evening Gazette and local radio for no other reason than my transperson dimension, I was again subjected to articles in the Sun and Daily Mail with follow-up front pages in the local Evening Gazette and local radio as the headline news in 2002 because of the actions and fabrications of local 'stringer'.

As you can imagine, my family, friends and former work colleagues, as well as myself, were put under massive emotional pressure and distress through these intrusions which could have resulted in 1994 in my suicide and, in 2002, in the break-up of my family etc.

You cannot help my circumstances now but you can help others. I ask that you do more than simply reconsider your recent judgement. Only a specific mention can help others who have my condition. I know other minorities can also ask for similar consideration but when a friend, who is also a transperson, has her face slashed and scarred for life with a 'Stanley' knife merely because of this condition, you can, clearly I trust, see the need for this particular minority to be recognised and protected.

I am more than willing to supply first-hand details of my own persecution by the media, including press, in 1994 and 2002 or to inform you of many incidents of violence which have resulted in injury, permanent scarring or, indeed, death.

Yours

Dr CM
B.A., M.Sc., Ph.D., Cert. Ed.

Section 4 – Second Hand Accounts

EXHIBIT 4-1

Sent: 06 October 2004 20:48
To: Ian Beales
Cc: c_burns@btinternet.com
Subject: Re. PCC Vulnerable groups list

Correspondent 'TP'

Dear Mr Beales,

I am surprised by the decision not to classify transsexual people (please note - transsexual should be used as an adjective, not as a noun as you used it in your response to Christine Burns) as being a vulnerable group and listed as such under your code for editors.

As a transsexual woman, and also as a trade union rep (I am a member of the Amicus national LGBT Committee), I can assure you that transsexual people ARE a vulnerable group. I have personally advised several members of my union who have suffered bullying and harassment at work simply for being transsexual. I have also suffered abuse myself in the streets around where I live. This tends to be a result of negative stereotypes portrayed in the press and on television.

Perhaps you would care to define what constitutes being "vulnerable" in the eyes of your committee? Being singled out for sensationalism, misrepresentation, humiliation, and degradation because of a particular characteristic of their person? How about creating a situation where the person or group described may be singled out by readers for attacks by the public as a result of their portrayal?

Throughout my adult life I have been confronted by "stories", even in respectable broadsheet newspapers and serious journals, about transsexual people that are sensationalist, misrepresentative, humiliating and degrading. I have also known people who have been hounded by reporters seeking sensationalist stories to boost the circulation of their limp organs. I have friends who have been attacked (physically and verbally) in the aftermath of a story in the press about a transsexual person.

If the above effects of poor reporting don't qualify transsexual people as being a vulnerable group, then perhaps some statistics might help you to make up your mind.

There are an estimated 5000 transsexual people in the UK. That is about 1 in 10,000 of the population. The ratio of transsexual women to men is approximately 3:1. I imagine that your list includes vulnerable groups that form a much larger percentage of the UK population.

A particular problem in the reporting surrounding transsexual people is the use of incorrect pronouns and referring to their previous gender where it is not appropriate or indeed relevant. An example of this would be the reporting of a minor court case (eg. shoplifting or a parking dispute) and revealing the person's former name, despite the fact that it is obviously irrelevant. In many cases, the fact that someone is transsexual is irrelevant. The only reason the story gets reported at all is because they are transsexual, in other words a "non-story" and pure sensationalism.

I do hope that you will reconsider your position. If not, this is an issue which I would consider bringing before the TUC and also raising in Government via my MP, David Lammy (Parliamentary Under Secretary of State for the Department of Constitutional Affairs) who is a close friend and a supporter of the rights of transsexual people.

As I understand it, the Press Complaints Commission and its codes are entirely voluntary. If you are not willing to clean up your act yourselves, then perhaps it is time for a statutory body to oversee the press?

Yours sincerely,

TP

EXHIBIT 4-2

Sent: 07 October 2004 10:30

To: editorscode@fsmail.net

Cc: c_burns@btinternet.com

Subject: Transsexual People - Responsibilities of the Press Complaints Commission

From the Gender Identity Research and Education Society (GIRES)

<http://www.gires.org.uk>

Dear Mr Beales,

It is most disappointing that the Editors' Code of Practice Committee has decided that the existing list of potentially vulnerable groups of individuals in the Discrimination clauses should not be extended to cover transsexual people.

This group is subjected to extremes of transphobic crime, including:

- VERBAL ABUSE
- CRIMINAL DAMAGE TO:
 - PROPERTY
 - VEHICLES
- THEFT OF PROPERTY
- PHYSICAL VIOLENCE
- RAPE
- MURDER

Recently, one of this charity's trans members had her identity revealed by a newspaper which published a photograph of her leaving her home. Immediately, she became a target for harassment and violence in her local community.

GIRES urges the Committee to reconsider its decision forthwith.

Yours sincerely,
Bernard Reed
Trustee

EXHIBIT 4-3

Date: Sun Oct 10, 2004 17:07:40 Europe/London

To: editorscode@fsmail.net

Subject: Re: The PCC & Transsexual People

Correspondent 'JL'

Dear Mr Beales,

I am writing to you to express my surprise and dismay on reading that the Press Complaints Commission has decided not to add 'Transsexuals' (incidentally, the preferred terms, now used by the Government, are transsexual people or trans people) to the list of vulnerable groups explicitly referred to by the non-discrimination clauses of the Code.

I have to wonder what reasons were given to justify a conclusion whose logic I find mystifying. I am sure that any transgendered person in the UK could list many examples of their feelings of pain, anger, lack of self worth, humiliation and even fear caused by the long history of objectifying, defaming, grotesque stereotyping and misrepresentation that we have experienced at the hands of the British press and media for as long as I can remember.

Only this week the Sun newspaper is exposing on its front pages the breakdown of a marriage between a trans man and a woman, but representing the trans man as a lesbian woman called Susan. He is referred to as a woman and 'she' throughout, his life is called a sham and a charade, and their marriage described as bizarre and weird.

Sam, the trans man, has now been exposed to millions of people, his privacy in his new life and community destroyed, and branded a fake and a freak, in reality not just a woman but a lesbian and a deceiver. His ex-wife has told all to the press and is trying to withhold from him any personal access to their son.

I know a trans man who has had a very similar experience, but who has mercifully been spared the trauma of exposure in the national press. The life experiences he has had as an abused child, a trans man in an ignorant and prejudiced society, and losing any and all contact with his daughter after a similar break-up has resulted in him suffering acute depression resulting in frequent hospital treatment.

All my life I have read journalists exposing and humiliating people like me. I have read columnists insult and caricature people like me. I have been made to feel like a freak all my life by it. It has inhibited me and made me fearful of such exposure and the destruction to my personal and professional life that it would bring. I have watched as brave trans people have tried to force a change in the law, only to be insulted on the front pages, and I couldn't help but absorb the exultation with which their failure was greeted.

How can the way trans people are portrayed and vilified in the press not impact on their lives? Our tiny community deserves not to be the butt of ignorant and cruel jokes, verbal and physical abuse and even violent death. It really happens. People so weighed down under the burden of living in a prejudiced world met with lack of acceptance, rejection, humiliation and even violence that they take their own lives.

The press never accept any responsibility for that, nor for influencing the way trans people and their lives are perceived and understood by individuals and society as a whole.

It is time that things changed, and the press, both tabloid and broadsheet, has shown that it has no intention of altering its attitude and behaviour unless forced to. If there is one thing I know for sure about the many trans people I've been privileged to meet and know in my life, it is that we are very vulnerable indeed as outsiders in a society with an aggressive and in many instances an irresponsible press.

Who can we look to to try and redress the balance but organisations such as yourselves?

I ask that you reconsider this decision, for I know it is not only wrong but also an unjust one.

Yours,

JL

EXHIBIT 4-4

Sent: 13 October 2004 20:53
To: editorscode@fsmail.net
Cc: c_burns@btinternet.com
Subject: F.T.A.O. Ian Beales - PPC Code of Practice and transsexuals

Correspondent 'AMcA'

Dear Mr Beales

Following an email from the transsexual lobby group Press For Change, I'm writing to express my concerns over the Press Complaints Commission's recent decision not to extend the list of vulnerable groups in its Code of Practice to cover transsexuals. I, as a transsexual, know of plenty of others whose private lives have been needlessly made public knowledge by the media. Here are a couple of examples:

A friend of mine was contacted by a well-known tabloid paper after an anonymous tip-off. Despite intervention from yourselves and her local MP, she was unable to prevent the story going to press. The article itself was deeply offensive, centring on her past work with children, and heavily implying that being transsexual, she posed a risk to them. In reality, nothing could be further from the truth. My friend leads "a boring, ordinary life", and she just wants to live it in peace.

Another friend of mine was approached by a freelance journalist, who told her that he was going to publish an article on her and that he wouldn't "do a hatchet job" if she co-operated. She didn't co-operate so he did a hatchet job. This particular journalist seemed to be actively targeting transsexuals at the time (three of whom I knew). It was a scary time as we didn't know who would be next to be "done over".

Thankfully my two friends were already "out" and open about their transsexual status and had support from family, friends and colleagues. Many are not so lucky and given the power of the press (and its pre-occupation with transsexuals), we are in a highly vulnerable position. Whatever redress we currently have is not enough. A formal retraction of an article already published is of absolutely no use to a transsexual who may face continuous harassment or even physical danger following an "outing" by the Press. If such exposure of transsexuals were to constitute a breach of conduct, editors might think twice before publishing uninformative and often malicious stories about us, such as this recent one in The Sun :
<http://www.thesun.co.uk/article/0,,2-2004462977,00.html> .

I ask you once again to re-consider including transsexuals in the list of vulnerable groups in the PPC's Code of Practice and I look forward to your reply.

Regards.

AMcA

EXHIBIT 4-5**Sent:** 14 October 2004 15:51**To:** editorscode@fsmail.net**Subject:** Press complaints commission - transsexual people are vulnerable**Correspondent 'KM'**

Dear Mr Beales,

I write with reference to your refusal to put transsexual people on the list of vulnerable groups. I write throughout from the point of view of a woman with a transsexual past who has spent most of her life in a state of fear which has been generated to a large extent by certain parts of the press; I cannot describe the experiences of transsexual men since I have very little personal experience in this area. The reason why I feel obliged to take this very frightening step at this stage is that, unless people in my position speak out about our experiences, young transsexual girls will continue to have the kind of traumatic life experiences that my friends and I have endured.

As you will be aware, in 2002 the European Court of Human Rights ruled against the British Government who had consistently denied transsexual people their basic civil rights since *Corbett v Corbett* in 1970 in which April Ashley was held to be of the male sex. April was no longer able to find any kind of employment after she was 'exposed' by the News of the World and eventually had to move to America in order to have a life. The European Court judgement found that the government was in breach of Article Eight of the European Convention on Human Rights: everyone has a right to respect for his private life. With the Gender Recognition Act 2004, this utterly disgraceful situation should now be coming to an end; however, the fear in which many transsexual women live will not end without a change in attitude on the part of the press. I do hope that you will respect the privacy of all those mentioned in this letter. I also request a proper reply rather than an insulting standard letter.

I have the permission of my friend and mentor for the past thirteen years, the talented magician Fay Presto, to mention her experience at the hands of the press. Fay has done very well in her career in spite of continual press harassment for many years but she feels that her career has been blighted by it. She has performed for the Queen, Princess Diana and many other members of the Royal Family as well as many famous rock stars. She is also a very kind and generous lady who does a great deal of charity work and is currently preparing to do Dreamflight which takes disabled children to Disneyland; she has also been a wonderful source of support for me personally ever since I have known her. This side of her character is usually ignored by the press.

This harassment began at the Edinburgh festival many years ago when Fay was interviewed by a journalist from The Sun who lied and told her that she was a student journalist. As ever, Fay wished to help her out and gave her a candid interview. A story appeared about her under the headline: Hey Presto, Fay's a Man. Since then she tells me that she has never been referred to in the press without a reference to her having been transsexual. About ten years ago she made the tremendously brave decision to make a series of Forty Minutes documentaries in the hope that it would end this unwanted attention and she would be able to simply get on with her life. Unfortunately this does not appear to have improved matters; the Mail on Sunday ran a colour feature on her which was entitled: More Than A Woman; a headline which deeply distressed her. On yet another occasion, the Guardian reported a court case in which she was involved and included the entirely irrelevant information of her former name, referred to her as a 'sex change magician' and included a reference to a job she once had selling forklift trucks; the purpose of this appeared to be to make a connection between her and masculinity which was not only sexist but gratuitous.

I have had the privilege of meeting with Adèle Anderson of Fascinating Aida quite a few times over the years; she was one of the few positive role models available to me in the 1980s. During the summer I was shown an article about her from the Times in which she was alleged to have been 'born a man'. I know that Adèle hates this; she very sensibly pointed out that 'nobody is born a man, they are born a baby' on Joan Bakewell's Heart of the Matter back in 1991. This kind of rhetoric directly creates prejudice against women with a transsexual past. In terms of offensiveness it is the direct equivalent of insisting that that it is acceptable to call a Black person a 'nigger' in the press no matter how much it hurts or misrepresents them. No woman in my position would describe herself in this way as we know that we are girls from a very early age and go through immense physical and psychological pain before we grow up to be women. Many of us, like me, never participate in society as 'men' as the medical condition of gender dysphoria causes severe social and behavioral dysfunction which can be alleviated only by early gender reassignment. (See NHS Direct online for details) Every time I read one of these hostile references in the press it increases my fear of further harassment and discrimination.

I could furnish you with many examples of the effect of press harassment on people's lives: the effect on Adèle is recorded in Fascinating Aida: the anatomy of a group on the crest of a ripple (London Elm Tree Books 1986); Caroline Cossey, the Bond Girl and model, describes herself reaching for a bottle of pills in the first pages of her autobiography, Tula: I am a Woman (London, Sphere 1982); more recently, the Cambridge astrophysicist Rachel Padman was 'outed' by the exhibitionist feminist Germaine Greer (a woman so naïve, that she believed exposing her anus on the front page of a magazine would not be found erotic by some) on the front page of the Times; a broad sheet which has gone sadly downhill since it serialised Jan Morris's excellent autobiography, Conundrum, in the 1970s.

All these women have survived the unwanted attentions of the press even if they are not unscathed; others would be less fortunate. I am nearly thirty-nine years old and only at the start of a career. I have a first class degree in English (University of Southampton 2002) and have recently been working as a temporary secretary. I am the co-author of Transsexual and Transgender Issues published by Agcas, the National Graduate Careers Advisory Service (follow the link on the website of Lynn Jones MP). In January this year I was illegally bullied out of my job providing academic support for disabled students in the University. One of the factors which decided me against taking action under the SDA was the anecdotal advice from Fay Presto of the harassment which follows from getting one's name in the paper from men of dubious intentions.

This is a real threat: earlier this year The Guardian reported on the tragic case of a very pretty 24 year old woman who experienced such harassment for a period of ten years that she threw herself in front of a car (A Life Cut Short By Prejudice, Guardian online); it is ironic that The Guardian takes no responsibility for the prejudice it generates. I wept with empathy when I read about this young woman as, in the 1980s, I unsuccessfully tried to do this myself; some people find this a shame. At this time I was running a rather successful model making company with clients including British Steel and Henri-Lloyd, with work sold at Bonhams and Sothebys, and presented to Princess Anne and King Constantine of Greece. This was not my first choice but the effect of denial of access to treatment for chronic gender dysphoria between 1982-88 and consequently lack of access to education and appropriate employment.

During the period 1988-1994, I was subjected to a campaign of continuous harassment in the town where I then lived. This included 'outing' by the police, by the DSS to my flatmate, court papers addressed to Kate Middleton formerly known as. a fight involving a whole team of rigger players etc. There is a limit to how much one can take and in 1995 I was found a nice secure flat by an unusually enlightened official at Southampton City Council who considered that I was 'vulnerable' and at risk. At this time I was counted as 'disabled' with stress, anxiety and depression by the authorities. In a letter dated 2 August 1996 my GP wrote in a referral

letter: 'She lives in the female role very successfully but had a very traumatic earlier period which leaves her very vulnerable. She used to run her own business but feels unable to do this now and is rather afraid of the employment market as she feels people will inevitably find out about her past.' The referral, incidentally, was to talk to someone about the unpleasant experience of being raped by a group of young men at the age of thirteen because I was feminine; I wondered whether it was part of the cause of my fear of further male violence; I had not put a name to the incident until I saw a former Royal Marine on a BBC documentary making a fuss about having 'post-traumatic stress disorder' having had the same experience; he got appropriate treatment, I got a 'Christian' who insisted that the real problem was that everyone hates people like me and raped me all over again at my most vulnerable.

In 2002, the European Court of Human Rights stated that:

'Serious interference with private life can arise where the state of domestic law conflicts with an important aspect of personal identity. The stress and alienation arising from a discordance between the position assumed in society and the status imposed by law which refuses to recognise the change of gender cannot, in the Court's view, be regarded as a minor inconvenience arising from a formality. A conflict between social reality and law arises which places the transsexual in an anomalous position in which he or she may experience feelings of vulnerability, humiliation and anxiety. [my emphasis]

I wept when I read this judgement as I felt that I had been previously blamed for a medical condition which I certainly did not choose. This has now been put right in the Gender Recognition Act 2004. In the House of Commons debate on the Gender Recognition Bill, David Lammy stated:

"The Bill is part of the Government's commitment to reforming the constitution so that it better meets the needs of all people. It reflects, too, our commitment to social inclusion. Transsexual people are a small and vulnerable minority in our society and the Bill addresses one of the key problems that they face. It is essential that no one is left behind as we create the conditions for a credible and effective modern democracy."

These efforts are directly undermined by a press which refuses to behave in a civilised way and appears to believe that by undergoing an internationally recognised medical treatment one forgoes the right to be treated as a human being. David Lammy also said:

Gender dysphoria is, after all, a medical condition whereby a person feels driven to live in the opposite gender. To be reminded of the original gender, to be regularly confronted by it, and to have others knowing that one suffers from that medical condition and to know that they might be talking about it is not conducive to feeling secure and it makes it very difficult to live in the acquired gender in dignity.

And as David Atkinson pointed out:

"..all of us, I believe, need to be reminded from time to time that the European convention on human rights, with its unique enforcement machinery of the ECHR, is a response to the genocide and discrimination that Europe experienced under the dictators. That discrimination, no doubt, applied to transsexuals."

Anyone with any knowledge of history of the 30s will be aware of the role of the press in the stereotyping of the Jews and others. I have frequently compared my position in this country as 'feeling like a Jew in Nazi Germany; you may care to explain why that does not make me feel vulnerable. You might also like to explain why you think you know better than the ECHR and the British Government.

Yours faithfully

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