

## Ministry of Justice declines to intervene after trans woman sent to prison

Next ▶



Share on **facebook**



*Tara Hudson has been sent to a male prison, despite transitioning six years ago*

The Ministry of Justice has declined to intervene, after a trans woman was sent to a man's prison.

It emerged today that 26 year old trans woman Tara Hudson has been sentenced to 12 weeks in the all-male Bristol Prison.

Current policy states that a Gender Recognition Certificate is required for trans prisoners to be placed in the correct prison for their gender, which Ms Hudson did not have despite living full-time as female for six years

PinkNews reached out to the Ministry of Justice to ask about the case.

A spokesperson told PinkNews: "It is longstanding policy to place offenders according to their legally recognised gender.

## SEE HOW BEING DIRECT CAN LAND YOU THE JOB

“There are strict rules in place to ensure transsexual prisoners are managed safely and in accordance with the law.”

The MoJ added that prisons must produce a management care plan outlining how the individual will be managed safely and decently within the prison environment.

PinkNews has asked for more detail concerning the safety of transgender prisoners, and for specific details of policies in place to protect Ms Hudson.

In order to receive a Gender Recognition Certificate at present, trans people must pay a £140 fee, and secure letters from medical professionals, evidence of having lived in their “chosen gender”, and approval from a gender recognition panel.

Due to the vast number of requirements, some trans people spend years living without legal recognition.

Earlier this month, Parliament’s Women and Equalities Committee heard about flaws in the current GRC process, at its third meeting of its transgender inquiry.

James Morton of the Scottish Transgender Alliance told Parliament : “You send in a big wad of documents and then they pick those apart and they send you back a ‘legalese’ document complaining that various parts aren’t in order and people get incredibly stressed out about it.”

“We have also had to support a number of trans people who’ve been really traumatised and humiliated by the process.”

Last month, the government received a parliamentary petition with over 30,000 signatures calling for a simple system of gender self-declaration, as is currently in operation on the Republic of Ireland.

However, the government insisted that “the state has a legitimate interest in ensuring that people who take on a new legal status can establish that they meet certain criteria.”

It claimed that “a person’s gender has important legal and social consequences”, adding: “The required statements and evidence are limited to what is necessary to establish that an applicant meets the criteria for recognition.”

Ruth Hunt, Chief Executive of Stonewall, said: “The decision to put Tara in an all-male prison, despite her identifying as female, is extremely concerning.

“Tara’s safety must come first, and this decision puts her at risk. The treatment of trans people in the prison service is one that needs careful review, and while it’s encouraging that the current Women and Equalities Select Committee inquiry is looking into this, something must be done now to ensure that Tara is safe and protected in her environment.!

Trans activist Jane Fae has condemned the treatment of Hudson as “cruel and unusual treatment”, likely to be in breach of the Human Rights Act.

She also noted that the Ministry of Justice, in defending their decision, appear to be focused only on individuals with gender recognition certificates.

Sarah Bourke, an equality lawyer with eight years experience dealing with transgender legal issues, also told PinkkNews the decision was concerning.

Ms Bourke told PinkNews: “Legally, the normal position is that prisoners are located in the prison appropriate to their legal gender. This means that a trans woman with a Gender Recognition Certificate should be located in a female prison but a trans woman without a GRC will normally be located in a male prison.

“However, the prison service’s policy makes it clear that if a trans woman without a GRC asks to be located in a female prison, the matter should be considered at a case conference and a decision made about the most appropriate location.

“In reaching a decision, a range of factors should be considered including whether the prisoner would meet the legal conditions for a GRC (not likely to be a problem in this case), the vulnerability of the prisoner, whether the prisoner poses a risk to others, the prisoner’s wishes, the views of any gender specialists working with the prisoner, whether the prisoner would need to be placed in segregation etc.”

Of fears that Ms Hudson could be kept in solitary confinement for her 'own protection', she said: "Segregation is not an appropriate way of protecting vulnerable prisoners given the impact that it can have on a person's mental health.

"It is well recognised that all prisoners in the early days of their first sentence are particularly vulnerable and need support. The gender issues in this case further increase Tara's vulnerability."

 5 reader comments

 Share on Facebook

 Share on Twitter

© *PinkNews.co.uk. All rights reserved.*

AdChoices 

by Taboola

Sponsored Links

## More From The Web

### 8 Students Renovated An Old School Bus. What It Turned Into Is Incredible.

Grizly

### Science Has Finally Figured Out Why Cats Do These 25 Things

SheKnows

### 15 Most Jaw Dropping Celebrity Engagement Rings

WomensForum

### Taylor Swift Finally Reveals Her Outrageous Home (Photos)

Lonny

### 18 Eerie and Awesome Abandoned Movie Sets (We Can't Believe #14 Still Exists!)

Clipd

### Her Dress Dropped Jaws At The 2015 Met Gala

StyleBistro

## A Lioness Captures A Baby Baboon But Does The Most Unexpected

Little Budha

## 73 Shows Disappearing From Netflix This Month

Refinery29



SEE HOW BEING DIRECT  
CAN LAND YOU THE JOB

by Taboola

### More From PinkNews

Caitlyn Jenner fears being sent to male prison over car crash

Trans woman live-tweets expulsion from airport by TSA

Trans woman 'beaten to death by husband', court hears

Trans woman posts suicide note online shortly before death

Germaine Greer: Lopping off your d\*\*k and wearing a dress doesn't make you a

**f\*\*\*ing woman**

**Trans woman's 'life in danger' after being sent to all-male prison**

**MP calls for urgent review after trans woman sent to a men's prison**

**Trans woman shot dead in shopping centre**

More:

[Transgender](#), [transphobia](#), [prison](#), [Bristol](#), [Bath](#), [Tara Hudson](#)