

A lot of the press support for self-regulation and lack of statute is based around the requirement to protect investigative journalism – the part that holds our elected politicians and public officials to account. Yet the overwhelming majority of articles published in the tabloid press are, in David Evans’s own words to the Westminster Media Forum, “tittle-tattle” – because that’s what seems to sell copy.

Transgender (trans) and intersex people are well used to this alternative, prurient story-telling, and familiar with the spurious “public interest” defence. As I said in front of Lord Justice Leveson on 8 February, I’m still waiting for The Sun’s explanation of why revealing the trans history of a lorry driver is in the public interest. At the same time, trans and intersex communities are asking “where is the investigative journalism”? Where is the coverage of the difficulties that trans people face in accessing appropriate (and legally required) healthcare, or the injustice of having to balance dissolving a loving marriage with the need for gender recognition, or the ridiculous hoops trans people often have to jump through simply to change their names on companies’ customer lists, or the myriad other issues trans and intersex people across the country face on a daily basis.

Instead we get articles, such as the recent exposés of a trans man and a trans child, which place people in real danger. Such coverage adversely affects innocent and vulnerable people, such as children and victims of rape – often at the time when distress and harm would be maximised. Media coverage is generally fixated on a self-reinforcing transition trope, with routine use of former names and before-and-after photos, making a mockery of legislation like the Gender Recognition Act.

The defence used, most notably by Rupert Murdoch and Dominic Mohan, possibly in an attempt to mark the Leveson Inquiry as irrelevant, is akin to “but we stopped kicking peoples’ heads in last week”. Except, in the case of trans and intersex people, alongside many other marginalised and vulnerable communities, they haven’t – the abuse **still** goes on. Subtle and repeated conflation of crime, deviancy or fraud with trans people cements a meme that becomes incredibly hard to shift, reinforcing people’s prejudices that make it hard for trans people to hold down jobs or assert basic human rights.

The other strand of the equation is that, for self-regulation to be effective, an industry must command the respect of the public at large. Lord Hunt of Wirral admitted that will be a tough hill for the press to climb. Certainly trans and intersex people do not trust the press – with 95% feeling that the media simply do not care, and 78% feeling that portrayals of trans and intersex people are either inaccurate or very inaccurate, and physical abuse linked to media portrayals being reported by an astonishing 8% of respondents to a 2009 survey.

The press must show respect for all human rights – not just freedom of speech – and must do so in a way that engenders public trust.

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