

Statement: National Transgender Healthcare Steering committee
Report misplacement and recommendation enactment delay

After establishing a working relationship with then Minister for Health Simon Harris TD we held our first meeting [April 25th 2019] to discuss the concerns of the transgender community surrounding the current state of transgender healthcare in Ireland. The Minister was very receptive and listened intently. He displayed some concerns surrounding the information of which I provided to him in relation to the experiences that the transgender community had been having under the care of the National Gender Service for a number of years to date. It was during my second meeting with Minister Harris [30th May 2019] that he informed me that he had come to the decision to establish a National Transgender Healthcare Steering Committee to explore the issues surrounding current healthcare provided to transgender people in Ireland.

During this meeting, the Minister explained that he would require a concluded report on the findings and also the recommendations of the committee by the end of the year [2019]. With the intention to progress with meaningful action to improve accessibility to transgender specific healthcare in Ireland.

Throughout this same meeting, Minister Harris requested my permission to appoint me to this committee as his appointed Ministerial Representative. I gratefully accepted.

The committee was chaired by the then HSE's National Clinical Advisor and Group Lead for Mental Health, Dr. Siobhán Ní Bhriain. The National Transgender Healthcare Steering Committee sitting members included a broad range of stakeholders including myself as the Ministerial representative, members of community advocacy group TENI, clinicians representing relevant areas of care including but not limited to endocrinology, nursing, psychiatry and paediatrics. And additionally representatives from various agencies responsible for relevant care. The committee also included members representing various divisions of the HSE as well as members representing the Department of Health.

All of whom are still bound by a confidentiality clause in relation to discussing the actual details of the workings of the committee and it's final recommendations until publication of the report.

The aims and objectives of the Transgender Healthcare Steering Committee was to; *Develop a seamless and integrated service for those who present with gender identity issues, with clear pathways of care so that the needs of the patient and their families are placed at the centre of service delivery.*

The National Transgender Healthcare Steering Committee commenced it's first meeting in early July 2019 and sat multiple times over the course of eight months, concluding in February 2020. Members of the committee afforded many hours of dedicated and complex work to complete the report and provide the detailed recommendations which had been requested by the Minister.

I can confirm that the final committee report was officially submitted to, and received by the Department of Health on February 28th 2020.

Despite the departments commitment to the timeline of which the report will be examined, published and recommendations acted upon, not only is it abundantly clear that the report has not yet been examined by the then Minister for Health Simon Harris TD but has also not yet been examined by the current Minister for Health Stephen Donnelly TD. This is despite numerous attempts to make contact with both Ministers.

What is now most concerning is that both the Department of Health and the HSE are at odds with one another as to the exact location of the report, in who's possession it is and the reasons behind the delay of examination, publication and progression of the report recommendations. This has been made evident this week as in the space of just four days [November 17th, 18th, 20th] in three separate incidents/events, three different DoH and HSE officials have given three contradictory answers as to who is in possession of the report and/or the reasons behind the delay relating to it's progression.

November 17th 2020:

Róisín Shortall T.D. submitted a written Parliamentary Question to Minister for Health Stephen Donnelly as follows:

“To ask the Minister for Health when the report and recommendations agreed by the National Transgender Healthcare Steering Committee will be published in view of the fact that it concluded its work in March 2020; when implementation will commence; and if he will make a statement on the matter.”

The Minister's response to on November 17th is was as follows: [Irrelevant content redacted]

“I am informed that, due to the impact of the COVID-19 pandemic, additional time is required to collate the information for the final report. I am advised that the report will be published as soon as possible.”

This call for further collation of information would indicate that Minister Donnelly is not aware that the report has been concluded and had been submitted to his department in February 2020.

November 18th 2020:

During an LGBTI Strategy meeting chaired by Minister for Children, Equality, Disability, Integration and Youth Roderic O’Gorman TD, a representative of the HSE informed the meeting that they were unsure of the status of the Transgender Healthcare Steering Committee report. But to their knowledge, the report had been submitted to the Department of Health earlier this year.

November 20th 2020:

During the Political Panel which took place at the annual Transgender Healthcare Conference at University College Cork, Minister of State for Mental Health Mary Butler informed both the panel and the audience that the Transgender Steering Committee report was still in the possession of the HSE. Then stated that further information is required before reporting to the Department of Health. [This is despite the fact that the report was officially fully concluded, submitted by the HSE and received by the DoH on February 28th 2019. The Minister was then informed by committee member [representing TENI] Sara Phillips, who was sitting on the same panel at the event, that the report had in fact concluded and was in the possession of the Department. The Minister responded that she would investigate the status of the report.

Additionally, in recent days I have been reliably informed that the committee report had indeed reached Minister Simon Harris' office in early 2020.

Communication with Minister Stephen Donnelly on this particular issue has proven futile. As the Ministerial appointee to the committee, a clear reporting relationship between myself and the Minister for Health was agreed, as well as a clear communication channel for concerns relating to the committee.

Whilst Minister Harris still sat as the Minister for Health this reporting relationship and communication channel was always upheld to the standard agreed and expected.

Since Minister Donnelly has obtained the position I have not been able to communicate with him on this issue at any time. This is despite now being his ministerial representative on the committee and making every effort to make contact with him on six occasions through various channels.

Additionally, the concerns of numerous other committee members have gone unanswered by the Minister.

It would appear that issues lie within one or both of the following:

A] Confusion on the part of the Department of Health as to the location of the report within the department, a concern over a possible misplacement of the document within the department and/or a lack of knowledge around the status of completion and submission of the committee report.

B] An unwillingness to uphold their own commitment to examine/publish the report and/or enact the recommendations made by the departments own appointed committee and the professionals who worked diligently to ensure that the timeline and requirements set by the department were met.

Repercussions

The clear misplacement and/or confusion surrounding the location of this document, the unacceptable delay in the examination of the report and the inaction of any attempt to enact any of the recommendations made by the committee has seen a detrimental impact on the transgender community in Ireland. With the most significant negative impact affecting transgender children and adolescents.

As a direct result of the Department of Health not upholding the previously agreed timeline of review, publication and action with regard to this report, there is now significant uncertainty surrounding the continuation of care provided to children and adolescents going forward.

The uncertainty of the future of the relationship between the HSE and the UK based clinic which are the only service treating young transgender people in Ireland at Crumlin Children's Hospital under the Treatment Abroad Scheme means that young patients and their families are now living with complete ambiguity and uncertainty and the potential risk to life is increased.

It is to my own knowledge that the uncertainty of this service continuation is as a result of conflict arisen by an Ireland based mental health agency involved in the care of transgender adults in Ireland.

This situation was entirely avoidable provided the Department of Health had abided by the previously agreed process and timeline set by the Minister for Health with regard to action following the recommendations of the committee.

Additionally, the misplacement, delay and inaction on the report's recommendations has also contributed to the deterioration of certain aspects of the healthcare service for transgender adults at The National Gender Service located at St Colmcilles Hospital, Loughlinstown. Including but not limited to; the continuation of the outdated, non evidential based psychiatric assessment process and the grossly inappropriate questions asked at afore mentioned assessments.

During which time the committee was still sitting, the National Gender Service were forced to publicly disclose that they had lost/misplaced over 120 referrals to the service dating back to 2016. During which time, those affected still believed themselves to be climbing the already abhorrent waiting list, with no communication from the NGS in that time frame to state otherwise. Again creating another potential risk to life.

In just one year we have seen the waiting list to access services at the National Gender Service increase from 15 months to three years from first referral. As well the allowance of the continuation of a 'model of care' which is not in line with international best practice standards of care set by WPATH [World Professional Association for Transgender Health]. Also continuous rejections to WHO [World Health Organisation] guidelines, of which the Irish State is a signatory to.

Waiting Lists

In addition, both the Department of Health and the HSE also seem to be at odds surrounding the the reasons why the waiting list to access care at the National Gender Service have risen so dramatically in such a short period of time. Conflicting information from both parties below:

November 17th 2020:

Róisín Shortall T.D. submitted a written Parliamentary Question to Minister for Health Stephen Donnelly as follows:

"To ask the Minister for Health if steps can be taken to address the fact that in just one year the National Gender Service waiting list has gone from 15 months to more than 3 years; if immediate action will be taken to address the matter; and if he will make a statement on the matter."

The Minister's response to on November 17th is was as follows: [Irrelevant content redacted]

"It is recognised that waiting times for scheduled appointments and procedures have been impacted as a direct result of the COVID-19 pandemic.

In response to the Covid-19 pandemic the HSE had to take measures to defer most scheduled care activity in March, April, and May of this year. This was to ensure patient safety and that all appropriate resources were made available for Covid-19 related activity and time-critical essential work. This decision was in line with the advice issued by the National Public Health Emergency Team (NPHE) in accordance with the advice of the World Health Organisation.

In relation to the particular query raised by the Deputy concerning the National Gender Service, as this is a service matter, I have asked the Health Service Executive to respond to the Deputy directly, as soon as possible."

November 17th 2020:

In a headed letter the HSE's East Ireland Hospital Group responds to this PQ as requested by Minister Donnelly. The response signed by Paul Gallagher Chief Director of Nursing and Midwifery is as follows:

"I have had this matter examined and have been advised that the waiting list for the National Gender Service is now over two years given an ongoing increase in referrals received over the last number of years. Staff increased in 2019 to address this, and the service recently initiated recruitment for new members of staff.

If recruitment is successful, this will help to reduce the waiting list. It is recognised that given the ongoing increase in referrals, and the complexity of care needs, additional staff will be needed in the future. A business case for additional staff has been drafted with a plan to submit in the upcoming estimates process."

It is evident from the conflicting responses from the DoH and the HSE that both are at odds regarding the reasons of why the current waiting lists are abhorrently long and what attributed to the spike in waiting times. Both also fail to mention that in November 2019, the waiting list was 15 months long and by February 2020 it had dramatically spiked. This was pre-Covid-19 action and was immediately following the National Gender Service's public admission of the loss/ misplacement of over 120 referrals to the service.

In relation to the DoH's PQ response Re: Waiting lists, they failed to mention that The National Gender Service did not cease operations as implied in their response and continued to see their patients for appointments both in person and by virtual appointments.

I can personally attest to this as I attended my own appointments at the NGS as well as accompanying other patients of the NGS to their appointments during the months stated.

This would strongly indicate that the COVID-19 response is not an entirely factual answer to the concerns relating to the growing waiting list, of which has been a problem for many years prior to the onset of the Covid-19 pandemic.

The transgender community deserve the truth and their medical care provided safely and efficiently.

Finally

I call on the Minister for Health Stephen Donnelly not only to make contact with myself, his ministerial appointee to the National Transgender Healthcare Steering Committee, in line with the previously agreed reporting relationship and open channel of communication regarding concerns, updates and information relating to the committee. Such as Minister Simon Harris so diligently upheld when he held the seat of the Minister for Health. But also to respond to various other committee members/stakeholders whom have also attempted to make contact in relation to their concerns surrounding this matter.

We, as a community also call on Minister Donnelly and the Department of Health to investigate the whereabouts of this most important document and to review, publish and act on the report recommendations as a matter of urgency. To ensure that the already dire healthcare system for transgender people in Ireland does not continue to decline at the alarmingly rapid rate that it currently is as a result of the negligence of the Department of Health in following through on their own commitments to not just the committee appointed by them. But to the transgender community of Ireland who are suffering as a result of little to no access to the healthcare that we need to survive. No more lives needlessly lost, we need government action now more than ever.

Noah Halpin

- *This Is Me - Transgender Healthcare Campaign*
- *DoH Ministerial Representative to the National Transgender Healthcare Steering Committee*