

# TRANS LAWYERS MAKING HISTORY

## INTRODUCTION

February marks LGBTQ+ History Month, during which we remember and celebrate trailblazers throughout the LGBTQ+ community and across history.

This LGBTQ+ History Month we wanted to celebrate trans ‘history-makers’ - individuals whose vital and ground-breaking legal work, analysis and activism is helping shape and safeguard the future for LGBTQ+ individuals across the globe.

Although enormous progress has been made in advancing LGBTQ+ equality in past decades thanks to the efforts of countless individuals, such progress cannot be taken for granted while civil rights are being challenged and even rolled back in many jurisdictions.

Nick Pacheco notes that: “many LGBTQ+ people—and trans people in particular—continue to face significant social stigma, discrimination and even violence because of their sexual orientation and/or gender identity. LGBTQ+ History Month is an opportunity to learn more about the heroes who have striven to protect the rights of these communities and to reflect on what we can do to be better allies”.

The four individuals featured in this booklet: Stephen Whittle, Mia Yamamoto, Joyita Mondal and Chase Strangio, provide inspirational examples of trans lawyers making a tangible difference to the lives of LGBTQ+ people and ensuring that the hard-earned progress of the past will continue far into the future.



## STEPHEN WHITTLE

STEPHEN WHITTLE OBE is an academic and long-time activist for trans rights. After coming out as trans in the mid-1970s, Stephen re-trained in law to gain the insights needed to improve employment protections and access to healthcare, after personally experiencing the many ways in which the law discriminated against trans people. Stephen went on to play a key role in a number of successful legal challenges at the European Court of Justice and the European Court of Human Rights (ECtHR). This led to greater protection of trans rights in the UK through the introduction of legislation such as the Gender Recognition Act 2004 (allowing people to acquire a gender recognition certificate) and the Equality Act 2010 (which introduced the protected characteristic of gender reassignment).

Whittle has been a committed trans activist since the 1970s, and by the early 1990s co-founded the political lobbying and educational organisation Press for Change (PFC). PFC aims to change public attitudes (and ultimately laws) regarding trans people in the UK. Major reforms have been made possible by the work of PFC, including the successful appeal before the ECtHR in 2002 by Christine Goodwin, who claimed that the UK Government's failure to alter the birth certificate of trans people was a breach of her right to privacy under the European Convention on Human Rights. This case paved the way for the Gender Recognition Act 2004 to give effect to the ECtHR's judgment by providing a process through

which a person can change their legal gender upon evidence of a medical diagnosis of gender dysphoria or gender identity disorder.

Whittle's academic career started in the mid-1990s. He worked at Manchester Metropolitan University from 2003, ultimately progressing to Professor of Equalities Law until his retirement in 2023. He has also worked with many policymakers, including being commissioned by the Equalities Review to research the inequality and discrimination that trans people encounter, especially in educational contexts (schools, colleges, and universities) as places that have a prominent role in an individual's personal development.

In recognition of his dedicated work for the advancement of trans rights, Whittle was awarded the National Transgender Lifetime Achievement Award in 2016. He has also been the recipient of the Stonewall Award from the American Bar Association, the Frank Kameny Award, the Virginia Prince Lifetime Achievement Award, and the Human Rights Award.

You can find out more about Professor Stephen Whittle OBE [here](#) and [here](#).

**Helen Byrne**

*Associate, Competition*



Bethany Mollenhof

## MIA YAMAMOTO

MIA YAMAMOTO is an American Japanese criminal defence attorney and civil rights activist who was, in her own words, *“born doing time”*. Her life started in the Poston Relocation Centre internment camp, where families of Japanese descent were imprisoned in World War II-era America.

Yamamoto later served in the Vietnam War, receiving the National Defense Service Medal and the Army Commendation Medal, before deciding to go to UCLA School of Law where she co-founded the Asian Pacific Islander Law Student Association.

While she started her career in legal aid, Yamamoto later moved to the public defender’s office after realising that in criminal defence work *“It was the same clients I represented at legal aid that were there in the tank. [It was] good people making reckless, stupid decisions about their lives”*. Over the years, she has also focused on protecting prisoners, including in relation to investigative torture, which is often used illegally to elicit confessions.

In the course of her career, she has tried over 200 jury trials and represented thousands of clients, receiving honours from the Criminal Courts Bar Association, National Lawyers Guild, and the Women Lawyers Association of Los Angeles for her work.

Despite knowing she was trans from a young age and being out to a close circle of friends and family, Yamamoto only publicly came out at age 60 after realising that *“if I had to die as a man, I would feel like I never lived”*. She notes that one of the things that stopped her from transitioning earlier was the extreme violence that trans people face, both from society and the police.

Throughout her life, Yamamoto has also been active in advocating for marginalised communities other than her own and has recognised the importance of oppressed communities supporting each other. Honours she has received for her activism include the Rainbow Key Award by the City of West Hollywood, the Liberty Award by Lambda Legal, and the Harvey Milk Legacy Award by Christopher Street West/LA Pride.

You can find out more and Mia Yamamoto [here](#) and [here](#).

### Demosthenes Caldis

Trainee



## JOYITA MONDAL

JOYITA MONDAL became India's first trans judge in 2017 and continues to fight for trans equality across all areas of life. Mondal was called to act as a judge in a Lok Adalat (civil court) in North Bengal where she mostly mediates over loan repayment cases.

Mondal left her home and studies and started life anew in a neighbouring district midway through high school following verbal abuse at school, and physical abuse and forced electroconvulsive therapy from family members for dressing in clothing and partaking in activities perceived as 'feminine'. Mondal earned her money through begging and working as a singer/dancer at weddings and other ceremonies. She lived among the Hijra and Kinnar communities (intersex and trans communities in India), who face persistent discrimination from employers, landlords, education providers and more.

Looking to improve the welfare of the trans community, Mondal went on to resume her studies, earning a law degree. She also established a self-help organisation, the 'Dinajpour Notun Alo Society' for women, that initially provided opportunities to make and sell hand-crafted products and which has now grown into a 1,000+ strong network offering education opportunities. Mondal also participates in the Islampur Sub-division ERT Centre, which raises awareness about AIDS and provides counselling services—a vital resource to the local trans community, which is disproportionately affected by forced prostitution.

Gaining recognition for her social work, Mondal was called to be a judge at the North Bengal civil court. Speaking on the landmark 2014 Supreme Court ruling in *Nalsa v. India*, which ruled that trans people should be recognised as a 'third gender' and enjoy all fundamental rights, and the decriminalisation of same-sex relationships in 2018, Mondal acknowledged that while there has been legal progress, the five million plus trans people living in India remain subject to widespread discrimination and social and financial hardship, especially in rural areas.

Nowadays, Mondal continues her duties as a judge and continues to speak out for increased government funding for education for trans people. She believes that such funding is key to achieving equality beyond that found through legal reform and increased representation, noting: *"Only when we are integrated into mainstream education, accorded equal status, and respected within society can we transcend demeaning occupations such as prostitution [and] begging... Respect should come as a result of our intrinsic worth, not just our professional positions."*

You can read more about Mondal's more recent pursuits [here](#) and opinion pieces on the history of India's transgender laws [here](#) and on trans people in Indian society [here](#).

**Dilshad Sana Teemul**  
Associate, Competition



Lia Clay Miller

## CHASE STRANGIO

CHASE STRANGIO is an American lawyer and a leading trans rights activist. As the American Civil Liberties Union's (ACLU) Deputy Director for Transgender Justice, in recent years Strangio has worked on numerous ground-breaking LGBTQ+ civil rights cases in the US, from fighting for trans students' access to bathrooms to arguing before the US Supreme Court to enshrine legal protections for LGBTQ+ employees.

Strangio began his legal career at GLAD a civil rights organisation focused on 'impact litigation' (i.e. strategic litigation aimed at bringing about longer-term social change), before moving on to work with the Sylvia Rivera Law Project as a legal advocate for incarcerated trans people. After he joined the ACLU, Strangio acted on several high-profile trans rights cases, culminating in the landmark case of Aimee Stephens, a funeral director fired by her employer after she came out as trans. This was the first trans civil rights case to come before the US Supreme Court and resulted in the milestone ruling that the US Civil Rights Act protects trans people from employment discrimination.

In addition to his litigation work, Strangio is a committed spokesperson and organiser within the LGBTQ+ community, having founded initiatives such as Transanta, a mutual aid project which aims to connect anonymous gift-givers with trans youth; and Trans Week of Visibility and Action, which provides a platform for communities to mobilise against anti-trans legislation.

In his own words: *"One of the things I like about my work is that I'm engaging in different forms of storytelling. Law is storytelling. When you go to court, it's an experience of narrative intervention. At the end of the day, you're fighting over what story you're allowed to tell. If we're going to change the material conditions of people's lives, part of it is through different types of storytelling, different types of empathy cultivation, different types of human connection."*

Strangio was included in the 'Time 100' list of the most influential people of 2020, in recognition of his colossal contribution to the fight for LGBTQ+ civil rights. You can find out more about Chase Strangio [here](#) and [here](#). You can find out more about Chase Strangio [here](#) and [here](#).

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