



Psychiatry & Behavioral Sciences Section – 2011

I21 Man or Women? – Forensic Medical Experts Help Decide

Carla Carreira, MD, and Graca Santos Costa, MD, Portuguese National Institute of Legal Medicine, Largo da Sé Nova, 3000-213, Coimbra, PORTUGAL; and Duarte N.P. Vieira, PhD, Rua Antonio Jose de Almeida, No 117, Coimbra, 3000-044, PORTUGAL*

After attending this presentation, attendees will understand some principles of transsexualism, a known gender identity disorder in which an individual identifies himself with a gender that is different from their biological sex. A true transsexual experiences discomfort as a result of a desire to live and be accepted as a member of the opposite sex. Being such an uncommon disorder, the case study presented offers an opportunity of literature review on the necessary elements for the recognition of these situations as well as the status of legislation concerning this issue in numerous countries.

This presentation will impact the forensic science community by serving as an acknowledgement of the vital contribution of forensic medicine in a systematized format via interdisciplinary communication and collaboration, in assisting courts in specific cases that fall out of the range of the existing legislation.

The present case is of an individual, born male, with no morphologically ambiguous genitalia, no chromosomal abnormality, and

no sex hormone anomaly. At the age of 32, he filed a request in a Portuguese court to legally change his name and gender, alleging he was in fact a woman and would therefore, like to be recognized as one by society. He presented himself as being a male-to-female transsexual and expected the court to allow the identification amendment.

The information gathered was the following, although being raised as a boy, his gender identity was that of a female, sensing he belong to the opposite sex not only biologically but also psychologically and socially. He stated to have been aware of this gender incongruity from very early childhood. He acknowledged an intense and persistent desire to participate in the stereotypical games and activities of the female sex, not feeling comfortable with the gender role that society expected him to play based on the body he was born with.

He strongly believed himself to be a victim of a biologic accident which made him cruelly imprisoned in a body incompatible with his subjective gender identity, having developed negative feelings toward his own genitals, even trying to mutilate them and harming himself.

Early on he looked for the company of girls and secretly found ways to cross-dress in women's clothes, namely his mothers', as a way of exploring and enjoying his feminine gender feelings.

Given his feelings of shame and humiliation by his female tendencies, he hid these secret longings from everyone, until about two years prior. As a consequence his general day to day life turned out to be a constant internal conflict. Thus, when he became aware of his options for social gender-change and for medical help, he immediately started hormone therapy and searched for advice, guidance, and gender counseling. He later initiated a "real life experience" of one year of living and working in the new gender with permanent cross-dressing and social changes, undergoing a "transgender transition." Then, before undergoing sex reassignment surgery, there was need for a psychiatrists' certification declaring that the patient was a true and pure case of transsexualism. It also stated to his strong motivation not only to undergo surgery but also for the long journey to total rehabilitation. In addition he certified to the patients stability, ruling out any other important mental disorders. Furthermore there was a medical certification acknowledging an orchiectomy, penectomy, urethral opening reconstruction, labiaplasty, clitoroplasty and vaginal opening and neovaginal canal construction.

The main issue in place was the attempt to legally change his identification into his new name and gender. In many countries, as in Portugal, there has not yet been created specific legislation concerning this matter. This allied to the fact that it is a relatively unknown and controversial matter, not well accepted in certain religious and cultural backgrounds, led the court where the appeal was filed, to request for help from medico-legal experts.

After careful observation of this individual and cautious interpretation of the physical and psychiatric findings of the medical exam performed, a report was sent back to the judge, stating the opinion of the experts. Was this in fact a new born woman or was he to remain a man?

Transsexualism, Gender Identity Disorder, Forensic Medicine