

Lesbian Rights Alliance

Questions

1 Do you have any comments on the proposal that applicants must live in their acquired gender for at least 3 months before applying for a GRC?

Yes

If yes, please outline these comments.:

Three months is far too short a time for a young person to even know if they are experiencing gender dysphoria and is not enough time for them to consider the implications of what they are doing. Most young people who think they want to change gender do this because they are experiencing other underlying problems - for example they are experiencing trauma from sexual abuse or harassment, they are autistic or they have other underlying health problems which need to be dealt with. They are lesbian or gay and have internalised homophobia, or have been bullied at school, because of their sexuality

It is assumed that they should make this decision without speaking to anyone else such as a therapist or who can assess their mental health problems.

2 Do you have any comments on the proposal that applicants must go through a period of reflection for at least 3 months before obtaining a GRC?

Yes

If yes, please outline these comments.:

The period of reflection is far too short. Two years is the minimum of time needed to make such a major decision. The Scottish government needs to look at the evidence from female de-transitioners and what they have said about how easy it was for them to make life changing decisions at such a young age without giving thought to what it would actually mean for them in ten or twenty years time. As we said under question 1, there is no requirement for them to discuss with therapists or medical practitioners and when such decisions are made it. Young people's brains do not fully mature until the age of 25, when they often regret having made a decision which has changed their bodies for ever

3 Should the minimum age at which a person can apply for legal gender recognition be reduced from 18 to 16?

No

If you wish, please give reasons for your view.:

In Scottish law a 16 year old is not permitted to buy or consume alcohol, cigarettes fireworks or get a tattoo. Yet this law is proposing they are mature enough to make the life-changing decision of changing their sex, with all the medical harms to their

bodies that this requires, such as taking harmful sex hormones and having mutilating surgery to change their bodies. If these young people are not allowed to get a tattoo at 16, which is also a life-changing and unalterable mutilation of their bodies, why is it allowing them to believe that they can change sex, through life altering medication and surgery. Infact as many de-transitioners have discovered to their cost they cannot actually change sex, which is determined by chromosomes, but they have harmed their bodies for life, and if they are women they are made sterile and can never have children

4 Do you have any other comments on the provisions of the draft Bill?

Yes

If yes, please outline these comments.:

The Bill if passed would make safeguarding the protected characteristics of sex and sexual orientation in the Equality Act unworkable. In particular it would further undermine the rights of women and girls to have their privacy, dignity and safety protected in single sex facilities and services. Although the Equality Act 2010 legally allows the exclusions of those with gender recognition certificates, this is not recognised in the [REDACTED] EHRC interpretation. It would mean far more biological males with gender recognition certificates claiming their rights to such spaces, often for their own sexual gratification (gynophilia) and resulting in far more criminal offences of voyeurism and sexual assault, on women and girls. The erosion of single sex facilities and services would make it impossible to safeguard girls in schools, public toilets and changing rooms. the Draft Bill has failed in its duty to show due regard to women and girls.

5 Do you have any comments on the draft Impact Assessments?

Yes

If yes, please outline these comments.:

There is already a legal challenge to national health service practices in their 'affirmative' treatment of children and adolescents who say they want to change sex and a review of NHS services towards such young people. It is now beginning to be recognised that such treatments are in the long term very harmful and that this cannot be fully comprehended by young people themselves. This bill takes no account of these current processes and to lower that age at which a young person can officially change 'sex' at this time it is totally reckless and irresponsible. The bill shows there is no pressing need to reform the GRA, rather the opposite is the case.