

AUSA Trans Students' Forum

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.:

It is an unnecessary bureaucratic step.

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.:

It is an unnecessary step. Other countries do not bother. It is predicated on the long-standing belief in this country that trans people are incompetent decision-makers. With the use of legal sex in Scotland being incredibly minimal, such steps feel over the top.

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

Yes

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

An age of 16 brings the right to change legal gender in line with other rights a person can have at 16. This avoids the situation where a 16 or 17-year-old trans person must out themselves if they have acquired a change of name, but not a GRC, and need to present paperwork.

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

Yes

If yes, please outline these comments.:

The draft bill is broadly fine. Legal sex in Scotland is very guarded, though not particularly potent. The bill confers much more importance to the concept than should be given. It is within the interests of everyone that legal sex as an existent concept is abolished. Its use, in pensions and birth/death certificates now, is highly limited, and made redundant by advances in equality law such as equal marriage.

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

Yes

If yes, please outline these comments.:

The BRIA says that a sheriff may revoke a GRC due to incapacity. This power is unnecessary. A GRC does not need to be revoked during a period of incapacity, as the holder may revert after the period. However, the power endangers mentally ill trans people, who may have their documentation revoked wrongfully. This may endanger some trans people in an already dangerous situation. The CRWIA corresponded with members of forwomen.scot, a noted hate-group. This is below-par. FSDA fine. EQIA fine. Impact assessments fail to recognise how obtaining a GRC leads to safer conditions for trans people in work and life.