

Dundee Labour Women's Group

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.:

The proposal that it would be possible to apply for a GRC after only 3 months not only speeds up the process it also removes all gatekeeping as there would be no need for a diagnosis of gender dysphoria. The purpose of the gatekeeping was to prevent the system being abused. also 'living in as particular gender' has very little meaning in today's society where gender-stereo-typing is completely unacceptable.

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 proposed 3 month period of reflection offers no opportunity for the person seeking a GRC to consult with experts to ensure that this is the correct decision for them. It is not an adequate replacement for the current system which provides the support of psychiatrists to ensure that the person is fully informed before seeking a GRC.

The assertion that this follows international best standards' has no evidential base and is widely disputed as are the yogyakarta principles cited without any proper backup.

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.:

The proposal to allow 16 - 18 year olds to make a statutory declaration that they intend to live in their acquired gender for the rest of their lives whilst simultaneously stating they are too young to have a tattoo is a massive contradiction. Research consistently shows that the majority of young people who identify as being trans desist but if this proposal becomes law many of these young people will have signed a legal declaration. By affirming a young person and allowing them to declare their gender identity the state may cause harm to those who will desist. It is unacceptable dangerous to put young people on an experimental pathway which leads to loss of sexual function, infertility and lifelong medication. Research has also shown that brains do not fully mature until the mid-20s particularly the areas of the brain which deal with long-term planning and recognition of the consequences of actions.

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

Not Answered

If yes, please outline these comments.:

The argument to change the process of acquiring a GRC is that it is a move towards "international best practice" but does not state what they mean by this. The states that operate a process of self declaring their gender operate very varied systems but this proposal does not elaborate as to which state is to be emulated.

As we do not know how the proposed changes will look we cannot know how they will impact on women's rights and there has been no attempt to explain this. The current process to obtain a GRC is already compliant with international human rights obligations so there is no reason for this change.

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

Yes

If yes, please outline these comments.:

The Impact Assessments have failed to examine the impact on women and women's rights and so are not fit for purpose. They have ignored evidence provided by organisations such as Fair Play for Women, and Women and Girls Scotland and instead solely sought evidence that supported their proposal.

The Scottish Government estimates there will be a tenfold increase in those seeking a GRC through self declaration but the proposal does not explain what rights those having a GRC will have and how this will impact on women's rights, the rights of gay men and lesbians; and the rights of disabled people (particularly young people with autism).